



City of Woodland

Meeting Agenda

City Council

City Hall
300 First Street
Woodland, CA 95695

Tuesday, May 1, 2018

6:00 PM

Council Chambers

JOINT MEETING CITY COUNCIL/WOODLAND FINANCE AUTHORITY

May 1, 2018

6:00 PM

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PLEDGE OF ALLEGIANCE**
- D. COMMUNICATIONS-PUBLIC COMMENT**

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this agenda. Speakers are requested to use the microphone in front of the Council and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

This is an opportunity for the Council Members and Staff to make comments and announcements, to express concerns, or to request Council's consideration of any items a Council Member would like to have discussed at a future Council meeting.

- 1. Long Range Calendar

Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

F. MINUTES

- 2. City Council Meeting Minutes of March 6, 2018 and March 20, 2018

Staff recommends that the City Council adopt the minutes of the Joint Regular City Council/Woodland Finance Authority meeting of March 6, 2018 and March 20, 2018.

- 3. Parks & Recreation Commission Meeting Minutes for March 26, 2018

Staff recommends that the City Council receive the March 23, 2018 Parks & Recreation Commission Minutes that were approved on April 23, 2018.

G. PRESENTATIONS

4. Spring Lake Housing Project (Mutual Housing) Proclamation
Staff recommends that the City Council receive a presentation from Roberto Jimenez, Executive Director of Sacramento Mutual Housing and Greg Chew, Board Member of Sacramento Mutual Housing on the Mutual Housing Project at Spring Lake.
5. Proclaim May 3, 2018 as BIG Day of Giving
Staff recommends that the City Council adopt a Proclamation proclaiming May 3, 2018 as BIG Day of Giving.
6. Sacramento-Yolo Mosquito & Vector Control District Presentation
Staff recommends that the City Council receive a presentation from Gary Goodman, District Manager for the Sacramento-Yolo Mosquito & Vector Control District to provide the latest update regarding mosquitoes, Zika virus, West Nile, invasive mosquito species, threats to public health and services offered by the Sacramento-Yolo Mosquito & Vector Control District.

H. CONSENT CALENDAR

7. Approval of Final Map 5120 Calwest 3&4, Related Subdivision Improvement Agreement, and Reimbursement Agreements
Staff recommends that the City Council adopt Resolution No. _____, a Resolution of the City Council 1) approving Final Map 5120 Calwest 3&4; 2) approving the related Subdivision Improvement Agreement and authorizing City Manager to sign on behalf of the City; and 3) authorizing the City Manager to approve amendments to the Subdivision Improvement Agreement for the extension of time.
It is further recommended that the City Council adopt Resolution No. _____; 1) Approving the SLIF Reimbursement Agreement, and the Third Party Reimbursement Agreement and authorize the City Manager to sign on behalf of the City; and 2) authorizing the City Manager to sign amendments up to 15% of each reimbursement agreement individually.
8. FY2018 NCS-X Implementation Assistance Program: Support for Local Law Enforcement Agencies, Part 1
Staff recommends that the City Council adopt Resolution No. _____ authorizing the City Manager and the Police Department to submit an application for the FY2018 NCS-X Implementation Assistance Program: Support for Local Law Enforcement Agencies, Part 1 for the amount of \$147,908 and to accept the funds if awarded.
9. Approve Revisions to the Park Maintenance Worker I/II, Park Maintenance Worker III, and Director of Public Works Job Descriptions and Approve New Job Description of Fire Marshal
Staff recommends that the City Council adopt the revisions to the job descriptions for Park Maintenance Worker I/II, Park Maintenance Worker III, and Director of Public Works; and adopt the new job description of Fire Marshal.
10. Adoption of Resolution Authorizing the City Engineer or Designee to execute State and Federal Master Agreements.
Staff recommends that the City Council adopt Resolution No. _____, to authorize the City Engineer or Designee to execute State and Federal Master Agreements between the City of Woodland and the California Department of Transportation.

11. Update City Council Sub-Committee Assignment
Staff recommends that the City Council update appointments of Council members serving on the City / Yolo County 2x2 Sub-committee.
12. Appoint Member to the Personnel Board
Staff recommends that the City Council appoint Nicole Carr to the Personnel Board.
13. Support AB 2887 (Aguiar-Curry) Migrant farm labor centers
Staff recommends that the City Council authorize the Mayor to forward a letter in support of AB 2887 (Aguiar-Curry) related to migrant farm labor centers.

I. PUBLIC HEARINGS

14. Establishing an Interim Zoning Ordinance to Ensure Conformity with the 2035 General Plan
Staff recommends that the City Council:
 1. Receive a staff report;
 2. Conduct the public hearing; and
 3. Adopt Ordinance No. _____, by a Four-Fifths vote, establishing a stand alone Interim Zoning Ordinance to provide a clear legal basis for zoning and development review to ensure consistency with the 2035 General Plan; and

Copies of all referenced documents can be ordered through the City or accessed online at the City of Woodland web site :
<http://cityofwoodland.org/gov/meetings.asp>.
15. Consideration of a General Plan Amendment to Correct Errors in the Recently Adopted 2035 General Plan Land Use Map
Staff recommends that the City Council:
 1. Conduct a public hearing; and
 2. Adopt Resolution No. _____, approving the proposed General Plan Amendment.

J. REPORTS OF THE CITY MANAGER

16. Adopt Resolution to Approve Subordination Agreement with River City Bank
Staff recommends that the City Council adopt Resolution No. _____, authorizing the Mayor to execute a subordination agreement with River City Bank which subordinates the City loan to Valley Clean Energy Alliance to the River City Bank Line of Credit given to Valley Clean Energy Alliance.
17. Considerations of Position on Statewide Ballot Measures
Staff recommends that the City Council establish formal positions on selected ballot measures appearing, or expected to appear, on the June and November statewide ballot.

K. ADJOURN

I declare under penalty of perjury that the foregoing Agenda for the Joint Regular City Council/Woodland Finance Authority Regular Meeting of the City of Woodland scheduled for May 1, 2018 was posted on April 27, 2018 in the outside display case at City Hall, 300 First Street, Woodland, CA, and was available to the public during normal business hours.

Upon request, agendas and documents in the agenda packet will be made available in appropriate alternative formats to persons with a disability, as required by law. Any such request must be made in writing to the Office of the City Clerk of the City of Woodland. Requests will be valid for the calendar year in which the request is received, and must be renewed prior to January 1st.

Persons needing disability-related modifications or accommodations in order to participate in public meetings, including persons requiring auxiliary aids or services, may request such modifications or accommodations by calling the Office of the City Clerk (530-661-5806) at least 48 hours prior to the meeting.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 1.
SUBJECT: Long Range Calendar

Recommendation for Action:

Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

Staff Contact:

Ana B. Gonzalez, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.org

Background:

This calendar is being provided for planning purposes only and is intended to keep the Council apprised of upcoming agenda items and better plan for upcoming Council items.

Prepared By: Jennifer Robinson, Secretary to the City Manager

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Long-Range Calendar	4/27/2018	Cover Memo

UPDATED COUNCIL LONG RANGE CALENDAR

MAY 15th

REGULAR MEETING

Woman of the Year – Presentation
Public Works Week Proclamation - Presentation
City Council Meeting Minutes of April 3, 2018 and April 17, 2018
Sewer Rate Study Consultant Contract
Contract Amendment - Coagulants for WPCF
Board and Commission Appointment(s) and Process
Military Leave Policy
Presentation – FY2018/19 Proposed Budget
Measures E and F Spending Plan
CalPERS Unfunded Liability – Pre-payment
Fire Department – Proposed Fee Update
Shopping Cart Ordinance – 1st reading

MAY / JUNE STUDY SESSION (Date TBD)

Development Impact Fees
Affordable Housing Projects / Homeless Discussion
Public Safety Discussion

JUNE 5th

REGULAR MEETING

City Council Meeting Minutes of May 1, 2018 and May 15, 2018
Ag Mitigation Ordinance (1st Reading)
Non-Conforming Use Zoning Update
Police Department Community Outreach Programs
2nd Reading of Shopping Cart Ordinance
Review Conflict of Interest Code

JUNE 19th

REGULAR MEETING

Call for Public Hearing regarding Waste Management Liens on July 17, 2018
FY2018/19 Budget Adoption

JULY 3rd

REGULAR MEETING

City Council Meeting Minutes of June 5, 2018 and June 19, 2018
Call for Election

JULY 17th

REGULAR MEETING

Public Hearing – Waste Management Liens

SUMMER RECESS – JULY 18 TO AUGUST 20



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 2.
SUBJECT: City Council Meeting Minutes of March 6, 2018 and March 20, 2018

Recommendation for Action:

Staff recommends that the City Council adopt the minutes of the Joint Regular City Council/Woodland Finance Authority meeting of March 6, 2018 and March 20, 2018.

Staff Contact:

Ana B Gonzalez, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.org

A handwritten signature in black ink, appearing to read "Paul Navazio".

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Draft CC Minutes of Mar 6, 2018	4/26/2018	Minutes
Draft CC Minutes of Mar 20, 2018	4/26/2018	Minutes

City of Woodland

City Hall
300 First Street
Woodland, CA 95695



Regular Meeting Minutes

Tuesday, March 6, 2018

6:00 PM
Council Chambers
City Council

**CITY COUNCIL
CLOSED SESSION**

5:30 PM

A. CALL TO ORDER

B. CLOSED SESSION

**B.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Pursuant to
Government Code Section 54956.8**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code §
54956.8)**

**Properties: Yolo County Assessor's Parcel Numbers 066-270-055 and 042-
580-019**

**Agency Negotiators: City Manager, Assistant City Manager, City Engineer,
Fire Chief, Community Services Director, City Attorney**

Negotiating Parties: Woodland Joint Unified School District

Under Negotiation: Price and terms of payment

VIDEO JOINT MEETING CITY COUNCIL/WOODLAND FINANCE AUTHORITY

March 6, 2018

6:00 PM

VIDEO A. CALL TO ORDER

Meeting called to order at 6:05 PM.

VIDEO B. ROLL CALL

All Council Members Present.

Present: Barajas, Davies, Fernandez, Rodriguez and Stallard

VIDEO C. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Marcus Miller.

VIDEO D. COMMUNICATIONS-PUBLIC COMMENT

**Mark Aulman introduced Marcus Miller, Woodland High School Senior and Vice
President of Woodland Key Club, to speak about a Hands to Heart in
collaboration with Woodland Kiwanis Club, Woodland Fire Department and
Woodland School District.**

VIDEO E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

Verbal updates provided by Council Members/Staff.

VIDEO 1. Long Range Calendar

Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

VIDEO F. MINUTES

2. City Council Meeting Minutes of February 6, 2018 and February 20, 2018
Staff recommends that the City Council adopt the minutes of the Joint Regular City Council/Woodland Finance Authority meeting of February 6, 2018 and February 20, 2018.
3. Commission on Aging Minutes for January 18, 2018
Staff recommends that the City Council receive the January 18, 2018 Commission on Aging meeting minutes that were approved on February 15, 2018.

- VIDEO
4. Parks & Recreation Commission Meeting Minutes for January 22, 2018
Staff recommends that the City Council receive the January 22, 2018 Parks & Recreation Commission Minutes that were approved on February 26, 2018.

On a motion by Council Member Stallard, seconded by Council Member Barajas and carried unanimously, Council Members adopted the minutes of the Joint Regular City Council/Woodland Finance Authority meeting of February 6, 2018 and February 20, 2018; received the Commission on Aging meeting minutes of January 18, 2018 and the Parks & Recreation Commission meeting minutes of January 22, 2018.

Ayes: Barajas, Fernandez, Davies, Rodriguez, Stallard

VIDEO G. PRESENTATIONS

- VIDEO
5. Winter Family Homeless Shelter Pilot Program Update and Recognition of Volunteers and Host Site
Staff recommends that the City Council receive an update on the winter family shelter pilot program and recognize the volunteers and host site that participated in the program.

Received an update from Alex Halcon, Community Services Department Administrative Assistant on the Winter Family Homeless Shelter Program. Council Members recognized volunteers and host site that participated in the program.

- VIDEO
6. Summer at City Hall
Staff recommends that the City Council receive a presentation on planning for the "Summer at City Hall" program, a new collaboration between the City of Woodland

and the Woodland Joint Unified School District.

Received presentation from Christine Engel, Community Services Director and Christine Lambie with the Woodland Joint Unified School District on planning for the "Summer at City Hall" program, a new collaboration between the City of Woodland and Woodland School District.

VIDEO H. CONSENT CALENDAR

7. Approval of Major Projects Financing Plan Fee Deferral Agreement for Mutual at Spring Lake Apartments Phase 2 Project

Staff recommends that the City Council take the following actions:

1. Adopt Resolution No. ____, approving the deferral of \$530,141 in Major Projects Financing Plan (MPFP) fees until the property owner (Phase 2 Spring Lake Mutual Housing Associates, L.P.) requests a certificate of occupancy for the Mutual at Spring Lake Apartments Phase 2 project or December 31, 2019, whichever occurs first.
2. Direct the City Manager to execute the attached deferral agreement in substantially the same form with Phase 2 Spring Lake Mutual Housing Associates, L.P. or another entity established by Mutual Housing to own the Mutual at Spring Lake Apartments Phase 2 project.

Adopted Resolution No. 7016, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND TO APPROVE THE DEFERRAL OF MPFP FEES UNTIL CERTIFICATE OF OCCUPANCY ISSUANCE FOR THE MUTUAL AT SPRING LAKE APARTMENTS PHASE 2 PROJECT.

8. Approve and implement new four (4) year agreement with the Woodland Mid-Management Professional Association (MMPA)

Adopt Resolution No. ____ to implement a four (4) year agreement (July 1, 2018 to June 30, 2022) with the Mid Management Professional Association (MMPA) as described herein.

Adopted Resolution No. 7017, MEMORANDUM OF UNDERSTANDING CONCERNING MID-MANAGEMENT UNIT EMPLOYEES OF THE CITY OF WOODLAND.

9. Award Construction Contract for 2018 ADA Improvement Project, CIP 18-03

Staff recommends that the City Council Adopt Resolution No. _____, to award the construction contract in the amount of \$119,287.00 for the base bid plus Alternates B and C to B&M Builders, Inc. for the 2018 ADA Improvement Project, CIP 18-03, authorize a contract contingency up to 15%, and authorize the City Manager to execute the construction contract and change orders.

Adopted Resolution No. 7018, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING A CONSTRUCTION CONTRACT FOR THE

2018 ADA IMPROVEMENT PROJECT, CIP 18-03.

VIDEO

10. Award Construction Contract for 2018 Road Maintenance Project, CIP 18-02

Staff recommends that the City Council:

1. Adopt Resolution No. _____, to award the construction contract in the amount of \$728,861.29 for the base bid plus Alternate B to Pavement Coatings Company for the 2018 Road Maintenance Project, CIP 18-02, authorize a contract contingency up to 15%, and authorize the City Manager to execute the construction contract and change orders; and
2. Approve a consultant services agreement for construction management and inspection services with Associated Engineering Consultants, Inc., in the amount of \$125,072.00 for the Project and authorize the City Manager to execute the agreement and amendments up to 10%.

Mayor Fernandez commented on Consent Calendar Item No. 7 and 9 - City Council is committed to Affordable Housing and Council responded to ADA Parking at the Community and Senior Center and will be completed by the end of this summer.

Council Member Stallard voiced a concern regarding Consent Calendar Item No. 10 - Associated Engineering Consultants were authorized to spend \$214,500 at last Council meeting to supervise construction management inspection services for improvements on the Pioneer Park Avenue Widening. Concerned that large numbers are being approved without a "true bidding" process and that the City be totally transparent and equitable about these expenditures. Make sure that whatever steps can be taken to make sure we are getting good value for these services be exercised.

On a motion by Mayor Pro Tem Rodriguez, seconded by Council Member Stallard and carried unanimously, Adopted Resolution No. 7019, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING A CONSTRUCTION CONTRACT AND CONSULTANT AGREEMENT FOR THE 2018 ROAD MAINTENANCE PROJECT, CIP 18-02.

VIDEO I.

REPORTS OF THE CITY MANAGER

VIDEO

11. West Woodland Safe Routes to School Improvement Project, CIP 17-09; Approve Plans and Specifications and Authorize Bid Advertisement

Staff recommends that the City Council approve Resolution No. _____, approving the project plans and specifications and authorizing bid advertisement for the West Woodland Safe Routes to School Project, CIP 17-09.

On a motion by Council Member Davies, seconded by Council Member Barajas and carried unanimously, Adopted Resolution No. 7020, A

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING THE PLANS AND SPECIFICATIONS FOR THE WEST WOODLAND
SAFE ROUTES TO SCHOOL PROJECT, CIP 17-09, AND AUTHORIZING BID
ADVERTISEMENT.**

Ayes: Barajas, Fernandez, Davies, Rodriguez, Stallard

VIDEO

12. Conceptual Buildout of the Sports Park

Staff recommends that the City Council:

1. Receive and provide feedback on an updated Woodland Community Sports Park Draft Master Plan for buildout of the Sports Park
2. Receive information related to the cost to design, construct, operate, and maintain new facilities at the Sports Park
3. Adopt Resolution No. _____, approving an additional \$30,000 of Measure E funding for CIP #18-04, Park/Recreation Facility Planning, for continued design and project management assistance with planning the proposed facilities.

On a motion by Council Member Davies, seconded by Mayor Pro Tem Rodriguez and carried unanimously, Adopted Resolution No. 7021, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING AN APPROPRIATION OF MEASURE E FUNDS FOR CIP # 18-04, PARK/RECREATION FACILITY PLANNING.

Ayes: Barajas, Fernandez, Davies, Rodriguez, Stallard

VIDEO

13. Southeast Area Pool Feasibility Study

Staff recommends that the City Council:

- 1) Receive a report related to the need for a second City pool complex to meet community needs,
- 2) Provide feedback on the preferred location identified by the City Council/Parks & Recreation Commission Recreation Facilities Subcommittee as WJUSD property adjacent to Pioneer High School,
- 3) Provide direction to staff related to completion of the feasibility study to include, a layout of the proposed pool site, options for pool design and features, and further development of project cost estimates,
- 4) Direct staff to proceed with discussions with WJUSD on an agreement to secure the property for a future pool complex to include provisions for joint use of the facility.

VIDEO

14. Renaming of Southland Park

Staff recommends that the City Council adopt Resolution No. _____, approving the renaming of Southland Park to Gracie Hiddleston Park.

On a motion by Council Member Davies, seconded by Mayor Pro Tem

Rodriguez and carried unanimously, Adopted Resolution No. 7022, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING THE RENAMING OF SOUTHLAND PARK TO GRACIE HIDDLESON PARK.

Ayes: Barajas, Fernandez, Davies, Rodriguez, Stallard

VIDEO 15. Fiscal Year 2017/18 Mid-Year Budget Update
Information purposes only; no action required.

VIDEO 16. Fiscal Year 2017/18 Mid-Year Budget Amendments
Staff recommends that the City Council adopt Resolution No._____,
authorizing the amendments to the Fiscal Year 2017/18 Budget totaling
\$3,319,325.

On a motion by Council Member Stallard, seconded by Council Member Barajas and carried unanimously, Adopted Resolution No. 7023, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING AMENDMENTS TO THE FISCAL YEAR 2017-2018 ANNUAL BUDGET.

Ayes: Barajas, Fernandez, Davies, Rodriguez, Stallard

VIDEO J. **ADJOURN**

Meeting adjourned at 8:56PM in honor of Ken Nardinelli.

Respectfully submitted,

Ana B. Gonzalez, City Clerk

City of Woodland

City Hall
300 First Street
Woodland, CA 95695



Regular Meeting Minutes

Tuesday, March 20, 2018

6:00 PM
Council Chambers
City Council

**CITY COUNCIL
CLOSED SESSION**

5:30 PM

A. CALL TO ORDER

B. CLOSED SESSION

**B.1 CONFERENCE INVOLVING WOODLAND-DAVIS CLEAN WATER AGENCY
(A JOINT POWERS AGENCY) Pursuant to Government Code section
54956.96**

Discussion will concern – pending administrative proceeding before the California Board of Equalization, WDCWA v. County of Yolo (water rights property taxation dispute); name of City of Woodland representatives on the WDCWA Board – Marlin "Skip" Davies and Tom Stallard.

**JOINT MEETING CITY COUNCIL/WOODLAND FINANCE AUTHORITY/SUCCESSOR
AGENCY**

**March 20, 2018
6:00 PM**

VIDEO A. CALL TO ORDER

Meeting called to order at 6:11 PM.

VIDEO B. ROLL CALL

All Council Member present.

Present: Barajas, Davies, Fernandez, Rodriguez and Stallard

VIDEO C. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Denny Boydson.

VIDEO D. COMMUNICATIONS-PUBLIC COMMENT

John Johnston and Nuriya Safarova spoke regarding the Cannabis industry.

VIDEO E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

Verbal updates provided by Council Members/Staff.

VIDEO 1. Long Range Calendar

Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

VIDEO F. CONSENT CALENDAR

2. Clean Air Funds Grant Application

Staff recommends that the City Council authorize staff to submit an application to the Yolo-Solano Air Quality Management District for the 2018 Clean Air Funds Program cycle.

Adopted Resolution No. 7024, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AUTHORIZING SUBMITTAL OF AN APPLICATION FOR CLEAN AIR FUNDS DURING THE 2018 PROGRAM CYCLE.

3. Household Hazardous Waste Grant Application Authorization

Staff recommends that the City Council authorize staff to submit regional grant applications to the California Department of Resources Recycling and Recovery (CalRecycle) as lead agency for Household Hazardous Waste Grants for which the City is eligible during the period of March 20, 2018 to March 19, 2023 and authorize the Public Works Director, or his/her designee, to execute CalRecycle grant documents on behalf of the City.

Adopted Resolution No. 7025, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AUTHORIZING SUBMITTAL OF REGIONAL APPLICATIONS FOR CALRECYCLE HOUSEHOLD HAZARDOUS WASTE GRANTS.

4. Public Works Quarterly Status Report for the period of December 2017 through February 2018

Public Works Quarterly Status Report for the period of December 2017 through February 2018

NOTE: Item F. - Presentations - Which appears as Item No. 2 on the actual Council agenda - Recognition of Kiwanis Club of Woodland - was moved to the April 3, 2018 Council Meeting.

Received Public Works Quarterly Status Report for the period of December 2017 through February 2018.

On a motion by Council Member Stallard, seconded by Council Member Barajas and carried unanimously, Council Members approved Consent Calendar Item No. 3 through 5.

Ayes: Barajas, Davies, Fernandez, Rodriguez, Stallard

VIDEO G. PUBLIC HEARINGS

VIDEO

5. Public Hearing for and Adoption of Substantial Amendment #2 to FY 2016/17 Community Development Block Grant Action Plan

Staff recommends that the City Council take the following actions:

1. Hold a public hearing to receive community input on the proposed FY 2016/17

- Community Development Block Grant (CDBG) Action Plan Amendment;
2. Adopt Resolution No.____, approving Amendment #2 to the FY 2016/17 CDBG Action Plan with the funding allocations as recommended.
 3. Direct staff to complete the necessary paperwork to process Amendment #2 to FY 2016/17 Action Plan, as well as any other elated documents required by the U.S. Department of Housing and Urban Development (HUD).
 4. Direct staff to forward the completed Amendment #2 and related documents to HUD once completed.
 5. Authorize the City Manager to execute any agreements, contracts or related/required documents with the appropriate entities to carry out the CDBG funding activities.
 6. Authorize the Finance Officer to make the budget allocations as specified.

On a motion by Council Member Davies, seconded by Council Member Barajas and carried unanimously, Conducted Public Hearing and adopted Resolution No. 7026, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND TO APPROVE THE SUBSTANTIAL AMENDMENT #2 TO THE FISCAL YEAR 2016/17 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN.

Ayes: Barajas, Davies, Fernandez, Rodriguez, Stallard

H. REPORTS OF THE CITY MANAGER

- VIDEO 6. Boards and Commissions / Appointment Process
- Staff recommends that the City Council review the current process to appoint members to the various City Boards and Commissions and provide direction to staff on any desired modifications to inform the upcoming round of Board and Commission nominations and appointments beginning with appointments whose terms expire in June 2018.

Council Members provided direction to staff on the current process of appointing members to various City Boards and Commissions.

- VIDEO 7. Spring Budget Workshop
- The City Council has set aside time as part of its March 20th regular meeting for the purpose of conducting a workshop to inform development of the City's upcoming FY 2018/19 Budget.

Conducted workshop to inform development of the City's upcoming FY 2018/19 Budget.

VIDEO I. ADJOURN

Meeting adjourned at 8:20 PM.

Respectfully submitted,

Ana B. Gonzalez, City Clerk



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 3.
SUBJECT: Parks & Recreation Commission Meeting Minutes for March 26, 2018

Recommendation for Action:

Staff recommends that the City Council receive the March 23, 2018 Parks & Recreation Commission Minutes that were approved on April 23, 2018.

Staff Contact:

Kris Bain, Community Services Program Manager, (530) 661-2002, krista.bain@cityofwoodland.org

Prepared By: Kris Bain, Community Services Program Manager

Reviewed By: Christine Engel, Community Services Director

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
March 26_2018 Parks & Recreation Commission meeting minutes	4/24/2018	Minutes

City of Woodland

City Hall
300 First Street
Woodland, CA 95695



Parks and Recreation Commission Meeting Minutes

Monday, March 26, 2018

**6:30 PM
Council Chambers**

A. Call to Order

B. Roll Call

Absent: Foraker

C. Pledge of Allegiance

D. Communications - Public Comment

Becky Sisco, requested discussion about off-leash permits for City parks.

E. Communications - Commission/Staff Statements and Requests

F. Presentation

1. Measure J- Afterschool Teen Pack
Jenna Kinser, Recreation Supervisor will update the Commission.

G. New Business

2. Standing Committee Assignments
Discuss and approve Standing Committee assignments.

H. Committee Reports

3. Standing Committee Report
 - Facilities Committee
 - Budget & Finance Committee
 - Program & Department Evaluation Committee
 - Urban Forest Committee
 - Ad Hoc Committee
 - Volunteerism Committee

I. Consent Calendar

4. Approve February 26, 2018

On a motion by Carla White-Snyder, seconded by Rashid Ali and carried unanimously, Motion to accept the minutes as written.

Ayes: Ali, Singh, Valcarenghi, White-Snyder

Absent: Foraker

J. Other Business

5. Commission Absent Requests

K. Report of the Staff

6. Staff Report March 2018

L. Next Meeting

7. April 23, 2018

M. Adjourn

On a motion by Carla White-Snyder, seconded by Rashid Ali and carried unanimously, Motion to adjourn the meeting at 7:53 p.m.

Ayes: Ali, Foraker, Valcarenghi, White-Snyder



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 4.
SUBJECT: Spring Lake Housing Project (Mutual Housing) Proclamation

Recommendation for Action:

Staff recommends that the City Council receive a presentation from Roberto Jimenez, Executive Director of Sacramento Mutual Housing and Greg Chew, Board Member of Sacramento Mutual Housing on the Mutual Housing Project at Spring Lake.

Staff Contact:

Ana B. Gonzalez, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.org

Background:

The Spring Lake Housing Project recently received the United Nations World Habitat Award, only one of two given in the world in 2017. Mr. Jimenez and Mr. Chew will provide a brief presentation to Council highlighting this prestigious award

Prepared By: Ana B. Gonzalez, City Clerk

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Proclamation - Mutual Housing at Spring Lake	4/26/2018	Cover Memo

**CITY OF WOODLAND
PROCLAMATION
RECOGNIZING
MUTUAL HOUSING AT SPRING LAKE PROJECT AS RECIPIENT OF THE
2017 WORLD HABITAT AWARDS**

WHEREAS, the first phase of the Mutual Housing at Spring Lake development was completed in 2015 and included 61 affordable housing units for farmworker families employed or retired from the agricultural industry; and

WHEREAS, project amenities included a 2,500+ square foot community building (computer facilities, resident activities room and kitchen), a 2,000+ square foot community vegetable garden; and

WHEREAS, in 2015 the U. S. Department of Energy has certified the Mutual Housing at Spring Lake project as the first Zero Net-Energy Ready Home (ZERH) multifamily rental housing in the nation; and

WHEREAS, project residents further benefit from their own resident council and leadership opportunities; and

WHEREAS, the Mutual Housing at Spring Lake Project was recently honored as recipient of one of only two 2017 World Habitat Awards, from over 100 entries from across the globe; and

WHEREAS the World Habitat Awards – organized as a collaboration between World Habitat and UN-Habitat – recognize housing projects worldwide that represent exemplary commitment to sustainable housing and resident leadership development.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Woodland does hereby congratulate Sacramento Mutual Housing and the Mutual Housing at Spring Lake Project for the recent recognition by the World Habitat Award Program and for its continue partnership with the City of Woodland to provide affordable housing targeting the needs of our community, and setting the standard for housing projects in the U.S and the world.

DATED: May 1, 2018

Enrique Fernandez, Mayor

Xochitl Rodriguez, Mayor Pro Tempore

Angel Barajas, Council Member

Marlin “Skip” Davies, Council Member

Tom Stallard, Council Member



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 5.
SUBJECT: Proclaim May 3, 2018 as BIG Day of Giving

Recommendation for Action:

Staff recommends that the City Council adopt a Proclamation proclaiming May 3, 2018 as BIG Day of Giving.

Staff Contact:

Ana B. Gonzalez, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.org

Background:

May 3, 2018 is the BIG Day of Giving in our region, a 24-hour giving challenge starting at midnight and ending at 11:59pm on May 3th.

BIG Day of Giving is led by Sacramento Region Community Foundation and its affiliates, and supported by many partner organizations region-wide. These foundations play a leading role in promoting and advancing philanthropy and giving.

The Big Day of Giving provides the opportunity to support participating nonprofit organizations in Woodland and our region.

Meg Stallard, President of Yolo Community Foundation will be at the meeting to receive the proclamation.

Prepared By: Ana B. Gonzalez, City Clerk

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Big Day of Giving Proclamation	4/27/2018	Backup Material

CITY OF WOODLAND

BIG DAY OF GIVING PROCLAMATION

WHEREAS, the City Council/Board of Supervisors of the City/County of City/County, California, does hereby find as follows:

WHEREAS, May 3, 2018 is the Big Day of Giving in our region;

WHEREAS, the Big Day of Giving, a 24-hour giving challenge starting at midnight and ending at 11:59pm on May 3rd, aims to raise millions in unrestricted funds for 585 nonprofits across the region and engage thousands of new donors;

WHEREAS, the Big Day of Giving is led by Sacramento Region Community Foundation and its affiliates, and supported by many partner organizations region-wide;

WHEREAS, the Big Day of Giving has raised over \$23 million for over 600 area nonprofits, from over 40,000 donors since 2013;

WHEREAS, the Big Day of Giving provides an opportunity to promote and advance philanthropy and giving, and offer a vehicle for many charitable donors to support the causes they care about;

WHEREAS, the Big Day of Giving participating nonprofits must successfully complete a rigorous and transparent process of creating a profile on GivingEdge, the region's first philanthropic online resource, sharing information about finances, governance, programs, management, and specific needs to be eligible to participate;

WHEREAS, the Big Day of Giving's participating nonprofits are a large economic engine that offer opportunities for giving, volunteerism, and community involvement that enhance community life and make our region a better place to live;

WHEREAS, the Big Day of Giving's participating nonprofits develop their own marketing campaigns to encourage donors and new donors to give to them, using multiple communications and social media channels;

WHEREAS, the Big Day of Giving has enlisted many partners to provide prize challenges that make donations go further and motivate donors to give and nonprofits to compete;

NOW, THEREFORE, BE IT RESOLVED, THAT THE WOODLAND CITY COUNCIL, hereby proclaims May 3rd, 2018 as the Big Day of Giving to raise the level of philanthropy in the region.

DATED: May 1, 2018

Enrique Fernandez, Mayor

Xochitl Rodriguez, Mayor Pro Tempore

Angel Barajas, Council Member

Marlin "Skip" Davies, Council Member

Tom Stallard, Council Member



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 6.
SUBJECT: Sacramento-Yolo Mosquito & Vector Control District
Presentation

Recommendation for Action:

Staff recommends that the City Council receive a presentation from Gary Goodman, District Manager for the Sacramento-Yolo Mosquito & Vector Control District to provide the latest update regarding mosquitoes, Zika virus, West Nile, invasive mosquito species, threats to public health and services offered by the Sacramento-Yolo Mosquito & Vector Control District.

Staff Contact:

Ana B. Gonzalez, City Clerk, 5306615806, ana.gonzalez@cityofwoodland.org

Prepared By: Ana B. Gonzalez, City Clerk

Paul Navazio, City Manager



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 7.
SUBJECT: Approval of Final Map 5120 Calwest 3&4, Related
Subdivision Improvement Agreement, and Reimbursement
Agreements

Recommendation for Action:

Staff recommends that the City Council adopt Resolution No. _____, a Resolution of the City Council 1) approving Final Map 5120 Calwest 3&4; 2) approving the related Subdivision Improvement Agreement and authorizing City Manager to sign on behalf of the City; and 3) authorizing the City Manager to approve amendments to the Subdivision Improvement Agreement for the extension of time.

It is further recommended that the City Council adopt Resolution No. _____; 1) Approving the SLIF Reimbursement Agreement, and the Third Party Reimbursement Agreement and authorize the City Manager to sign on behalf of the City; and 2) authorizing the City Manager to sign amendments up to 15% of each reimbursement agreement individually.

Staff Contact:

Bruce Pollard, Senior Civil Engineer, (530) 661-5974, Bruce.pollard@cityofwoodland.org

Fiscal Impact:

This project's processing costs were covered by fees. In addition, at build-out, the 83 lots are estimated to generate approximately \$1.9 million in development impact fees. There is no impact to the General Fund.

The SLIF reimbursement agreement does not obligate the City to pay out any additional funds that are not generated by means other than the Spring Lake Infrastructure Fee program. The 3rd Party Reimbursement Agreement does not involve City money and will not impact the City's operating budget.

Background:

City Council approved the tentative map and development agreement for the Calwest-Optimistic project on April 14, 2015, which included 44.97 acres and 225 single family lots.

The Developer, Lennar Homes of California, has completed all conditions required for the third portion of tentative map No. 5075 (83 lots), and is requesting that the City approve Final Subdivision Map (SM) No. 5120, Calwest 3&4; and the associated Subdivision Improvement Agreement and Reimbursement agreements.

Discussion:

The map, improvement plans, and related documents have been reviewed by staff and found to be technically correct and consistent with the tentative map, project development agreement, and conditions of approval.

Conclusion:

Staff recommends that the City Council adopt Resolution No. _____, a Resolution of the City Council 1) approving Final Map 5120 Calwest 3&4; 2) approving the related Subdivision Improvement Agreement and authorizing City Manager to sign on behalf of the City; and 3) authorizing the City Manager to approve amendments to the Subdivision Improvement Agreement for the extension of time.

It is further recommended that the City Council adopt Resolution No. ____; 1) Approving the SLIF Reimbursement Agreement, and the Third Party Reimbursement Agreement and authorize the City Manager to sign on behalf of the City; and 2) authorizing the City Manager to sign amendments up to 15% of each reimbursement agreement individually.

Prepared By: Bruce D. Pollard, Senior Civil Engineer

Reviewed By: Brent Meyer, City Engineer



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Resolution 1	4/10/2018	Resolution
Resolution 2	4/10/2018	Resolution
Map	4/6/2018	Exhibit
SIA	4/6/2018	Agreement
SLIF Reimbursement	4/6/2018	Agreement
3rd party agreement	4/13/2018	Agreement

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING FINAL MAP 5120 AND A SUBDIVISION IMPROVEMENT
AGREEMENT WITH LENNAR HOMES OF CALIFORNIA INC., A CALIFORNIA
CORPORATION FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS**

WHEREAS, the City Council approved tentative map 5075 and Development Agreement on April 14, 2015 with map conditions of approval and an associated Development Agreement; and

WHEREAS, Lennar Homes of CA, has completed the conditions of approval and has filed a final map for 74 lots; and

WHEREAS, the City of Woodland has reviewed the map and determined that it is technically correct and that the conditions of approval have been met; and

WHEREAS, the City Council wishes to approve Final Map 5120, Calwest 3&4, a portion of tentative map 5075, and the associated Sub Division Improvement Agreement through the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND AS FOLLOWS:

Section 1. The City Council hereby approves Final Map 5120, Calwest 3&4, and directs the City Clerk to sign the map and for the City Engineer to forward the map to the County Tax Collector.

Section 2. The City Council hereby approves the Subdivision Improvement Agreement. The City Manager is hereby authorized and directed to sign the Agreement, and is authorized to amend the agreement to grant time extensions to the agreement if necessary.

Section 3. A copy of the Subdivision Improvement Agreement is available and on file in the City Clerk's office, and is incorporated herein by reference and made a part of this Resolution.

PASSED AND ADOPTED this First day of May 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

RESOLUTION NO. _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
APPROVING REIMBURSEMENT AGREEMENTS ASSOCIATED WITH FINAL
SUBDIVISION MAP 5120 CALWEST 3&4

WHEREAS, on April 14th 2015, the City Council approved Tentative Map 5075 “Calwest” and the related Development Agreement; and

WHEREAS, the developer, Lennar Homes, has met conditions and completed requirements for Final Subdivision Map 5120, Calwest 3&4; and

WHEREAS, the developer, Lennar Homes, completed and entered into to a Subdivision Improvement Agreement for the Sub division and posted security; and

WHEREAS, the developer, Lennar Homes, completed and entered into to a SLIF Reimbursement Agreement for Subdivision 5120; and

WHEREAS, the developer, Lennar Homes, completed and entered into a Third Party reimbursement agreement for Subdivision 5120; and

WHEREAS, the developer is requesting the City Council approve this final map (by separate resolution) and related agreements;

NOW THEREFORE BE IT RESOLVED: That the City Council of the City of Woodland, hereby:

Section 1. Approves the SLIF Reimbursement Agreement related to Subdivision 5120, Calwest 3&4, and authorizes the City Manager to sign on behalf of the City, and

Section 2. Approves the Third Party Reimbursement Agreement related to Subdivision 5120 Calwest 3&4, Heidrick Ranch, and authorizes the City Manager to sign on behalf of the City.

NOW THEREFORE BE IT FURTHER RESOLVED: That the City Council of the City of Woodland, hereby authorizes the City Manager to:

Section 1. Approve modifications to the SLIF improvement Agreement not to exceed \$142,000 (~15%), and

Section 2. Approve modifications to the Third Party Reimbursement Agreement to reflect actual costs.

PASSED AND ADOPTED this first Day of May 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

Main Street

East Main Street

City of Woodland

COMMUNITY DEVELOPMENT DEPARTMENT
ENGINEERING DIVISION



College Street

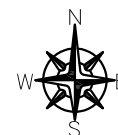
East Street

Bourne Dr.

To Sacramento

I-5

Gibson Road



East Gibson Road

Farmers Central Road

**Cal West Phase 3&4
Subdivision 5120**

Heritage Parkway

Harry Lorenzo Ave

HWY 113

To Davis

RECORDED AT THE REQUEST OF
AND WHEN RECORDED RETURN TO:

CITY OF WOODLAND
300 First Street
Woodland, California 956957

ATTN: City Clerk

(Exempt from Filing Fees – Government Code § 6103)

SPACE ABOVE THIS LINE FOR RECORDER'S USE

SUBDIVISION IMPROVEMENT AGREEMENT
FOR COMPLETION OF PUBLIC IMPROVEMENTS
SUBDIVISION MAP NO. 5120

between

THE CITY OF WOODLAND
a California municipal corporation

and

LENNAR HOMES OF CALIFORNIA, INC

A CALIFORNIA CORPORATION

SUBDIVISION IMPROVEMENT AGREEMENT
FOR COMPLETION OF PUBLIC IMPROVEMENTS

SUBDIVISION MAP NO. 5120

I. PARTIES AND DATE

This Subdivision Improvement Agreement for the Completion of Public Improvements ("Agreement") is entered into as of this ____ day of _____, 20__, by and between the City of Woodland, a California municipal corporation ("City") and Lennar Homes of California, Inc. a California Corporation, with its principal office located at 1420 Rocky Ridge, Suite # 320 Roseville, CA 95661 ("Developer"). City and Developer are sometimes hereinafter individually referred to as "Party" and hereinafter collectively referred to as the "Parties."

II. RECITALS

A. Developer's tentative subdivision map for real property located within City, a legal description of which is attached hereto as Exhibit "A" ("Property"), was conditionally approved by the Woodland City Council on April 14, 2015. The tentative subdivision map is identified in City records as Tentative Subdivision Map No. 5075 Calwest ("Map").

B. Developer is the owner of Property, and Developer proposes to do and perform certain work of improvement thereon as set forth in this Agreement.

C. Developer has submitted and requests approval of Final Map No. 5120, which relates, in whole or in part, to the subdivision proposed by Developer's Map for the Property.

D. Developer has not completed all of the work or made all of the public improvements required by Chapter 21 of the Woodland Municipal Code, the Subdivision Map Act (California Government Code Section 66410, et seq.) ("Map Act"), the conditions of approval for the Map, or other ordinances, resolutions, or policies of City requiring construction of improvements in conjunction with the subdivision of land.

E. Pursuant to Chapter 21 of the Woodland Municipal Code and the applicable provisions of the Map Act, Developer and City enter into this Agreement for the timely construction and completion of the public improvements and the furnishing of the security therefor, acceptable to the City Engineer and City Attorney, for the Map.

F. Developer's execution of this Agreement and the provision of the security are made in consideration of City's approval of the final map for the Property.

G. The development of the Property is also subject to the terms and conditions of a development agreement, approved by the Woodland City Council on April 14, 2015.

III. TERMS

1.0 Effectiveness. This Agreement shall not be effective unless and until all four of the following conditions are satisfied: (a) Developer provides City with security of the type and in the amounts required by this Agreement; (b) Developer executes and records this Agreement in the Recorder's Office of the County of Yolo; (c) the City Council of the City of Woodland ("City Council") approves the final map for the Property; and (d) Developer records the final map for the Property in the Recorder's Office of the County of Yolo. If any of the above described conditions are not satisfied, this Agreement shall automatically terminate without need of further action by either City or Developer, and Developer may not thereafter record the final map for the Property.

1.1 Definitions. For purposes of enforcing this Agreement, the term "City" shall include, but shall not be limited to, City Council, Public Works Director, City Engineer, Community Development Director, Building Official, or any of their authorized representatives. City shall have the sole and absolute discretion to determine which public body, public official, or public employee may act on behalf of City for any particular purpose.

2.0 Public Improvements. Developer shall construct or have constructed at its own cost, expense, and liability all improvements required by City as part of the approval of the Map, including, but not limited to, all grading, roads, paving, curbs and gutters, pathways, storm drains, sanitary sewers, utilities, drainage facilities, traffic controls, landscaping, street lights, and all other required facilities as shown in detail on the plans, profiles, and specifications which have been prepared by or on behalf of Developer for the Map ("Public Improvements"). The Public Improvements are more specifically described in Exhibit "B," which is attached hereto and incorporated herein by this reference. Construction of the Public Improvements shall include any transitions and/or other incidental work deemed necessary for drainage or public safety. Developer shall be responsible for the replacement, relocation, or removal of any component of any utility system or public improvement in conflict with the construction or installation of the Public Improvements. Such replacement, relocation, or removal shall be performed to the complete satisfaction of the City Engineer and the owner of such utility system or public improvement. Developer further promises and agrees to provide all equipment, tools, materials, labor, tests, design work, and engineering services necessary or required by City to fully and adequately complete the Public Improvements.

2.1 Prior Partial Construction of Public Improvements. Subject to Section 2.3, herein, where construction of any Public Improvements has been partially completed prior to the

execution of this Agreement, Developer agrees to complete such Public Improvements or ensure their completion in accordance with this Agreement.

2.2 Permits; Notices; Utility Statements. Prior to commencing any work, Developer shall, at its sole cost, expense, and liability, obtain all necessary permits and licenses and give all necessary and incidental notices required for the lawful construction of the Public Improvements and performance of Developer's obligations under this Agreement. Developer shall conduct the work in full compliance with the regulations, rules, and other requirements contained in any permit or license issued to Developer. Prior to commencing any work, Developer shall file a written statement with the City Clerk and the City Engineer, signed by Developer and each utility that will provide utility service to the Property, attesting that Developer has made all deposits legally required by the utility for the extension and provision of utility service to the Property.

2.3 Pre-approval of Plans and Specifications. Developer is prohibited from commencing work on any Public Improvement until all plans, specifications, estimates, and bonds for such Public Improvement have been submitted to and approved by the City Engineer, or his/her authorized designee. Approval by the City Engineer shall not relieve Developer from ensuring that all Public Improvements conform to all other requirements and standards set forth in this Agreement.

2.4 Quality of Work; Compliance With Laws and Codes. The construction plans and specifications for the Public Improvements shall be prepared in accordance with all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements. The Public Improvements shall be completed in accordance with all approved maps, conditions, plans, specifications, standard drawings, and special amendments thereto on file with City, as well as all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements applicable at the time work is actually commenced.

2.5 Standard of Performance. Developer and its contractors, if any, shall perform all work required to construct the Public Improvements under this Agreement in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Developer represents and maintains that it or its contractors shall be skilled in the professional calling necessary to perform the work. Developer warrants that all of its employees and contractors shall have sufficient skill and experience to perform the work assigned to them, and that they shall have all licenses, permits, qualifications, and approvals of whatever nature that are legally required to perform the work, and that such licenses, permits, qualifications, and approvals shall be maintained throughout the term of this Agreement.

2.6 Alterations to Improvements. The Public Improvements in Exhibit "B" are understood to be only a general designation of the work and improvements to be done, and not a binding description thereof. All work shall be done and improvements made and completed as shown on approved plans and specifications, and any subsequent alterations thereto. If during

the course of construction and installation of the Public Improvements it is determined that the public interest requires alterations in the Public Improvements, Developer shall undertake such design and construction changes as may be reasonably required by City. Any and all alterations in the plans and specifications and the Public Improvements to be completed may be accomplished without giving prior notice thereof to Developer's surety for this Agreement.

2.7 Superintendence by Developer. Developer shall require each contractor and subcontractor to have a competent foreperson on the job at all times when that contractor or subcontractor, or any employee or agent thereof, is performing work on the Public Improvements. Before starting work on the Public Improvements, each contractor and subcontractor shall submit in writing the name of the proposed foreperson, who shall be subject to the review and approval of City. Following approval by City, each foreperson shall be present at the work site at all times that any work is in progress and at any time that any employee of the contractor or subcontractor is present at the work site. Should a contractor or subcontractor desire to change its foreperson, it shall provide the information specified above and obtain City's prior written approval. City, in its sole and absolute discretion, may require any contractor or subcontractor to replace its foreperson provided that City gives the contractor or subcontractor at least forty-eight hours written notices.

Developer shall also provide a competent construction manager who is responsible for the entire work. Each contractor or subcontractor shall contractually report to the construction manager, either directly or through a subcontract. At a minimum, the construction manager shall be onsite 2-3 times/week and will be available to attend weekly jobsite meetings with the City. The construction manager shall be immediately available by phone during hours when construction is in progress and shall be available in person within two hours when requested by the City. The construction manager shall coordinate the work such that construction and the associated inspection happen in an efficient manner.

Developer shall, at all times, enforce strict discipline and good order among its employees and those of its subcontractors and shall not employ any unfit person or anyone not skilled in the assigned task. If any person employed by a contractor or subcontractor fails or refuses to carry out the directions of the City or appears to the City, in its sole and absolute discretion, to be incompetent or to act in a disorderly or improper manner, such person shall be removed from the project immediately upon request by the City, and such person shall not again be employed on the work. Such removal shall not be the basis for any claim of compensation or damages against the City.

In addition, Developer shall maintain an office with a telephone, and Developer or a person authorized to make decisions and to act on Developer's behalf in Developer's absence shall be available to be on the job within three (3) hours of being called at such office by the City, during the hours of 9:00 a.m. through 5:00 p.m., Monday through Friday, or any other day or time when work is being performed on the Public Improvements. Developer shall also provide City with a telephone number, at which Developer, or its representative, shall be available twenty-four (24) hours a day in the event of an emergency.

3.0 Maintenance of Public Improvements and Landscaping Prior to Acceptance by City. City shall not be responsible or liable for the maintenance or care of the Public Improvements until City approves and accepts them. City shall exercise no control over the Public Improvements until accepted. Any use by any person of the Public Improvements, or any portion thereof, shall be at the sole and exclusive risk of Developer at all times prior to City's acceptance of the Public Improvements. Developer shall maintain all the Public Improvements in a state of good repair until they are completed by Developer and approved and accepted by City, and until the security for the performance of this Agreement is released.

Maintenance shall include, but shall not be limited to: repair of pavement, curbs, gutters, sidewalks, signals, parkways, water mains, and sewers; maintaining all landscaping in a vigorous and thriving condition reasonably acceptable to City; removal of debris from sewers and storm drains; and sweeping, repairing, and maintaining in good and safe condition all streets and street improvements. Developer shall cause the sweeping of streets to occur weekly at a minimum. Developer shall perform additional street sweeping work as necessary depending on construction activities or as required by, and at the direction of, the City Engineer. It shall be Developer's responsibility to initiate all maintenance work, but if it shall fail to do so, it shall promptly perform such maintenance work when notified to do so by City. If Developer fails to properly prosecute its maintenance obligation under this Section, City may do all work necessary for such maintenance and the cost thereof shall be the responsibility of Developer and its surety under this Agreement. City shall not be responsible or liable for any damages or injury of any nature in any way related to or caused by the Public Improvements or their condition prior to acceptance. Developer shall maintain City construction fence defining limits of City water transmission pipeline project. Developer shall maintain fence in good repair and working order so that it prevents construction traffic from crossing over or in the vicinity of the water transmission pipeline project. Developer and developer's contractors and subcontractors shall not allow any traffic to cross the pipeline without prior to City approval.

4.0 Construction Schedule. Unless extended pursuant to this Section of this Agreement, Developer shall fully and adequately complete or have completed the Public Improvements by _____, 2019 or before any certificates of occupancy are issued for any lots within the Property, whichever is earlier. At least fifteen (15) days prior to the commencement of such work, Developer shall notify the City Engineer in writing of the date fixed by Developer for commencement of the work.

4.1 Extensions. Time is of the essence with regard to this Agreement. The City Council may, in its sole and absolute discretion, provide Developer with additional time within which to complete the Public Improvements. Requests for extension of time shall be in writing and shall be delivered to City in the manner hereinafter specified for service of notices. An extension of time, if any, shall be granted only in writing, and an oral extension shall not be valid or binding on City.

It is understood that by providing the security required by this Agreement, Developer and its surety consent in advance to any extension of time as may be given by City to Developer and waive any and all right to notice of such extension(s). Developer's acceptance of an extension of time granted by City shall constitute a waiver by Developer and its surety of all defenses of laches, estoppel, statutes of limitations, and other limitations of action in any action or proceeding filed by City following the date on which the Public Improvements were to have been completed hereunder.

In addition, as consideration for granting such extension to Developer, City reserves the right to review the provisions of this Agreement, including, but not limited to, the construction standards, the cost estimates approved by City, and the sufficiency of the improvement security provided by Developer, and to require adjustments thereto when warranted according to City's reasonable discretion.

4.2 Accrual of Limitations Period. Any limitations period provided by law related to breach of this Agreement or the terms thereof shall not accrue until Developer has provided the City Engineer with written notice of Developer's intent to abandon or otherwise not complete required or agreed upon Public Improvements.

5.0 Grading. Developer agrees that any and all grading done or to be done in conjunction with construction of the Public Improvements or development of the Property shall conform to all federal, state, and local laws, ordinances, regulations, and other requirements including, without limitation, City's grading regulations, the National Pollutant Discharge Elimination Systems (NPDES), and stormwater regulations thereunder as administered by the State Water Resources Control Board and Regional Water Quality Control Boards. In order to prevent damage to the Public Improvements by improper drainage or other hazards, the grading shall be completed in accordance with the time schedule for completion of the Public Improvements established by this Agreement, and prior to City's approval and acceptance of the Public Improvements and release of the Security as set forth in this Agreement. Developer further agrees that the indemnification as set forth in this Agreement shall extend to and include any and all grading contemplated by this Agreement, including but not limited to, any partial or rough grading work.

6.0 Utilities. Developer shall assume all costs for and shall provide utility services, including water, power, gas, and telephone service to serve each parcel, lot, or unit of land within the Property in accordance with all applicable federal, state, and local laws, rules, and regulations, including, but not limited to, the regulations, schedules, and fees of the utilities or agencies providing such services. Except for commercial or industrial properties, Developer shall also provide cable television facilities to serve each parcel, lot, or unit of land in accordance with all applicable federal, state, and local laws, rules, and regulations, including, but not limited to, the requirements of the cable company possessing a valid franchise with City to provide such service within City's jurisdictional limits. All utilities shall be installed underground, unless otherwise approved by the City Council or the Planning Commission of the City of Woodland, or by any other state or federal laws or regulations.

7.0 Fees and Charges. Developer shall, at its sole cost, expense, and liability, pay all fees, charges, and taxes arising out of construction of the Public Improvements, including, but not limited to fees for the checking, filing, and processing of improvement plans and specifications and for inspecting the construction of the Public Improvements. These fees must be paid in full prior to approval of the final map and improvement plans. The fees referred to above are not necessarily the only City fees, charges, or other costs that have been or will be imposed on the subdivision and its development, and this Agreement shall in no way exonerate or relieve Developer from paying such other applicable fees, charges, and/or costs.

8.0 City Inspection of Public Improvements. Developer shall, at its sole cost, expense, and liability, and at all times during construction of the Public Improvements, maintain reasonable and safe facilities and provide safe access for inspection by City of the Public Improvements and areas where construction of the Public Improvements is occurring or will occur.

9.0 Default; Notice; Remedies.

9.1 Notice. If Developer neglects, refuses, or fails to fulfill or timely complete any obligation, term, or condition of this Agreement, or if City determines there is a violation of any federal, state, or local law, ordinance, regulation, code, standard, or other requirement, City may at any time thereafter declare Developer to be in default or violation of this Agreement and make written demand upon Developer or its surety, or both, to immediately remedy the default or violation ("Notice"). Developer shall substantially commence the work required to remedy the default or violation within ten (10) days of the Notice. If the default or violation constitutes an immediate threat to the public health, safety, or welfare, City may provide the Notice verbally, and Developer shall substantially commence the required work within twenty-four (24) hours thereof. Immediately upon City's issuance of the Notice, Developer and its surety shall be liable to City for all costs of construction and installation of the Public Improvements and all other administrative costs and expenses.

9.2 Failure to Remedy; City Action. If the work required to remedy the noticed default or violation is not diligently prosecuted to a completion acceptable to City within the time frame contained in the Notice, City may complete all remaining work, arrange for the completion of all remaining work, and/or conduct such remedial activity as in its sole and absolute discretion it believes is required to remedy the default or violation. All such work or remedial activity shall be at the sole and absolute cost, expense, and liability of Developer and its surety, without the necessity of giving any further notice to Developer or surety. City's right to take such actions shall in no way be limited by the fact that Developer or its surety may have constructed any, or none, of the required or agreed upon Public Improvements at the time of City's demand for performance. In the event City elects to complete or arrange for completion of the remaining work and improvements, City may require all work by Developer or its surety to cease in order to allow adequate coordination by City. Notwithstanding the foregoing, if conditions precedent for reversion to acreage can be met and if the interests of City will not be

prejudiced thereby, City may also process a reversion to acreage and thereafter recover from Developer or its surety the full cost and expense incurred.

9.3 Other Remedies. No action by City pursuant to this Section of this Agreement shall prohibit City from exercising any other right or pursuing any other legal or equitable remedy available under this Agreement or any federal, state, or local law. City may exercise its rights and remedies independently or cumulatively, and City may pursue inconsistent remedies. City may institute an action for damages, injunctive relief, or specific performance.

9.4 Administrative Costs. If Developer fails to construct and install all or any part of the Public Improvements within the time required by this Agreement, or if Developer fails to comply with any other obligation contained herein, Developer and its surety shall be jointly and severally liable to City for all administrative expenses, fees, and costs, including reasonable attorney's fees and costs, incurred in obtaining compliance with this Agreement or in processing any legal action or for any other remedies permitted by law.

10.0 Acceptance of Improvements; As-Built or Record Drawings. If the Public Improvements are properly completed by Developer and approved by the City Engineer, and if they comply with all applicable federal, state and local laws, ordinances, regulations, codes, standards, and other requirements, the City Council shall be authorized to accept the Public Improvements. The City Council may, in its sole and absolute discretion, accept fully completed portions of the Public Improvements prior to such time as all of the Public Improvements are complete, which shall not release or modify Developer's obligation to complete the remainder of the Public Improvements within the time required by this Agreement. Upon the total or partial acceptance of the Public Improvements by City, the City Clerk shall file with the Recorder's Office of the County of Yolo, a notice of completion for the accepted Public Improvements in accordance with California Civil Code Section 9204, at which time the accepted Public Improvements shall become the sole and exclusive property of City without payment therefor.

Title to and ownership of the Public Improvements constructed under this Agreement shall vest absolutely in City upon completion and acceptance in writing of such Public Improvements by City.

Issuance by City of occupancy permits for any buildings or structures located on the Property shall not be construed in any manner to constitute City's acceptance or approval of any Public Improvements. Notwithstanding the foregoing, City may not accept any Public Improvements unless and until Developer provides one (1) set of "as-built" or record drawings or plans to the City Engineer for all such Public Improvements. The drawings shall be certified and shall reflect the condition of the Public Improvements as constructed, with all changes incorporated therein.

11.0 Security; Surety Bonds. Prior to execution of this Agreement, Developer shall provide City with surety bonds in the amounts and under the terms set forth below ("Security"). Nothing in this Section is intended to prevent City, in its sole discretion, from requiring

Developer to submit, or prevent Developer from submitting, security in a form other than bonds that may be allowed under California Government Code Section 66499, *et seq.*, and Chapter 21 of the Woodland Municipal Code, and acceptable to City. The amount of the Security shall be based on the City Engineer's approximation of the actual cost to construct the Public Improvements, including the replacement cost for all public landscaping ("Estimated Costs"). If City determines, in its sole and absolute discretion, that the Estimated Costs have changed, Developer shall adjust the Security in the amount requested by City. Developer's compliance with this Section shall in no way limit or modify Developer's indemnification obligation under this Agreement.

11.1 Faithful Performance Bond. To guarantee the faithful performance of the Public Improvements and all the provisions of this Agreement, to protect City if Developer is in default as set forth in Section 9.0, *et seq.*, of this Agreement, and to secure Developer's one-year guarantee and warranty of the Public Improvements, including the maintenance of all landscaping in a vigorous and thriving condition, Developer shall provide City a faithful performance bond in the amount of Three Million Six Hundred Seventy Five Thousand one Hundred Dollars & 00 Cents (\$3,675,100.00), which sum shall be not less than one hundred percent (100%) of the Estimated Costs. The City may, in its sole and absolute discretion, partially release a portion or portions of the security provided under this section as the Public Improvements are accepted by City, as provided under Section 13.0 herein, provided that Developer is not in default on any provision of this Agreement or condition of approval for the Map, and the total remaining security is not less than twenty-five percent (25%) of the Estimated Costs. All security provided under this section shall be released at the end of the Warranty period (as defined below), or any extension thereof as provided in Section 13.3 of this Agreement, provided that Developer is not in default on any provision of this Agreement or condition of approval for the Map.

11.2 Labor and Material Bond. To secure payment to the contractors, subcontractors, laborers, material men and other persons furnishing labor, materials, or equipment for performance of the Public Improvements and this Agreement, Developer shall provide City a labor and materials bond in the amount of One Million Eight Hundred Thirty Seven Thousand, Five Hundred Fifty Dollars & 00 Cents (\$1,837,550.00), which sum shall not be less than fifty percent (50%) of the Estimated Costs. The security provided under this subsection may be released by written authorization of the City Engineer after one (1) year or within the time limits established in California Government Code section 66499.7 from the date City accepts the final Public Improvements at the discretion of City. The amount of such security shall be reduced by the total of all stop notice or mechanic's lien claims of which City is aware, plus an amount equal to twenty percent (20%) of such claims for reimbursement of City's anticipated administrative and legal expenses arising out of such claims.

11.3 Guarantee and Warranty Bond. Developer hereby guarantees and warrants all Public Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, including the maintenance of all public landscaping within the Property in a vigorous and thriving condition reasonably

acceptable to City, for a period of one (1) year following completion of the work and acceptance by City ("Warranty"). During the Warranty, Developer shall repair, replace, or reconstruct any defective or otherwise unsatisfactory portion of the Public Improvements, in accordance with the current ordinances, resolutions, regulations, codes, standards, or other requirements of City, and to the approval of the City Engineer but shall not be responsible for routine maintenance after acceptance by City. All repairs, replacements, or reconstruction during the Warranty shall be at the sole cost, expense, and liability of Developer and its surety. As to any Public Improvements that have been repaired, replaced, or reconstructed during the Warranty, Developer and its surety hereby agree to extend the Warranty for an additional one (1) year period following City's acceptance of the repaired, replaced, or reconstructed Public Improvements. Nothing herein shall relieve Developer from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any Public Improvement following expiration of the Warranty or any extension thereof. Developer's warranty obligation under this Section shall survive the expiration or termination of this Agreement.

Prior to execution of this Agreement, Developer shall provide City with an irrevocable guarantee and warranty bond in the amount of ten percent (10%) of the Original Estimated Costs of the Work to guarantee and warrant the Work, for a period of one year following its completion and acceptance, against any defective work or labor done, or defective materials furnished, as required by California Government Code Section 66499.3(d). Any unused portion of the guarantee and warranty security shall be released one year after acceptance of the required improvements by the City Council.

11.4 Additional Requirements. The surety for any surety bonds provided as Security shall have a current A.M. Best's rating of no less than A:VIII, shall be authorized to do business in the State of California, and shall be satisfactory to City. As part of the obligation secured by the Security and in addition to the face amount of the Security, Developer or its surety shall secure the costs and reasonable expenses and fees, including reasonable attorneys' fees and costs, incurred by City in enforcing the obligations of this Agreement. Developer and its surety stipulate and agree that no change, extension of time, alteration, or addition to the terms of this Agreement, the Public Improvements, or the plans and specifications for the Public Improvements shall in any way affect its obligation on the Security.

11.5 Evidence and Incorporation of Security. Evidence of the Security shall be provided on the forms set forth in Exhibit "C," unless other forms are deemed acceptable by the City Engineer and the City Attorney, and when such forms are completed to the satisfaction of City, the forms and evidence of the Security shall be attached hereto as Exhibit "C" and incorporated herein by this reference.

12.0 Lien. To secure the timely performance of Developer's obligations under this Agreement, including those obligations for which security has been provided pursuant to this Agreement, Developer hereby creates in favor of City a lien against all portions of the Property not dedicated to City or some other governmental agency for a public purpose. As to Developer's default on those obligations for which security has been provided pursuant to this Agreement,

City shall first attempt to collect against such security prior to exercising its rights as a contract lienholder under this Section.

13.0 Indemnification. Developer shall defend (with counsel reasonably satisfactory to the City Attorney), indemnify, and hold harmless City, its elected officials, officers, employees, agents, and volunteers from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury, to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental body or agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of Developer, its personnel, employees, agents, or contractors in connection with or arising out of construction or maintenance of the Public Improvements, or performance of this Agreement. This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys' fees, and related costs or expenses, and the reimbursement of City, its elected officials, officers, employees, and/or agents for all legal expenses and costs incurred by each of them. This indemnification excludes only such portion of any claim, demand, cause of action, liability, loss, damage, penalty, fine, or injury, to property or persons, including wrongful death, which is caused solely and exclusively by the negligence or willful misconduct of City as determined by a court or administrative body of competent jurisdiction. Developer's obligation to indemnify shall survive the expiration or termination of this Agreement and shall not be restricted to insurance proceeds, if any, received by Agency, its elected officials, officers, employees, agents, or volunteers.

14.0 Insurance.

14.1 Types; Amounts. Developer shall procure and maintain, and shall require its contractors and subcontractors to procure and maintain, during construction of any Public Improvement pursuant to this Agreement, insurance of the types and in the amounts described below ("Required Insurance") and without limiting the indemnity provisions of this Agreement. If any of the Required Insurance contains a general aggregate limit, such insurance shall apply separately to this Agreement or be no less than three times the specified occurrence limit. For purposes of this Section 14.0, et seq., the "indemnified parties" shall mean City, its elected officials, officers, employees, agents, and volunteers, as described in this Agreement. The Required Insurance shall contain standard separation of insureds provisions, and shall contain no special limitations on the scope of its protection to City, its elected officials, officers, employees, agents, and volunteers.

14.1.1 Commercial General Liability. Developer, its contractors and subcontractors shall procure and maintain Commercial General Liability Insurance that affords coverage at least as broad as the latest version of Insurance Services Office "occurrence" form CG 0001, with minimum limits of at least One Million Dollars (\$1,000,000.00) per occurrence, and if written with an aggregate, the aggregate shall be double the per occurrence limit. Defense costs shall be paid in addition to the limits. The policy shall contain no endorsements or provisions limiting coverage for (1) products and completed operations; (2) contractual liability;

(3) third party action over claims; (4) cross liability exclusion for claims or suits by one insured against another; or (5) explosion, collapse, or underground hazard (XCU).

14.1.2 Automobile Liability. Developer and its contractors and subcontractors shall procure and maintain automobile liability insurance with coverage at least as broad as Insurance Services Office Form CA 0001 covering "Any Auto" (Symbol 1) and minimum limits of One Million Dollars (\$1,000,000.000) each accident. Such insurance shall include coverage for the ownership, operation, maintenance, use, loading, or unloading of any vehicle owned, leased, hired, or borrowed by the insured or for which the insured is responsible. If Developer does not own any company vehicles and if requested by City, this requirement may be satisfied by providing a non-owned auto endorsement to the Commercial General Liability policy.

14.1.3 Workers' Compensation. Developer, its contractors and subcontractors shall procure and maintain workers' compensation insurance with limits as required by the Labor Code of the State of California and Employers' Liability Insurance of not less than One Million Dollars (\$1,000,000.00) per accident for bodily injury and disease.

14.1.4 Professional Liability. If applicable to this Agreement and required by City, for any consultant or other professional who will engineer or design the Public Improvements, professional liability insurance for errors and omissions with limits not less than One Million Dollars (\$1,000,000.00) per occurrence, shall be procured and maintained for a period of three (3) years following completion of the Public Improvements and shall specifically include all work to be performed under the Agreement. If coverage is written on a claims-made basis, the retroactive date shall precede the effective date of the initial Agreement, and continuous coverage will be maintained or an extended reporting period will be exercised for a period of at least three (3) years from termination of this Agreement.

14.2 Deductibles. Any deductibles or self-insured retentions must be approved by City in writing and shall protect the indemnified parties in the same manner and to the same extent as they would have been protected had the policy or policies not contained a deductible or self-insured retention.

14.3 Certificates; Verification. Developer and its contractors and subcontractors shall furnish City with original certificates of insurance and endorsements effecting coverage for the Required Insurance. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by City prior to the execution of this Agreement and before work pursuant to this Agreement can begin. City reserves the right to require complete, certified copies of all required insurance policies at any time.

14.4 Insurer Rating. Unless approved in writing by City, the insurers for all Required Insurance shall have a current A.M. Best rating of at least A:VIII, shall be authorized to do business in the State of California, and shall be satisfactory to City.

14.5 Endorsements.

14.5.1 The Commercial General Liability, Automobile Liability, and Contractors Pollution Liability policies, if the latter is required by City, shall be endorsed as follows:

Additional Insured: The indemnified parties shall be additional insureds with regard to liability and defense of suits or claims arising out of the performance of this Agreement. The “Additional Insured Endorsement” shall be on a form similar to Insurance Services Office’s Endorsement form CG 2010 and contain no other modifications to the policy.

Primary Insurance: This insurance shall be primary and any other insurance, deductible, or self-insurance maintained by the indemnified parties shall not contribute with this primary insurance.

Severability: In the event one insured, whether named or additional, incurs liability to any other of the insureds, whether named or additional, the policy shall cover the insured against whom the claim is made or may be made in the same manner as if separate policies had been issued to each insured, except that the limits of insurance shall not be increased thereby.

Cancellation: The policy shall not be canceled or the coverage suspended, voided, reduced, or allowed to expire until a thirty (30) day prior written notice of cancellation has been served upon City, except ten (10) days prior written notice shall be allowed for non-payment of premium.

Duties: Any failure by the named insured to comply with report provisions of the policy or breaches or violations of warranties shall not affect coverage provided to the indemnified parties.

Applicability: That the coverage provided therein shall apply to the obligations assumed by Developer, its contractors or subcontractors under the indemnity provisions of this Agreement, unless the policy or policies contain a blanket form of contractual liability coverage.

14.5.2 The Workers' Compensation policy or policies required by this Agreement shall be endorsed as follows:

Waiver of Subrogation: A waiver of subrogation stating that the insurer waives all rights of subrogation against the indemnified parties.

Cancellation: The policy shall not be canceled or the coverage suspended, voided, reduced, or allowed to expire until a thirty (30) day prior written notice of cancellation has been served upon City, except ten (10) days prior written notice shall be allowed for non-payment of premium.

14.5.3 The Professional Liability policy or policies required by this Agreement, if required by City, shall be endorsed as follows:

Cancellation: The policy shall not be canceled or the coverage suspended, voided, reduced, or allowed to expire until a thirty (30) day prior written notice of cancellation has been served upon City, except ten (10) days prior written notice shall be allowed for non-payment of premium.

15.0 Signs and Advertising. Developer understands and agrees to City's ordinances, regulations, and requirements governing signs and advertising structures. Developer hereby agrees with and consents to the removal by City of all signs or other advertising structures erected, placed, or situated in violation of any City ordinance, regulation, or other requirement. Removal shall be at the expense of Developer. Developer shall indemnify and hold City free and harmless from any claim or demand arising out of or incident to signs, advertising structures, or their removal.

16.0 Relationship Between the Parties. The Parties hereby mutually agree that neither this Agreement, any map related to the Property, nor any other related entitlement, permit, or approval issued by City for the Property shall operate to create the relationship of partnership, joint venture, or agency between City and Developer. Developer's contractors and subcontractors are exclusively and solely under the control and dominion of Developer. Nothing herein shall be deemed to make Developer, its contractors, or its subcontractors an agent, contractor, or subcontractor of City.

17.0 General Provisions.

17.1 Authority to Enter Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

17.2 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

17.3 Construction; References; Captions. It being agreed the Parties or their agents have participated in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not work days. All references to Developer include all personnel, employees, agents, and subcontractors of Developer, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

17.4 Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

CITY:

City of Woodland
300 First Street
Woodland, CA 95695
Attn: City Engineer

DEVELOPER:

Lennar Homes
1420 Rocky Ridge, Suite # 320
Roseville, CA 95661
Attn: Division President

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail first class postage prepaid, as of seventy-two (72) hours after deposit in the U.S. Mail.

17.5 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

17.6 Waiver. City's failure to insist upon strict compliance with any provision of this Agreement or to exercise any right or privilege provided herein, or City's waiver of any breach of this Agreement, shall not relieve Developer of any of its obligations under this Agreement, whether of the same or similar type. The foregoing shall be true whether City's actions are intentional or unintentional. Developer agrees to waive, as a defense, counterclaim or set off, any and all defects, irregularities or deficiencies in the authorization, execution or performance of the Public Improvements or this Agreement, as well as the laws, rules, regulations, ordinances or resolutions of City with regards to the authorization, execution, or performance of the Public Improvements or this Agreement.

17.7 Assignment or Transfer of Agreement. Developer shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement or any interest herein without prior written consent of City. Any attempt to do so shall be null and void, and any assignee, hypothecatee, or transferee shall acquire no right or interest by reason of such attempted assignment, hypothecation, or transfer. Unless specifically stated to the contrary in City's written consent, any assignment, hypothecation, or transfer shall not release or discharge Developer from any duty or responsibility under this Agreement. In the event that City consents in writing to such an assignment, any assignee, hypothecatee, or transferee shall expressly assume Developer's obligations hereunder by a written agreement in a form, and containing such security, as is reasonably acceptable to City.

The agreement, hypothecation, or transfer shall be to the satisfaction of the City Attorney and shall include provisions requiring the assignee to post bonds or submit another form of financial security, satisfactory to City and approved by the City Attorney, to guarantee construction of the Public Improvements. The agreement shall survive the recordation of the Final Map and shall be recorded against each of the proposed lots to inform successors and assigns of the required Public Improvements to be constructed and their time frame for construction.

Following any permitted assignment, hypothecation, or transfer of the Public Improvements as set forth in this Section, City shall release Developer from its obligations so assigned and shall release to Developer any bonds or other security posted to secure the Public Improvements so assigned; provided, however, that City shall not release any security or undertakings given to secure the performance of any of the Public Improvements not assigned, hypothecated, or transferred.

17.8 Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns. This Section shall not be construed as an authorization for any Party to assign any right or obligation.

17.9 No Third-Party Beneficiaries. There are no intended third-party beneficiaries of any right or obligation assumed by the Parties.

17.10 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

17.11 Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of Yolo, California. Each Party waives the benefit of any provision of state or federal law providing for a change of venue to any other court

or jurisdiction including, without limitation, a change of venue based on the fact that a governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, Developer expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

17.12 Attorneys' Fees and Costs. If any arbitration, lawsuit, or other legal action or proceeding is brought by one Party against the other Party in connection with this Agreement or the Property, the prevailing party, whether by final judgment or arbitration award, shall be entitled to and recover from the other party all costs and expenses incurred by the prevailing party, including actual attorneys' fees ("Costs"). Any judgment, order, or award entered in such legal action or proceeding shall contain a specific provision providing for the recovery of Costs. This Section shall survive the termination or expiration of this Agreement.

17.13 Acquisition and Dedication of Easements or Rights-of-Way. If any of the Public Improvements required by this Agreement are to be constructed on land not within the subdivision or an already-existing public right-of-way, no construction or installation shall be commenced before:

17.13.1 The irrevocable offer of dedication or conveyance to City of appropriate rights-of-way, easements, or other interests in real property, and appropriate authorization from the property owner to allow construction or installation of the Public Improvements or work; or

17.13.2 The issuance of an order of possession by a court of competent jurisdiction pursuant to California's Eminent Domain Law. Developer shall comply in all respects with any such order of possession.

Nothing in this paragraph 17.13 shall be construed as authorizing or granting an extension of time to Developer for completion of the Public Improvements.

17.14 Prevailing Wages. Developer has been alerted to the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. If the work to be performed under this Agreement by Developer is being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, Developer agrees to fully comply with such Prevailing Wage Laws. Developer shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. It shall be mandatory upon the Developer and its contractors to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Section 1776), hours of labor (Labor Code Sections 1813 and 1815), public works contractor

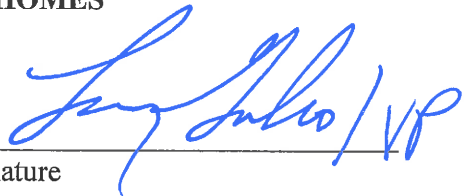
registration (Labor Code Sections 1725.5 and 1771.1) and debarment of contractors and subcontractors (Labor Code Sections 1777.1). It shall be the sole responsibility of Developer to determine whether to comply with Prevailing Wage Laws for any or all work required by this Agreement. As a material part of this Agreement, Developer agrees to assume all risk of liability arising from any decision not to comply with Prevailing Wage Laws for work required by this Agreement.

17.15 Counterparts. This Agreement may be executed in counterpart originals, which taken together, shall constitute one and the same instrument.

CITY OF WOODLAND

By: _____
Enrique Fernandez, Mayor

LENNAR HOMES

By: _____
Signature
Larry Galco
Print Name
vp
Title

ATTEST:

(Seal)

By: _____
Ana Gonzalez, City Clerk

APPROVED AS TO FORM:

By: _____
Kara Ueda, City Attorney
Best Best & Krieger LLP

ACKNOWLEDGMENT

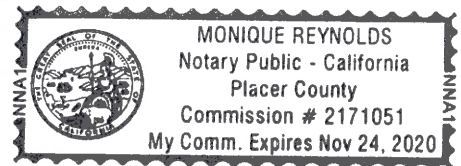
STATE OF CALIFORNIA)
) ss.
COUNTY OF)

On march 21, 2018, before me, Monique Reynolds, the undersigned notary public, personally appeared Larry Gualco, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Monique Reynolds
NOTARY PUBLIC



ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF)

On _____, before me, _____, the undersigned notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

NOTARY PUBLIC

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

**SUBDIVISION NO. 5120 CALWEST 3&4
A SUBDIVISION OF
REAL PROPERTY IN THE CITY OF WOODLAND, COUNTY OF YOLO, STATE OF
CALIFORNIA, DESCRIBED AS FOLLOWS:**

APN: 042-070-064

A-1

EXHIBIT "B"

LIST OF PUBLIC IMPROVEMENTS

TRACT NO. 5120

Developer shall perform all work and furnish all materials necessary, in the opinion of the City Engineer and on his/her order, to complete the following Public Improvements in accordance with the plans and specifications on file with City or with any changes required or ordered by the City Engineer which, in his/her opinion, are necessary or required to complete this work.

Developer is required to perform the following Public Improvements under this Agreement:

Streets, Utilities, Lights, Signing, and appurtenances as shown on the Plans Calwest 3&4r – SM 5120.

B-1

EXHIBIT "C"

SURETY BONDS AND OTHER SECURITY

PARCEL/TRACT NO. 5120

As evidence of understanding the provisions contained in this Agreement, and of Developer's intent to comply with same, Developer has submitted the below described security in the amounts required by this Agreement, and has affixed the appropriate signatures thereto:

FAITHFUL PERFORMANCE BOND: **\$3,675,100**

Surety: xxxx
Attorney-in-fact: xxxx
Address: xxxx

PAYMENT BOND: **\$1,837,550**

Surety: xxxxxx
Attorney-in-fact: xxxxxxx
Address: xxxxxx

GUARANTEE AND WARRANTY SECURITY BOND: **\$367,510**

Surety: xxxxxx
Attorney-in-fact: xxxxxxx
Address: xxxx

**AGREEMENT REGARDING
REIMBURSEMENT OF SPRING LAKE SPECIFIC PLAN IMPROVEMENTS
BY THE CITY OF WOODLAND
SM 5120 CALWEST 3&4**

1. Parties and Date

This Agreement is entered into as of the ____ day of _____, 2018 (“Effective Date”) by and between Lennar Homes of California, a California Corporation with its principal office located at 1420 Rocky Ridge Suite #320, Roseville, CA 95661 (“Developer”), and the City of Woodland, a California municipal corporation (“City”).

2. Recitals

2.1 In conjunction with the development of the Spring Lake Specific Plan area, Developer has constructed certain infrastructure improvements, including curbs, gutters, sidewalks, bikeways, soundwalls and/or landscaping, and/or agreed to grant real property interests to the City (“Improvements”), as required by City.

2.2 City and Developer are parties to a Funding and Reimbursement Agreement for Development Within the Spring Lake Specific Plan Area (“Reimbursement Agreement”), which provides for City reimbursement to Developer of Excess Costs (as defined therein) of such Improvements, by way of fee credits, bond proceeds or cash received from other benefiting property owners.

2.3 City desires to take ownership of, and responsibility for, the Improvements constructed by Developer and more particularly described in Exhibit “A,” attached hereto and incorporated by this reference, and desires therefore to purchase the Improvements from Developer.

NOW, THEREFORE, in consideration of the preceding recitals and the covenants hereinafter contained, the parties agree as follows:

3. Terms

3.1 Purchase Price. The total purchase price for the improvements is Nine Hundred Forty Four Thousand Seven Hundred Thirty Two Dollars and 44/100 (\$944,732.44) (“Purchase Price”), which represents those costs reasonably incurred by Developer in constructing the Improvements, as set forth in Exhibit “A,” Based on Engineer’s Estimates as set forth in Exhibit “B” attached hereto and incorporated herein by this reference. Notwithstanding any other provision of this Agreement, Purchase Price shall be paid solely by Spring Lake Infrastructure Fee (“SLIF”) credits or cash from Spring Lake Infrastructure Fees (“SLIF”) collected, cash advanced by Spring Lake developers, or Master Plan Remainder Area (MPRA) reimbursements. Developer acknowledges that the Purchase Price cannot be paid from the proceeds of bonds issued by a Community Facilities District. For Improvements consisting of items included in the Spring Lake Capital Improvement Program as backbone facilities and land dedicated for public

improvements, reimbursement shall be made through fee credits, unless and until such time as the City has collected sufficient SLIF funding and/or cash advanced from developers, provided that if reimbursement is made through fee credits and the City subsequently collects SLIF funding or cash advances, Developer shall not be entitled to exchange the fee credits for cash.

3.2 Prevailing Wages. Developer is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ('Prevailing Wage Laws'), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. Since the Improvements (other than the Improvements consisting solely of dedication of land) are an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since such Improvements will cost more than \$1,000, Developer warrants that it has fully complied with such Prevailing Wage Laws, and caused its contractors and subcontractors to so comply, by paying the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the construction and installation of the Improvements. Developer shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with applicable Prevailing Wage Laws.

3.3 Documentation of Costs. Within forty-five (45) days of the completion of the Reimbursable Improvements and their formal acceptance by City, Developer shall provide City an itemized accounting of the reasonable and actual costs of the Reimbursable Improvements incurred by Developer, and bills and copies of canceled checks (showing the front and back) evidencing the costs incurred for the Reimbursable Improvements. Developer shall also provide City with any additional information as to any items shown on the itemized accounting as requested by City to substantiate the costs. Should Developer fail to provide all required documents to City within such 45-day period, City shall be relieved from its reimbursement obligations as described herein.

3.4 Grant of Easements. Developer hereby grants to City all necessary easements, rights of way and rights of access and egress in and to all real property now or hereafter acquired and owned by Developer, as may be necessary or convenient to enable City to maintain, repair and exercise all other necessary control over the Improvements. Developer covenants that it will execute, deliver and record any and all additional documents as may be required to be executed, delivered and recorded to establish such easements, rights of way and rights of access and egress.

3.5 Title. Upon the transfer of the Improvements to City in accordance with this Agreement, title to the Improvements shall be deemed conveyed to and vested in City. City and Developer shall execute, deliver and cause to be recorded any and all documents necessary to convey such title to City. Said documentation may include, without limitation, a bill of sale or grant deed.

3.6 Documents. Developer shall cause all plans, specifications, records, reports, as-built drawings, construction documents and any other written material regarding the location, construction, maintenance and operation of the Improvements to the City within fifteen (15) days of the Effective Date.

3.7 State of Title to Improvements. Developer shall transfer the Improvements to the

City free of all liens or encumbrances of any kind of record or known to Developer. Developer agrees to hold City harmless in regard to any liens or encumbrances of any kind which are alleged to have existed or arisen prior to the conveyance of the Improvements to City. Developer shall reimburse City for any and all costs and expenses, including attorneys' fees, which City expends in payment of, or defense against, any such liens or encumbrances which may have existed prior to the conveyance of the Improvements to City.

3.8 Notices. Any notices or correspondence relating to this Agreement shall be sent to the following addresses:

City: City of Woodland
Attn: Chief Financial Officer
With a Copy to: City Engineer
300 First Street
Woodland, CA 95695

Developer: Lennar Homes
1420 Rock Ridge # 320
Roseville, CA 95601
Attn: Vice President

3.9 Indemnification. Developer shall defend, indemnify, and hold harmless City, its officials, officers, agents, and employees from and against any and all claims, demands, causes of action, costs, expenses, liabilities, losses, damages, or injuries of any kind, including attorneys' fees, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to the design, grading, construction or maintenance of the Infrastructure.

3.10 Authority to Execute. The signatories to this Agreement warrant that they are lawfully authorized to execute this Agreement.

3.11 Entire Agreement. This Agreement contains the entire agreement between the parties with respect to the matters herein provided for, and may only be amended by a subsequent written agreement signed on behalf of both parties.

3.12 Attorneys' Fees. Should either party to this Agreement commence a court action or proceeding against the other party with respect to this Agreement, the party prevailing in such action or proceeding shall be entitled to receive from the losing party attorneys' fees, expert witness' fees, court costs and other costs incurred in prosecuting or defending such action or proceeding.

3.13 Governing Law and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any action to interpret or enforce this Agreement shall be brought and maintained exclusively in the courts of Yolo County, California.

3.14 Severability. If any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision(s) shall be deemed severable from the remaining provisions contained in this Agreement.

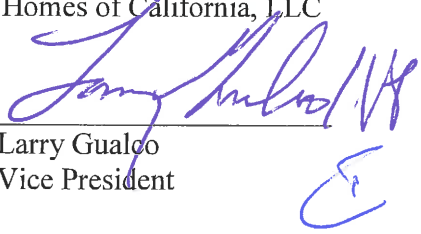
3.15 Interpretation. The parties understand, acknowledge and agree that they have participated equally in the negotiation and drafting of this Agreement, and that they have had the ability to consult legal counsel with respect hereto. To this end, each and every provision of this Agreement shall be interpreted equally and not in favor or against either of the parties.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed as of the date first above written.

CITY OF WOODLAND

Lennar Homes of California, LLC

By: _____
Paul Navazio, City Manager

by: 
Larry Gualco
Vice President

ATTEST:

Ana Gonzalez, City Clerk

**EXHIBIT A
IMPROVEMENTS TO BE ACQUIRED**

SCHEDULE						
Item No.	CONSTRUCTION ITEM DESCRIPTION	UNITS	QTY	TOTAL ESTIMATED COST	FUND SOURCE	NOTES
1	Grading & Erosion Control			\$859	SLIF Credits	
2	Street Work & Concrete			\$534,072	SLIF Credits	
3	Storm Drainage			\$198,990	SLIF Credits	
4	Sewer System			\$0	SLIF Credits	
5	Water System			\$6,260	SLIF Credits	
6	Street Lights			\$0	SLIF Credits	
7	Fiber Optic			\$21,700	SLIF Credits	
	Subtotal			\$761,881		
	24% Design, CM, inspection, plan check, surveying%			\$182,851.44	SLIF Credits	
	Total			\$944,732.44		
	TOTAL			\$944,732.44		

EXHIBIT B

ENGINEER'S OPINION OF PROBABLY SLIF CONSTRUCTION COSTS



ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS
 PROJECT: CAL-WEST - PHASE 3 & 4
 BASED ON: 1st CIVIL IMPROVEMENT PLAN SUBMITTAL TO CITY
 PREPARED BY: LR; BF
 REVISED: 08/09/2017

SUMMARY

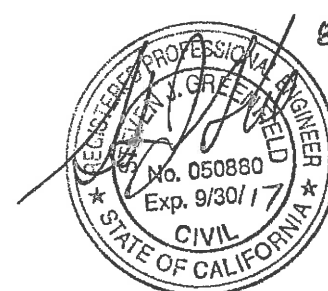
	SUB-TOTAL COST	SLIF	NON-SLIF DEVELOPER COST	SUBJECT TO ADJACENT DEVELOPER REIMBURSEMENT	NET PHASE-3&4 COST
A. PHASE 3 & 4 INTRACTS: (83 lots)	\$3,341,000	\$761,880	\$2,579,100	\$67,000	\$2,512,100
"CAL-WEST - PHASE 3 & 4" SUB-TOTAL:	\$3,341,000	\$761,880	\$2,579,100	\$67,000	\$2,512,100
10% CONSTRUCTION CONTINGENCY	\$334,100	\$76,188	\$257,910	\$6,700	\$251,210
"CAL-WEST - PHASE 3 & 4" TOTAL COST:	\$3,675,100	\$838,100	\$2,837,000	\$73,700	\$2,763,300

CITY OF WOODLAND PLAN CHECK/INSPECTION FEES

12% of the first \$50,000	\$6,000
10% of the next \$50,000	\$5,000
9% of the next \$100,000	\$9,000
8% of the next \$100,000	\$8,000
7% of the amount above \$300,000	\$236,257
ESTIMATED PLAN CHECK/INSPECTION TOTAL	\$264,257

INITIAL DEPOSIT PAID 3/14/17 \$107,787

Balance Remaining \$156,470



(1) The Developer Reimbursement costs associated with Patriot Way between State Route 113 and Harry Lorenzo Avenue are eligible for reimbursement from the "Oyang" Developers.

(2) COST OPINION EXCLUDES COSTS ASSOCIATED WITH LAND ACQUISITION.

(3) Additional Notes:

- In providing opinions of probable construction cost, the Client understands that the Engineer has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opinions of probable construction cost provided herein are to be made on the basis of the Engineer's qualifications and experience. The Engineer makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs.
- This opinion of costs assumes that all the civil improvements are to be constructed in one phase. If the project is built out in additional multiple phases, additional costs may be incurred. Costs also assume competitive bidding.
- This opinion of costs **DOES NOT** include costs for the following items:
 - Undergrounding or relocation of existing overhead utility lines (except as noted.)
 - Permits or other City Fees
 - Any costs related to environmental assessment of the mitigation of any contamination, endangered species or archeological resources.
 - Costs for land, financing, bonds and easements.
 - Costs associated with coordination with other contractors working within the Spring Lake area (e.g. offsite storm drainage, water well(s), intract improvements, etc.)
- Unit costs are 2017 basis.
- This opinion assumes payment of prevailing wages.
- This opinion does NOT include soft costs (enrg, landscape design, construction management, staking, inspection, soils testing.)



ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS
 PROJECT: CAL-WEST - PHASE 3 & 4
 BASED ON: 1st CIVIL IMPROVEMENT PLAN SUBMITTAL TO CITY
 PREPARED BY: LR; BF
 REVISED: 08/09/2017

A. PHASE 3 & 4 INTRACTS

(83 lots; not incl. utility services and driveways for 10 lots constructed with phase 2; including park frontage for Hammond Drive and utilities in Farmer's Central Road Extension)

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST	SLIF	NON-SLIF DEVELOPER COST	OVANG (PATRIOT WAY)
I.	GRADING & EROSION CONTROL							
1.	CLEAR & GRUB	14.46	AC	\$1,200.00	\$17,356	\$0	\$17,356	\$63
2.	ROUGH GRADING	20,792	CY	\$4.00	\$83,168	\$0	\$83,168	\$300
3.	ROAD-FINISH GRADING, CMPT. SUB-GRADE	103,830	SF	\$0.60	\$62,298	\$0	\$62,298	\$1,362
4.	SW-FINISH GRADING, CMPT. SUB-GRADE	23,670	SF	\$0.85	\$20,120	\$859	\$19,261	\$0
5.	LOT GRADING	83	EA	\$390.00	\$32,370	\$0	\$32,370	\$0
6.	EROSION CONTROL	14.46	AC	\$2,000.00	\$28,927	\$0	\$28,927	\$104
	GRADING & EROSION CONTROL SUB-TOTAL				\$244,239	\$859	\$243,381	\$1,828
II.	STREET WORK & CONCRETE							
7.	4" AC PAVEMENT	89,540	SF	\$2.20	\$196,988	\$0	\$196,988	\$4,994
8.	12" AGGREGATE BASE (Road/Curb/Gutter)	103,320	SF	\$1.80	\$185,976	\$0	\$185,976	\$4,086
9.	4" PCC SIDEWALK (incl. 4" AB)	23,670	SF	\$5.20	\$123,084	\$5,252	\$117,832	\$0
10.	SURVEY MONUMENTS	10	EA	\$375.00	\$3,750	\$0	\$3,750	\$188
11.	SIGNAGE AND STRIPING	1	LS	\$3,000.00	\$3,000	\$0	\$3,000	\$0
12.	VERTICAL CURB & GUTTER	4,010	LF	\$16.50	\$66,165	\$0	\$66,165	\$0
13.	LOW PROFILE CURB & GUTTER	1,250	LF	\$28.00	\$35,000	\$0	\$35,000	\$0
14.	DRIVEWAYS	47	EA	\$775.00	\$36,425	\$0	\$36,425	\$0
15.	LANDSCAPING (Lot A)*	36,800	SF	\$4.50	\$165,600	\$165,600	\$0	\$0
16.	LANDSCAPING (Lot C)*	940	SF	\$4.50	\$4,230	\$0	\$4,230	\$0
17.	6' SOUNDWALL	122	LF	\$135.00	\$16,470	\$16,470	\$0	\$0
18.	8' SOUNDWALL	650	LF	\$145.00	\$94,250	\$94,250	\$0	\$0
19.	10' SOUNDWALL	1,520	LF	\$165.00	\$250,800	\$250,800	\$0	\$0
20.	RETAINING WALL	71	LF	\$85.00	\$6,035	\$0	\$6,035	\$0
21.	PEDESTRIAN RAMPS (incl. detectable warnings)	13	EA	\$1,700.00	\$22,100	\$1,700	\$20,400	\$0
	STREET WORK & CONCRETE SUB-TOTAL				\$1,209,873	\$534,072	\$675,801	\$9,268

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST	SLIF	NON-SLIF DEVELOPER COST	OYANG (PATRIOT WAY)
III. <u>STORM DRAINAGE</u>								
22. 18" RCP STORM DRAIN		1,220	LF	\$58.00	\$70,760	\$16,240	\$54,520	\$0
23. 24" RCP STORM DRAIN		140	LF	\$75.00	\$10,500	\$0	\$10,500	\$0
24. 30" RCP STORM DRAIN		60	LF	\$110.00	\$6,600	\$0	\$6,600	\$0
25. 60" RCP STORM DRAIN		650	LF	\$255.00	\$165,750	\$165,750	\$0	\$0
26. TYPE I SD MANHOLE (36" pipe max.)		3	EA	\$5,000.00	\$15,000	\$0	\$15,000	\$0
27. REMOVE DI & REPLACE W TYPE II SD MANHOLE (36" pipe)		1	EA	\$8,500.00	\$8,500	\$8,500	\$0	\$0
28. CURB INLET MANHOLE (Type I MH base)		5	EA	\$5,950.00	\$29,750	\$0	\$29,750	\$0
29. CURB INLET		4	EA	\$4,250.00	\$17,000	\$0	\$17,000	\$0
30. AREA DRAIN		3	EA	\$2,000.00	\$6,000	\$6,000	\$0	\$0
31. REMOVE SEDIMENTATION BASIN (& connect to exist.)		1	EA	\$3,500.00	\$3,500	\$0	\$3,500	\$0
32. SEDIMENTATION BASIN		1	EA	\$2,500.00	\$2,500	\$2,500	\$0	\$0
	STORM DRAINAGE SUB-TOTAL				\$335,860	\$198,990	\$136,870	\$0
IV. <u>SEWER SYSTEM</u>								
33. 8" SDR-35 PVC		2,580	LF	\$50.00	\$129,000	\$0	\$129,000	\$2,700
34. 48" SEWER MANHOLE		12	EA	\$5,250.00	\$63,000	\$0	\$63,000	\$2,625
35. 4" SEWER SERVICE (incl. clean out)		77	EA	\$1,450.00	\$111,650	\$0	\$111,650	\$5,800
36. CONNECT TO EXISTING		3	EA	\$1,250.00	\$3,750	\$0	\$3,750	\$625
	SEWER SYSTEM SUB-TOTAL				\$307,400	\$0	\$307,400	\$11,750
V. <u>DOMESTIC WATER SYSTEM</u>								
37. 8" WATER MAIN (incl. fittings)		2,880	LF	\$40.00	\$115,200	\$0	\$115,200	\$2,440
38. 8" VALVE		12	EA	\$1,850.00	\$22,200	\$0	\$22,200	\$0
39. 1" WATER SERVICE (incl. meter) lot C		1	EA	\$2,000.00	\$2,000	\$0	\$2,000	\$0
40. 1.5" WATER SERVICE (incl. meter)		77	EA	\$2,500.00	\$192,500	\$0	\$192,500	\$10,000
41. 2" WATER SERVICE (incl. meter) lot A		1	EA	\$6,000.00	\$6,000	\$6,000	\$0	\$0
42. FIRE HYDRANT AND ASSEMBLY		12	EA	\$7,500.00	\$90,000	\$0	\$90,000	\$3,750
43. 4" PVC SCHED. 40 IRRIGATION SLEEVES		650	LF	\$20.00	\$13,000	\$260	\$12,740	\$0
44. CONNECT TO EXISTING		4	EA	\$2,000.00	\$8,000	\$0	\$8,000	\$1,000
	WATER SYSTEM SUB-TOTAL				\$448,900	\$6,260	\$442,640	\$17,190
VI. <u>STREETLIGHTS</u>								
45. STREET LIGHTS (SINGLE-Including wire, poles, pedestals)		20	EA	\$6,250.00	\$125,000	\$0	\$125,000	\$0
	STREETLIGHT SUB-TOTAL				\$125,000	\$0	\$125,000	\$0
VII. <u>JOINT TRENCH</u>								
46. JOINT TRENCH		2,880	LF	\$225.00	\$648,000	\$0	\$648,000	\$27,000
47. 4-2" CONDUIT FOR FIBER OPTIC (Future Farmer's Central Road)		620	LF	\$35.00	\$21,700	\$21,700	\$0	\$0
	JOINT TRENCH SUB-TOTAL				\$669,700	\$21,700	\$648,000	\$27,000

**SUPPLEMENTAL IMPROVEMENTS
THIRD PARTY REIMBURSEMENT AGREEMENT
SUBDIVISION 5120 CALWEST 3&4**

This Supplemental Improvements Third Party Reimbursement Agreement ("Agreement") is made this _____ day of _____, 20_____, by and between the City of Woodland, California ("City"), and Lennar Homes of California, Inc. a California Corporation, with its principal office located at 1420 Rocky Ridge, Suite # 320 Roseville, CA 95661 ("Developer"). City and Developer may be referred to individually herein as "Party" or collectively as "Parties."

RECITALS

- A. Developer is currently developing a project known as Subdivision No. 5120 Calwest 3&4 (the "Subdivision"); and,
- B. As a condition of developing the Subdivision or Project, the City requires the Developer to install certain public improvements in excess of the capacity necessary to serve the Subdivision (the "Public Improvements").
- C. The Public Improvements will serve and benefit the Developer, City, and future development of other properties ("Benefiting Properties") in the area of the Subdivision, as more specifically described in Exhibit "A" attached hereto and incorporated by reference herein.
- D. Developer is willing to pay the total costs of the Public Improvements, subject to the City's agreement to collect reimbursement from future Benefiting Properties as they develop, in proportion to the extent that City determines that each Benefiting Property benefits from the Public Improvements, pursuant to the terms of this Agreement.

NOW, THEREFORE, in consideration of the preceding recitals and the mutual covenants and consideration contained herein, the Parties mutually agree as follows:

- 1. **Incorporation of Recitals.** The Parties acknowledge that the above recitals are true and correct, and incorporate those recitals by reference into this Agreement.
- 2. **Construction of Public Improvements.** The Public Improvements subject to this Agreement, and the estimated costs therefore, are shown on the improvement plans entitled "Improvement Plans for Subdivision No.5120" and described in Exhibit "B," attached hereto. Developer agrees to and shall fully construct, install and pay for the Public Improvements benefiting both Developer's and others' properties to the satisfaction of the City Public Works Director and in accordance with the Subdivision Improvement Agreement dated as of _____ and incorporated herein.
- 3. **Allocation and Reimbursement of Costs of Public Improvements.**

- 3.1 Proportionate Share. Notwithstanding Developer's agreement to advance all of the costs of the Public Improvements, the Developer and each Benefiting Property shall be responsible for its proportionate share of such costs ("Proportionate Share"). In no event shall the City contribute to any reimbursement of the costs of the Public Improvements, or any other costs associated with this Agreement.
- 3.2 Determination of Proportionate Share. The Benefiting Property's Proportionate Share for the Patriot Way improvements has been determined based upon the respective street frontages of the Subdivision and the Benefiting Property as shown in the Attachment – Engineer's Cost Estimate (Exhibit C). The Benefiting Property's Proportionate Share of these improvements has been calculated as shown in the following tables:

Patriot Way		
Property (APN)		Reimbursement Amount
KB HOME SACRAMENTO, INC. APN 041-070-063		\$67,036

- 3.3 Collection of Benefiting Properties' Proportionate Share. As part of the conditions of approval for development, renovation, reconstruction, or significant change of use of a Benefiting Property, City shall require the developer of a Benefiting Property to pay to the City the Proportionate Share of the subject Benefiting Property as a condition of approval of any discretionary land use application submitted by a Benefiting Property developer to the City.
- 3.4 Reimbursement to Developer. Within one hundred and twenty (120) days of the receipt of each Benefiting Properties' Proportionate Share, City shall remit such Proportionate Share, minus a reasonable amount necessary to cover City's administrative costs, to Developer.
4. **Term of Reimbursement Obligation.** City's obligation to remit Proportionate Shares paid by Benefiting Properties to Developer under this Agreement for the Public Improvements shall continue for a period of twenty (20) years from the date of this Agreement, unless the obligation is sooner satisfied by payment in full of all reimbursable amounts due and owing to Developer under this Agreement or is otherwise terminated as provided in this Agreement.
5. **Reimbursement Deficiencies.** City makes no guarantees, express or implied, that the Benefiting Properties will seek approval of any discretionary land use application within the 20-year period specified in Section 4 above, and in the event that Developer does not recoup his or her full reimbursable portion within the 20-year period, City shall not be responsible for any such deficiency in reimbursement. In addition, although City agrees to use its best efforts to collect reimbursement from the Benefiting Properties, City shall not be liable to Developer for any deficiency in the event City fails to collect reimbursement from one or more Benefiting Properties, regardless of fault or reason for City's failure to collect said reimbursement.

6. **Prevailing Wages.** Developer is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. Since the Public Improvements are an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and since the Public Improvements will cost more than \$1,000, Developer shall fully comply with such Prevailing Wage Laws. City shall provide Developer with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. Developer shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the construction and installation of the Public Improvements available to interested parties upon request, and shall post copies at the Developer's principal place of business and at the project site. Developer shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.
7. **Alterations to Public Improvements.** This Agreement shall not be construed to limit the right of the City to enlarge, relocate, alter or extend the Public Improvements, provided the City shall pay for any additional improvement costs in the event the City enlarges or extends the Public Improvements, nor shall it be construed as a grant to the Developer of any right to any exclusive use or specific capacity in or to the Public Improvements.
8. **Binding on Successors in Interest.** Each and every provision of this Agreement shall be binding and inure to the benefit of the successors in interest of the Parties.
9. **Indemnity.** Developer shall defend, indemnify and hold City and its officials, officers, employees, agents, and authorized volunteers free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, to the extent arising out of or incident to any alleged negligent acts, omissions or willful misconduct of the Developer or its officials, officers, employees, agents, consultants and contractors in connection with this Agreement, including without limitation the payment of attorneys fees, expert witness fees, and other related costs and expenses. The obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the Developer or its directors, officials, officers, employees, agents or volunteers.
10. **Termination.** In the event Developer defaults in the performance of any of its obligations under this Agreement or materially breaches any of the provisions of this Agreement, City shall have the option to terminate this Agreement upon thirty (30) days' prior written notice to Developer.
11. **Notice.** Written notice, whenever required by this Agreement, shall become effective upon personal service or deposit in the United States mail, postage prepaid, addressed to the following:

CITY:

Attn: City Engineer
City of Woodland
300 First Street
Woodland, CA 95695

DEVELOPER:

Attn: Division President
Lennar Homes
1420 Rocky Ridge, Suite # 320
Roseville, CA 95661

Either Party may update its address and contact information by providing written notice of the new information to the other Party.

12. **Contact Information for Developer.** It shall be Developer's responsibility to keep City apprised of Developer's address during the term of this Agreement. In the event the City is unable to locate the Developer at the time that any reimbursements are due, the City shall hold such fees for the benefit of the Developer or its successor or assignee for a period of one year, commencing upon the date of acceptance of the Public Improvements by City. Following this one-year period, any fees not reimbursed to the Developer shall escheat to the City and the City shall have no further obligations to Developer pursuant to this Agreement.
13. **Entire Agreement.** This Agreement embodies the entire understanding and agreement between the Parties pertaining to the matters described herein and supersedes and cancels all prior oral or written agreements between the Parties with respect to these matters. Each Party acknowledges that no party, agent or representative of the other party has made any promise, representation or warranty, express or implied, not expressly contained in this Agreement, that induced the other Party to sign this document.
14. **Attorneys Fees.** If any legal action, or any arbitration or other proceeding is initiated for the enforcement/interpretation of this Agreement or because of any alleged dispute, breach, default or misrepresentation in connection with any of the provisions of this Agreement, the successful or prevailing party shall be entitled to recover reasonable attorneys' fees, witness fees and other costs incurred in that action or proceeding, in addition to any other relief to which it may be entitled.

IN WITNESS WHEREOF, this Agreement is executed the day and year first above written, by the parties, as follows:

CITY OF WOODLAND

LENNAR HOMES OF CALIFORNIA INC

By: _____
Paul Navazio, City Manager

Larry Gualco, Vice President

EXHIBIT "A"

BENEFITING PROPERTIES AND CURRENT OWNERSHIP

1. (041-070-063)/KB HOME SACRAMENTO INC.

EXHIBIT "B"

Developer shall perform all work and furnish all materials necessary, in the opinion of the City Engineer and on his order, to complete the following Public Improvements in accordance with the plans and specifications on file with the City or with any changes required or ordered by the City Engineer which, in his opinion, are necessary or required to complete this work.

Developer is required to perform the following Public Improvements under this Agreement.

Furnish, construct and install at his/her own expense the improvements required and in accordance to the conditions of approval of Amended and Restated Development Agreement dated April 14, 2015. The tentative subdivision map is identified in City records as Tentative Subdivision Map No. 5075 Calwest the "Improvements Plans for Subdivision No. 5120 Calwest 3&4 dated September 25, 2017.

EXHIBIT C



ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COSTS
 PROJECT: CAL-WEST - PHASE 3 & 4
 BASED ON: 1st CIVIL IMPROVEMENT PLAN SUBMITTAL TO CITY
 PREPARED BY: LR; BF
 REVISED: 08/09/2017

SUMMARY

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(3) Additional Notes.

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 REVISED: 08/09/2017

(83 lots; not incl. utility services and driveways for 10 lots constructed with phase 2; including park frontage for Hammond Drive and utilities in Farmer's Central Road Extension)

A. PHASE 3 & 4 INTRACETS

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST	SLIP	NON-SLIP DEVELOPER COST	OYANG (PATRIOT WAY)
I. GRADING & EROSION CONTROL								
1.	CLEAR & GRUB	14.46	AC	\$1,200.00	\$17,356	\$0	\$17,356	\$63
2.	ROUGH GRADING	20,792	CY	\$4.00	\$83,168	\$0	\$83,168	\$308
3.	ROAD-FINISH GRADING, CMPT. SUB-GRADE	103,830	SF	\$0.60	\$62,298	\$0	\$62,298	\$1,362
4.	SW-FINISH GRADING, CMPT. SUB-GRADE	23,670	SF	\$0.85	\$20,120	\$859	\$19,261	\$0
5.	LOT GRADING	83	EA	\$390.00	\$32,370	\$0	\$32,370	\$0
6.	EROSION CONTROL	14.46	AC	\$2,000.00	\$28,927	\$0	\$28,927	\$104
GRADING & EROSION CONTROL SUB-TOTAL					\$244,239	\$859	\$243,381	\$1,828
II. STREET WORK & CONCRETE								
7.	4" AC PAVEMENT	89,540	SF	\$2.20	\$196,988	\$0	\$196,988	\$4,994
8.	12" AGGREGATE BASE (Road/Curb/Gutter)	103,320	SF	\$1.80	\$185,976	\$0	\$185,976	\$4,086
9.	4" PCC SIDEWALK (incl. 4" AB)	23,670	SF	\$5.20	\$123,084	\$5,252	\$117,832	\$0
10.	SURVEY MONUMENTS	10	EA	\$375.00	\$3,750	\$0	\$3,750	\$188
11.	SIGNAGE AND STRIPING	1	LS	\$3,000.00	\$3,000	\$0	\$3,000	\$0
12.	VERTICAL CURB & GUTTER	4,010	LF	\$16.50	\$66,165	\$0	\$66,165	\$0
13.	LOW PROFILE CURB & GUTTER	1,250	LF	\$28.00	\$35,000	\$0	\$35,000	\$0
14.	DRIVEWAYS	47	EA	\$775.00	\$36,425	\$0	\$36,425	\$0
15.	LANDSCAPING (Lot A)*	36,800	SF	\$4.50	\$165,600	\$165,600	\$0	\$0
16.	LANDSCAPING (Lot C)*	940	SF	\$4.50	\$4,230	\$0	\$4,230	\$0
17.	6' SOUNDWALL	122	LF	\$135.00	\$16,470	\$16,470	\$0	\$0
18.	8' SOUNDWALL	650	LF	\$145.00	\$94,250	\$94,250	\$0	\$0
19.	10' SOUNDWALL	1,520	LF	\$165.00	\$250,800	\$250,800	\$0	\$0
20.	RETAINING WALL	71	LF	\$85.00	\$6,035	\$0	\$6,035	\$0
21.	PEDESTRIAN RAMPS (incl. detectable warnings)	13	EA	\$1,700.00	\$22,100	\$1,700	\$20,400	\$0
STREET WORK & CONCRETE SUB-TOTAL					\$1,209,873	\$534,072	\$675,801	\$9,268

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST	SLIF	NON-SLIF DEVELOPER COST	OYANG (PATRIOT WAY)
III. STORM DRAINAGE								
22.	18" RCP STORM DRAIN	1,220	LF	\$58.00	\$70,760	\$16,240	\$54,520	\$0
23.	24" RCP STORM DRAIN	140	LF	\$75.00	\$10,500	\$0	\$10,500	\$0
24.	30" RCP STORM DRAIN	60	LF	\$110.00	\$6,600	\$0	\$6,600	\$0
25.	60" RCP STORM DRAIN	650	LF	\$255.00	\$165,750	\$165,750	\$0	\$0
26.	TYPE I SD MANHOLE (36" pipe max.)	3	EA	\$5,000.00	\$15,000	\$0	\$15,000	\$0
27.	REMOVE DI & REPLACE W TYPE II SD MANHOLE (36" pipe)	1	EA	\$8,500.00	\$8,500	\$0	\$0	\$0
28.	CURB INLET MANHOLE (Type I MH base)	5	EA	\$5,950.00	\$29,750	\$0	\$29,750	\$0
29.	CURB INLET	4	EA	\$4,250.00	\$17,000	\$0	\$17,000	\$0
30.	AREA DRAIN	3	EA	\$2,000.00	\$6,000	\$6,000	\$0	\$0
31.	REMOVE SEDIMENTATION BASIN (& connect to exist.)	1	EA	\$3,500.00	\$3,500	\$0	\$3,500	\$0
32.	SEDIMENTATION BASIN	1	EA	\$2,500.00	\$2,500	\$2,500	\$0	\$0
STORM DRAINAGE SUB-TOTAL					\$335,860	\$198,990	\$136,870	\$0
IV. SEWER SYSTEM								
33.	8" SDR-35 PVC	2,580	LF	\$50.00	\$129,000	\$0	\$129,000	\$2,700
34.	48" SEWER MANHOLE	12	EA	\$5,250.00	\$63,000	\$0	\$63,000	\$2,625
35.	4" SEWER SERVICE (incl. clean out)	77	EA	\$1,450.00	\$111,650	\$0	\$111,650	\$5,800
36.	CONNECT TO EXISTING	3	EA	\$1,250.00	\$3,750	\$0	\$3,750	\$625
SEWER SYSTEM SUB-TOTAL					\$307,400	\$0	\$307,400	\$11,750
V. DOMESTIC WATER SYSTEM								
37.	8" WATER MAIN (incl. fittings)	2,880	LF	\$40.00	\$115,200	\$0	\$115,200	\$2,440
38.	8" VALVE	12	EA	\$1,850.00	\$22,200	\$0	\$22,200	\$0
39.	1" WATER SERVICE (incl. meter) lot C	1	EA	\$2,000.00	\$2,000	\$0	\$2,000	\$0
40.	1.5" WATER SERVICE (incl. meter)	77	EA	\$2,500.00	\$192,500	\$0	\$192,500	\$10,000
41.	2" WATER SERVICE (incl. meter) lot A	1	EA	\$6,000.00	\$6,000	\$6,000	\$0	\$0
42.	FIRE HYDRANT AND ASSEMBLY	12	EA	\$7,500.00	\$90,000	\$0	\$90,000	\$3,750
43.	4" PVC SCHED. 40 IRRIGATION SLEEVES	650	LF	\$20.00	\$13,000	\$260	\$12,740	\$0
44.	CONNECT TO EXISTING	4	EA	\$2,000.00	\$8,000	\$0	\$8,000	\$1,000
WATER SYSTEM SUB-TOTAL					\$448,900	\$6,260	\$442,640	\$17,190
VI. STREETLIGHTS								
45.	STREET LIGHTS (SINGLE-Including wire, poles, pedestals)	20	EA	\$6,250.00	\$125,000	\$0	\$125,000	\$0
STREETLIGHT SUB-TOTAL					\$125,000	\$0	\$125,000	\$0
VII. JOINT TRENCH								
46.	JOINT TRENCH	2,880	LF	\$225.00	\$648,000	\$0	\$648,000	\$27,000
47.	4-2" CONDUIT FOR FIBER OPTIC (Future Farmer's Central Road)	620	LF	\$35.00	\$21,700	\$21,700	\$0	\$0
JOINT TRENCH SUB-TOTAL					\$669,700	\$21,700	\$648,000	\$27,000



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 9.
SUBJECT: FY2018 NCS-X Implementation Assistance Program: Support for Local Law Enforcement Agencies, Part 1

Recommendation for Action:

Staff recommends that the City Council adopt Resolution No. _____ authorizing the City Manager and the Police Department to submit an application for the FY2018 NCS-X Implementation Assistance Program: Support for Local Law Enforcement Agencies, Part 1 for the amount of \$147,908 and to accept the funds if awarded.

Staff Contact:

Elle Murphy, Support Services Manager, (530) 661-7832, elle.murphy@cityofwoodland.org

Fiscal Impact:

There is no fiscal impact. The assistance program will cover all transition costs.

Background:

The National Incident-Based Reporting System (NIBRS), is a comprehensive crime data collection system which captures specific details about crimes and offenders through incident-based reporting. NIBRS expands UCR crime data from summary counts of eight crime categories to specific incident-level data for 49 different crimes. The details captured in NIBRS include the date, time, location, and circumstances of the incident as well as characteristics of the victim and offender such as age, sex, race, and ethnicity. In total, there are 58 data elements that are potentially reported for a NIBRS incident.

NIBRS was implemented to improve the overall quality of crime data collected by law enforcement. The transition will improve the accuracy and timeliness of our crime statistics, help identify crime patterns and trends, and aid in crime prevention.

In December 2017, the Woodland Police Department was selected by the U.S. Department of Justice, Bureau of Justice Statistics as one of 400 agencies nationwide to lead the national transition to NIBRS. This selection makes the department eligible to receive technical assistance and funding to support our transition to NIBRS. For this round of funding, there are 173 applicants and our department is one of 42 in California.

Discussion:

NIBRS implementation means changing how the Police Department do our crime reports in order to capture more detail. Our immediate next step is to apply for federal funding to cover the technical costs of this implementation, which entails updating and configuring our reporting management system to accommodate the required changes.

The transition and implementation process could take up to 24 months with full implementation expected by January 2021. The program solicitation opened on March 27, 2018 with a deadline of May 16, 2018. Time is critical for this application as awards will be given on a first-come, first-serve basis. The Department plans on submitting its application by May 2nd.

Conclusion:

Staff recommends that the City Council adopt Resolution No. _____ authorizing the City Manager and the Police Department to submit an application for the FY2018 NCS-X Implementation Assistance Program: Support for Local

Law Enforcement Agencies, Part 1 for the amount of \$147,908 and to accept the funds if awarded.

Prepared By: Elle Murphy, Support Services Manager

Reviewed By: Derrek Kaff, Police Captain



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Resolution NIBRS Transition Funding	4/25/2018	Resolution

RESOLUTION NO. _____
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
AUTHORIZING THE CITY MANAGER AND POLICE DEPARTMENT TO SUBMIT
AN APPLICATION FOR THE DEPARTMENT OF JUSTICE’S FY2018 NCS-X
IMPLEMENTATION ASSISTANCE PROGRAM: SUPPORT FOR LOCAL LAW
ENFORCEMENT AGENICES, PART 1 AND, IF AWARDED, TO ACCEPT THE
FUNDS

WHEREAS, the National Incident-Based Reporting System (NIBRS), is a comprehensive crime data collection system which captures specific details about crimes and offenders through incident-based reporting; and

WHEREAS, the FY2018 NCS-X Implementation Assistance Program: Support for Local Law Enforcement Agencies, Part 1 has selected 173 local law enforcement agencies for participation in this funding opportunity to help with costs associated with NIBRS transition and

WHEREAS, the Woodland Police Department has been selected as 1 of the 173 local law enforcement agencies eligible to apply for this funding solicitation; and

WHEREAS, the nationwide transition to NIBRS is required by January 1, 2021; and

WHEREAS, the transition and implementation process could take up to 24 months with an estimated cost of \$147,908 for the upgrade of the Department’s records management system to meet NIBRS requirements; and

WHEREAS, the Department is applying for the full amount of \$147,908 under this grant; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODLAND:

SECTION 1. That the City Council hereby authorizes the City Manager and Police Department to submit an application for the FY2018 NCS-X Implementation Assistance Program: Support for Local Law Enforcement Agencies, Part 1, and

SECTION 2. If awarded, the City Manager and Police Department are hereby authorized to accept the grant and appropriate funds.

PASSED AND ADOPTED by the City Council this 1st day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzales, City Clerk

Kara K. Ueda, City Attorney



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 10.
SUBJECT: Approve Revisions to the Park Maintenance Worker I/II, Park Maintenance Worker III, and Director of Public Works Job Descriptions and Approve New Job Description of Fire Marshal

Recommendation for Action:

Staff recommends that the City Council adopt the revisions to the job descriptions for Park Maintenance Worker I/II, Park Maintenance Worker III, and Director of Public Works; and adopt the new job description of Fire Marshal.

Staff Contact:

Sheila McShane, Human Resources Manager, 530 661 5807, sheila.mcshane@cityofwoodland.org

Background:

Park Maintenance Worker I/II/III Job Series

The job descriptions for the Park Maintenance Worker I/II/III, job series (part of Woodland City Employee Association) were reviewed and the need for some minor changes were made.

Director of Public Works ("At-Will" position).

The Director of Public Works retired in December 2017. Prior to the start of any recruitment, Staff reviews the Job Description and makes changes to the description to better reflect the actual duties of the position. Small changes have been made to the Director of Public Works job description.

Fire Marshal (Fire Mid Management Association)

Staff has identified the need for a new and separate job classification for Fire Marshal. In the past, the City utilized the Battalion Chief job description, and had the Fire Marshal duties as a special work assignment. The job description is being updated so that the position and qualifications for Fire Marshal is focused on prevention, rather than fire suppression.

The applicable bargaining units have approved the revisions to the job descriptions. Additionally, the job descriptions contain updated ADA Compliance language.

Conclusion:

Staff recommends that the City Council adopt the revisions to the job descriptions for Park Maintenance Worker I/II, Park Maintenance Worker III, and Director of Public Works; and adopt the new job description of Fire Marshal.

Prepared By: Sheila McShane, Human Resources Manager

A handwritten signature in black ink, appearing to read "Paul Navazio".

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Job Description Park Maintenance Worker I/II	4/25/2018	Job Description
Job Description Park Maintenance Worker III	4/25/2018	Job Description
Job Description Dir of Public Works	4/25/2018	Job Description
Job Description Fire Marshal	4/25/2018	Backup Material



DEFINITION

To perform a variety of skilled and semiskilled horticulture tasks in the construction, maintenance and repair of parks, pools, recreation, and cemetery facilities and buildings.

SUPERVISION RECEIVED AND EXERCISED

Immediate supervision is provided by the Park Supervisor or designee. Functional or technical supervision is also received from Park Maintenance Worker III. For the Maintenance II position, assignments may require lead responsibilities over less experienced personnel and/or temporary workers as assigned.

Park Maintenance Worker I:

This is an entry-level classification in the park maintenance worker series. Positions in this class normally perform a variety of unskilled and semi-skilled duties. May be required to work any shift, including a regular work-shift that includes weekends and holidays, and routinely participate in a weeklong stand-by shift. Park Maintenance Worker I will usually exercise less independence, discretion and judgment on matters related to work procedures and methods.

Park Maintenance Worker II:

This is the journey level in the park maintenance worker series. This class differs from Parks Maintenance Worker I in that incumbents perform more complex parks maintenance duties, including the requirement to work any shift, weekends, and holidays, to work independently, exercise judgment, and operate the full range of tools and mechanical equipment related to a specific assignment. The incumbent Park Maintenance Worker II may also be expected to assist in the oversight and training of less experienced personnel. Positions in this class are flexibly staffed and are normally filled by advancement from the Park Maintenance I level, or when filled from the outside requires prior work experience.

EXAMPLES OF DUTIES

The following are typical illustrations of duties encompassed by the job class, not an all inclusive or limiting list:

ESSENTIAL JOB FUNCTIONS

Performing general grounds cleaning, including emptying trash receptacles, mopping, sweeping, and raking City parks and recreation sites and Cemetery as needed. Maintain irrigation, maintain synthetic turf, mow, cultivate, prune, weed, renovate, and fertilize grass, plants, trees, flowers, and shrubs. Operate power mowers, turf groomers, chain saws, rototillers, aerators, hedgers, spreaders, front-end loader, edgers, air compressors,

and other equipment. Utilize proper safety precautions related

to all performed work, while all safe work procedures i.e. necessary PPE. Drive vehicles and equipment as required. Prepare and maintain athletic fields and related facilities, swimming pools, and cemetery/interment operations.

Regular, predictable, consistent and timely attendance is an essential function of the position, in that the failure of such attendance undermines the City's ability to provide critical services to the employees, department and the public.

OTHER JOB FUNCTIONS

Install, maintain and replace playground equipment and fences; assemble tables, benches and bleachers. Works as a member of the City pest control crew spraying various fertilizers, herbicides, pesticides in City park and recreation areas. Respond to inquiries from the general public. Install, maintain and repair irrigation systems. Assist in setting up community services and special events. Maintain, repair and replace plumbing systems and fixtures such as light switches, motors, wall receptacles, conduits, faucets, drinking fountains, water heaters, water closet, urinals, water regulators and pressure valves, and building maintenance as required. Work cooperatively with others. Meet all Standby Program requirements; take standby duty, work any shift including weekends and holidays. Perform related duties as assigned.

QUALIFICATIONS

Park Maintenance Worker I:

License or Certificate:

Required upon hire, possession of a valid California Class C Driver's License.

Knowledge of:

Basic methods, tools, materials, and equipment used in grounds maintenance work. Basic construction and repair methods. Safe work practices.

Skill to:

Use the hand and power tools required in general grounds maintenance work. Understand and carry out both oral and written directions. Establish and maintain effective work relationships with those contacted in the course of work.

Ability to:

Perform heavy manual laboring duties. Learn the proper method of planting, cultivating, and pruning hedges, trees, shrubs, lawns and flowerbeds. Learn to operate various park maintenance equipment and machinery. Identify possible safety hazards in parks and recreation areas. Meet the physical requirements necessary to safely and effectively perform the assigned duties. Meet all Standby Program requirements; take standby duty, work any shift including weekends and holidays. Perform other duties as assigned.

Minimum Education and Experience:**Education:**

High school diploma or equivalent.

Experience

Six months of experience in the care and maintenance of landscapes or facilities.

Park Maintenance Worker II:

In addition to the qualifications for Park Maintenance Worker I:

License or Certificate:

Required upon hire, possession of a valid California Class C Driver's License.

It is highly desirable to possess a State of California Qualified Applicator Certificate, Category B.

Knowledge of:

Common practices, methods and materials used for park maintenance and construction work, including carpentry, pipe fitting, painting, and cement work. Mechanics and trouble shooting of irrigation and sprinkler systems. Operation and maintenance requirements of various park equipment and machinery. Applicable codes, regulations and safety orders. Safety precautions in the use and maintenance of power mowers and other equipment. Procedures and practices used in controlling or eradicating plant and insect diseases; knowledge of safety procedures involving fungicides, pesticides, and the application of basic horticulture techniques.

Skill to:

Work independently in performing semi-skilled and skilled park maintenance work. Operate power equipment, including trucks, mowers, and related equipment in a safe and effective manner. The ability to manage and operate update and maintain an irrigation control system. Work independently in the absence of supervision. Assist in the supervision and training of less experienced personnel. Maintain simple written records and reports.

Ability to:

Recognize common plant diseases and insect pests.

Minimum Experience and Education:**Experience:**

One year of experience performing duties comparable to those of a Park Maintenance Worker I in the City of Woodland.

ADA COMPLIANCE

Physical Ability: Positions in this class typically require: climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, fingering,

grasping, talking, hearing, seeing, and repetitive motions.

Very Heavy Work: Exerting in excess of 100 pounds of force occasionally, and/or in excess of 50 pounds of force frequently, and/or in excess of 20 pounds of force constantly to move objects.

Other Requirements:

Sensory Requirements: Requires the ability to recognize and identify similarities and differences between shade, degree or value of colors, shapes, sounds, forms, textures or physical appearance associated with objects and people.

Environmental Factors: May be subjected to moving mechanical parts, electrical currents, vibrations, fumes, odors, dusts, gases, poor ventilation, chemicals, oils, extreme temperatures, work space restrictions, intense noises, and environmental dangers.

Council Action: 4/20/2018



DEFINITION

To perform a variety of semi-skilled and skilled work in the maintenance of park grounds, equipment, buildings, facilities, and swimming pools. Positions allocated to this class are expected to perform the most skilled and complex park maintenance, construction and repair work.

SUPERVISION RECEIVED AND EXERCISED

General supervision is provided by higher level personnel. Responsibilities include indirect supervision of subordinate park maintenance personnel. May be required to work any shift, including a regular work-shift that includes weekends and holidays, and routinely participate in a weeklong stand-by shift.

EXAMPLES OF DUTIES

The following are typical illustrations of duties encompassed by the job class, not an all-inclusive or limiting list:

ESSENTIAL JOB FUNCTIONS

- Must be able to comply with the job functions of a Park Maintenance Worker I/II.
- Perform semi-skilled and skilled construction, maintenance, and repair of park structures and accessories using the applied skills of carpentry, plumbing, fencing, irrigation repair, and/or cement work as required.
- Operate a variety of moderately heavy construction and maintenance equipment, including but not limited to: pick-up trucks, dump trucks, backhoes, trenchers, various saws, jack hammer, compressor, cherry picker, arc welders, oxy-acetylene cutters/welders, generators, drills, drill press, hand and bench grinders, metal detectors, wacker, tractors with all construction attachments (auger, rototiller, bucket, blade, box scraper, aerator) loaders, forklift, water pumps, sod cutter, and rotohammers.
- Provide functional supervision to assigned crews/personnel on special work projects.
- Drive vehicles and equipment as needed.
- Regular, predictable, consistent and timely attendance is an essential function of the position, in that Employee must be present to work on facilities and equipment impacting the public's health and safety.

OTHER JOB FUNCTIONS

Mix concrete, prepare forms, and pour foundations; masonry work, carpentry and repair roofing. Paint and plaster surfaces as required; install, replace and repair plumbing fixtures. Prepare and maintain synthetic and natural turf athletic fields and related facilities;

assure cleanliness and maintenance of playground equipment as necessary. Assist with pool and cemetery maintenance as needed. Water, mow, weed, trim, renovate, fertilize grass and apply pesticides and herbicides; rake leaves, clean walks, fields, courts, and other facilities. Requisition of materials and supplies for assigned facilities and projects. Perform other building maintenance and repair tasks as assigned. Work cooperatively with others. Meet all Standby Program requirements, take standby duty, work any shift including weekends and holidays. Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

Tools, equipment, procedures, and safe work practices used in the construction, repair and maintenance of parks grounds, buildings, and/or other park facilities. Carpentry, plumbing, electrical, masonry, fencing, irrigation repair, concrete work, and related equipment. Principles and techniques of horticulture.

Skill to:

Operate a variety of mechanical and power equipment used in building construction, maintenance, repair, and general grounds maintenance including heavy equipment. Perform specialized carpentry, masonry, concrete, roofing, fencing, irrigation repair, and/or mechanical duties as assigned. Perform basic mathematical calculations. Understand and carry out both oral and written directions in an independent manner. Oversee and monitor the work of others. Maintain simple written records and reports. Establish and maintain effective professional relationships with those contacted in the performance of required duties.

Ability to:

Meet physical requirements necessary to safely and effectively perform assigned duties.

Minimum Education and Experience:

Education:

High school diploma or equivalent, supplemented by specialized coursework and/or training in horticulture, pest/weed control, landscaping, Irrigation or related fields.

Experience:

Three (3) years of building, park, and/or swimming pool maintenance experience.

License and Certificate:

Required upon hire, possession of a State of California Qualified Applicator Certificate, Category B, and possession of a valid Class C California Driver's License.

Possession of a valid Class B California Driver's License is desirable.

ADA COMPLIANCE

Physical Ability: Positions in this class typically require: climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, talking, hearing, seeing, and repetitive motions.

Light Work: Exerting in excess of 100 pounds of force occasionally, 50 pounds of force frequently, and/or in excess of 20 pounds of force constantly.

Other Requirements:

Sensory Requirements: Requires the ability to recognize and identify similarities and differences between shade, degree or value of colors, shapes, sounds, forms, textures or physical appearance associated with objects and people.

Environmental Factors: May be subjected to moving mechanical parts, electrical currents, vibrations, fumes, odors, dusts, gases, poor ventilation, chemicals, oils, extreme temperatures, work space restrictions, intense noises, and environmental dangers.

Council Action: April 20, 2018



PUBLIC WORKS DIRECTOR

DEFINITION

To plan, organize, direct, supervise, and review the activities of the divisions of a municipal public works department; and ensure the proper performance of those duties.

SUPERVISION RECEIVED AND EXERCISED

General direction is provided by the City Manager or designee. Responsible for direct and indirect supervision over assigned staff. Exercises discretion and independent judgment with respect to assigned duties.

EXAMPLES OF DUTIES - The following are typical illustrations of duties encompassed by the job class, not an all-inclusive or limiting list:

ESSENTIAL JOB FUNCTIONS

- Direct, coordinate, and participate in the development and implementation of departmental goals, objectives, policies, procedures, and priorities, and provide staff leadership on policy planning for public works activities.
- Plan, organize and direct the operations and activities of the City's Public Works Department.
- Ensure compliance with legislative, regulatory and judicial mandates, regulations and professional standards.
- Prepare and direct the preparation of various reports to the City Council and state and federal agencies; coordinate special studies on a variety of complex problems which require a high degree of technical competence and political awareness.
- Assure that positive public relations and effective working relationships are maintained by the Department with the general public, other governmental agencies, the City Council, City departments, and the media.
- In consultation with the City Manager and City Council, assure that the department has adequate resources to fulfill its mission through proper budget planning and execution, personnel selection, and training and development.
- Regular, predictable, consistent and timely attendance is an essential function of the position, in that the failure of such attendance undermines

the City's ability to provide critical services to employees, department and the public.

- Performs related duties as assigned.

OTHER JOB FUNCTIONS

Establish work methods and interdepartmental procedures to ensure effective work flow and compliance with established policies and procedures. Promote and maintain safety in the work place. Administer and oversee assigned contractual agreements between the City and other agencies, private organizations and individual members of the public. Represent the City before the City Council, community, outside agencies and at professional meetings as appropriate. Recommend adoption and assist in the preparation of ordinances; prepare and recommend fees. Serve as Acting City Manager as assigned. Work cooperatively with others. Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

Comprehensive knowledge of municipal public works planning, design, construction, maintenance, and administration.

Organizational and management practices as applied to the analysis and evaluation of programs, policies, and operational needs.

Civil engineering principles and practices as applied to the field of municipal public works, including methods of preparing designs, plans, specifications, estimates, reports, and recommendations relating to municipal utilities and proposed public works facilities.

Strategic goals, program outcomes, and performance measures that can be applied to the evaluation of Public Works activities.

Codes, ordinances, resolutions, laws, recent developments, current literature and sources of information in municipal public works.

Understand of the principles and practice of public administration, organization and budgeting process.

Operation and programs of a personal computer. As well as familiarity with various computerized assets tracking systems, such as Cityworks. .

Skill to:

Analyze feasibility of projects and proposed programs; prepare complete and accurate reports in accordance with laws, regulations, and policies.

Persuade and motivate individuals and groups toward the successful accomplishment of shared goals and objectives.

Delegate responsibility; schedule and program work on a long-term basis.

Communicate clearly and concisely, orally and in writing.

Establish and maintain effective work relationships with those contacted in the performance of required duties.

Ability to:

Develop and implement services which will meet the changing public works needs of the community; use financial, technological and staff resources effectively for the planning, programming and promoting of services; set priorities, work well under pressure and meet deadlines.

Deal effectively with other department directors, elected officials, outside agencies, contractors, citizens, and the press.

Act calmly and quickly in emergency situations and make effective decisions in such cases.

Interpret, analyze, apply and articulate relevant laws, rules, contracts, ordinances, regulations and guidelines.

Apply strategic goals, program outcomes and performance measures in to Public Works operations in order to facilitate innovation and continuous improvement.

Minimum Education and Experience

Education:

Bachelor's Degree from an accredited college or university with major work in civil engineering, environmental studies, public administration or a closely related field is required. A Master's Degree in engineering, public administration, or management is preferred.

Experience:

Five years of increasingly responsible professional and high-level managerial experience in planning, operations or public works engineering, with at least three years of responsible administrative/management experience in the public sector. Civil engineering experience is desirable;

License or Certificate

Required upon hire, possession of a valid California driver's license.

ADA COMPLIANCE

Physical Ability: Positions in this class typically require climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking, pushing, pulling, lifting, fingering, grasping, talking, hearing, seeing, and repetitive motions.

Heavy Work: Exerting in excess of 25 pounds of force occasionally, and/or in excess of 10 pounds of force constantly to move objects.

Other Requirements:

Sensory Requirements: Requires the ability to recognize and identify similarities and differences between shade, degree or value of colors, shapes, sounds, forms, textures or physical appearance associated with objects and people.

Environmental Factors: May be subjected to moving mechanical parts, electrical currents, vibrations, fumes, odors, dusts, gases, poor ventilation, chemicals, oils, extreme temperatures, work space restrictions, intense noises, and environmental dangers.

Council Action:



FIRE MARSHALL

DEFINITION

The Fire Marshal has overall responsibility for the Fire Prevention Division where they direct, oversee, and coordinate the functions and activities of assigned personnel to achieve desired goals; provides guidance to assigned staff performing fire prevention, enforcement of laws, codes, and ordinances related to fire and life safety, plan review and inspection of new construction, public education, fire investigation services, and emergency preparedness all in an effort to reduce community risk.

SUPERVISION RECEIVED AND EXERCISED

Under general direction from the Fire Chief or designee. Provides direct supervision of professional level staff such as fire prevention officers, fire investigators, etc. and indirect supervision of clerical and other technical positions.

DISTINGUISHING CHARACTERISTICS

This is a supervisory level classification and exercises independent judgement according to the departmental regulations and City Ordinances. The Fire Marshal is an Administrative position and works a 40-hour work. The Fire Marshal is the main contact with the public, other agencies and may be called upon to represent the City in court. Responsible for effective education programs and information on fire prevention.

EXAMPLES OF DUTIES

Duties include, but are not limited to, the following:

ESSENTIAL JOB FUNCTIONS:

The Fire Marshal performs supervisory and skilled fire prevention and investigation duties; directs departmental personnel in effective disaster preparedness, fire prevention, and investigation methods. Directs, coordinates, manages and administers the activities of the Fire Department as they relate to fire prevention, fire investigation, water systems, plan checking, budgeting, scheduling, fire and building codes, related laws and ordinances relevant to the function of the Department. Reviews and develops fire and life safety codes, ordinances, and policies to ensure a reasonable degree of fire and life safety exist according to federal and state laws. Meets with architects, engineers, contractors, a variety of outside agencies, and the public to advise on community risk issues affecting development and construction activities; provides technical expertise concerning fire protection infrastructure planning.

Effectively devise plan and implement fire and life safety objectives that are a result of a community risk analysis. Forecast future community fire and life safety needs, coordinate functions and activities, establish priorities, and implement mitigation through education, engineering and enforcement.

Recommends staffing levels and assignments for Prevention Division of the Fire Department, operations; approves leaves, vacations, and overtime; and maintains records. Evaluates job performance of assigned personnel. Delegates duties, tasks, and/or authority to other staff. Ensures the safety and security of assigned personnel. Provides a work atmosphere conducive to employee work production and job satisfaction. Limits unnecessary work obstacles and responds promptly to visible or stated employee concerns. Conducts appropriate level internal affairs investigations Fire Fighters Bill of Rights as appropriate or required including recommendations for appropriate corrective or disciplinary action.

Conducts research, analyzes statistical data, performs other special projects, and coordinates departmental programs. Identifies problem areas and devises solutions; anticipates future needs and recommends appropriate actions. Responds to and mediates complaints regarding community risk issues with community and city members. Participates in determining departmental goals and objectives; establishes priorities for goal accomplishment; monitors and evaluates overall performance and progress.

Advises Department personnel as to the meaning of policies, rules, regulations, directives, and; enforces adherence to policies by others. Attends and participates in meetings and briefings; establishes and maintains communication with internal and external customers in order to exchange information and coordinate activities.

Prepares reports, memos, notices, e-mails, instructions, and other written correspondence, which are both intra- and inter-departmental in nature including press releases and council communications. Prepares, reviews, and administers Department training programs related to prevention and investigation. Participates in training classes and other continuing educational opportunities to maintain certifications and stay current with industry standards. Provides liaison with governmental agencies. Performs administrative assignments and special projects as directed. Trains, plans, operates in, and provides technical oversight for various positions as required during training or activation of the City's Emergency Operations Center. Responds to major incidents as a technical advisor to the Incident Commander. Other related duties may also be performed; each individual holding this classification necessarily performs not all duties listed.

Provide educationa; programs to the Public, other agencies and other divisions of the Fire Department.

Regular, predictable, consistent and timely attendance is an essential function of the position, in that the failure of such attendance undermines the City's ability to provide critical services to employees, department and the public.

Performs related duties as assigned.

QUALIFICATIONS

Knowledge of:

Management and leadership methods, procedures, and training principles. Fire department organization, administration, and budgeting principles and practices. Applicable federal, state, and local laws, rules, regulations, ordinances, codes, standards, and procedures relevant to fire inspection and investigation. Federal, state, and local laws, codes, ordinances, and regulations related to fire prevention, suppression, investigation, and control. Principles, practices, and techniques of fire prevention and investigation, code enforcement, inspection, and hazardous materials use, handling, storage, and disposal.

Practices of researching fire prevention issues, evaluating alternatives, making sound recommendations, and preparing and presenting effective staff reports. Modern office practices, methods, and computer equipment and applications related to the work.

Techniques for effectively representing the City in contacts with governmental agencies, community groups, various business, professional, and regulatory organizations, and with property owners, developers, contractors, and the public.

Geography of the City, location of water mains and fire hydrants and the location of major fire hazards in the City. Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

Skill in:

Use of computers, computer applications and software. Written and oral communication.

Methods and techniques of firefighting

Strategically forecast needs of Department and City.

Effectively lead project teams and coordinate complex programs, utilizing highly developed project management skills.

Ability to:

Direct and guide others in the accomplishment of tasks and goals; clearly communicate expectations and standards to staff. Contribute to development of plans and programs in a supportive, solution oriented, and collaborative manner. Actively support management decisions and policy, motivate employees toward organizational goals through collaboration, cooperation and participation. Communicate the Department's mission and values to the community. Establish and maintain effective working relationships with Internal and external customers.

Supervise and administer complex, technical, and sensitive fire inspection and investigation related programs in an independent and cooperative manner. Utilize a critical thinking approach, quickly perceive and define problem areas, and identify options and impacts.

Deal with people in a respectful, tactful, and diplomatic manner. Treat subordinates in a fair, consistent, and impartial manner with due recognition for individual differences and develop subordinate staff with succession planning as a goal. Delegate and coordinate work appropriately and effectively.

Interpret, apply, explain, and ensure compliance with federal, state, and local laws, regulations, ordinances, and standards relevant to fire inspection and investigation. Work within recognized codes and laws to explore alternate means and methods to ensure a reasonable degree of fire and life safety.

Read and understand architectural and engineering plans and specifications.

Communicate orally and in writing in a considerate, clear, and understandable manner. Write effective correspondence and technical reports to and for people at all levels of the organization and the public. Make presentations that are well ordered and tailored to the target audience including City Council, business groups, community members and other stakeholders. Effectively express ideas in writing (including grammar, word usage, organization, and structure). Understand the meaning from a variety of written sources (such as laws, codes, training and reference material).

EXPERIENCE AND EDUCATION

Any combination equivalent to experience and education that could likely provide the Required knowledge and abilities would be qualifying. A typical way to obtain the knowledge and abilities would be:

Experience – 5 years of experience to demonstrate possession of the knowledge and abilities listed above, direct supervisory experience is highly desirable;

Education – An Associate's degree or equivalent from an accredited college or university with major course work in fire science, fire administration or related field is required. Baccalaureate degree is highly desirable. Possession of a valid Fire Marshal Certification issued by the State of California, Office of the state Fire Marshal or equivalent.

SPECIAL QUALIFICATIONS

Certification:

- Possession of or ability to obtain a California PC 832 certificate within one year from date of hire.

Additional License or Certifications

Driver's License: This classification requires the use of a personal or City vehicle while conducting City business. Individuals must be physically capable of operating the vehicle in a safe manner, including during emergency operation and response, and must possess and maintain a valid California Class C motor vehicle operator's license.

Incumbents must obtain First Aid / CPR / AED certification prior to the completion of the probationary period and thereafter maintain throughout employment.

Background Requirement:

Prior to hire, must successfully complete and pass a background investigation.

This position requires a one-year probationary period.

ADA COMPLIANCE

This position is an Office and Field position. When in the field, the incumbent is required to be more physically active than in the Office.

Physical Ability: Positions in this class typically require climbing, balancing, stooping, kneeling, crouching, reaching, standing, walking for extended time periods, pushing, pulling, lifting, fingering, grasping, talking, hearing, seeing, and repetitive motions. May require long periods of sitting, when in an office setting

Heavy Work: Exerting in excess of 50 pounds of force occasionally, and/or in excess of 30 pounds of force constantly to move objects.

Other Requirements:

Sensory Requirements: Requires the ability to recognize and identify similarities and differences between shade, degree or value of colors, shapes, sounds, forms, textures or physical appearance associated with objects and people.

Environmental Factors: May be subjected to moving mechanical parts, electrical currents, vibrations, fumes, odors, dusts, gases, poor ventilation, chemicals, oils, extreme temperatures, work space restrictions, intense noises, and environmental dangers. When performing actual fire cause investigations or other fire prevention activities, will be required to work outdoors in a variety of weather conditions; tolerate very hot and very cold temperatures; move debris and dirt or other material using a shovel or rake; walk over rough, uneven or rocky surfaces; work at heights greater than 10 feet; climb ladders or steps to reach objects; wear a self-contained breathing apparatus; hear alarms and other auditory warning devices; observe or monitor objects, such as fire protection equipment and systems to comply with safety standards;

Council Action: May 1, 2018



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 11.
SUBJECT: Adoption of Resolution Authorizing the City Engineer or Designee to execute State and Federal Master Agreements.

Recommendation for Action:

Staff recommends that the City Council adopt Resolution No. _____, to authorize the City Engineer or Designee to execute State and Federal Master Agreements between the City of Woodland and the California Department of Transportation.

Staff Contact:

Miguel Chavez, Construction Project Manager, (530) 661-5952, miguel.chavez@cityofwoodland.org

Fiscal Impact:

There's no specific budget impact associated with this Council action. Separate Council action will be required to allocate project matching funds for specific individual projects during the capital project process. Delegation of the authority for the State and Federal Master Agreements to the City Engineer or designee does not include the authority to allocate funds.

There is no impact to the General Fund.

Discussion:

In order to use State and Federal Funds transportation funds, the City is required to sign a Master Agreement between the City and the California Department of Transportation. Master Agreements provide conditions to the City that have to be met in order to receive state and federal funds for designated transportation projects. Items that are addressed in the master agreement include project administration, right of way, maintenance, finance, auditing, fair employment and other items.

City Council approval of a Master Agreement is required whenever the California Department of Transportation updates the agreement. The State has provided us a new agreement that needs to be signed (see attached agreement). This Master Agreement was last updated in 2016. Approval of these agreements are time sensitive and if not executed and return to the California Department of Transportation in a timely manner, the State may suspend future project authorizations and invoice payments for any on-going or future federal aid project. Due to these timeframes, staff is recommending that these agreements are approved at the staff level. This has been the City's past practice.

Attached is the current Master Agreement.

Conclusion:

Staff recommends that the City Council adopt Resolution No. _____, to authorize the City Engineer or Designee to execute State and Federal Master Agreements between the City of Woodland and the California Department of Transportation.

Prepared By: Miguel Chavez, Construction Project Manager

Reviewed By: Brent Meyer, City Engineer



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/24/2018	Resolution
Master Agreement	4/23/2018	Agreement

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND TO
AUTHORIZE THE CITY ENGINEER OR DESIGNEE TO EXECUTE STATE AND
FEDERAL MASTER AGREEMENTS BETWEEN THE CITY AND THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION.**

WHEREAS, the City of Woodland is responsible for the maintenance and upgrade of the City's transportation system; and

WHEREAS, the City establishes various projects to maintain and upgrade the City's transportation system; and

WHEREAS, the City of Woodland is eligible to receive Federal and/or State funding for certain transportation projects, through the California Department of Transportation; and

WHEREAS, Master Agreements need to be executed with the California Department of Transportation before such funds could be claimed; and

WHEREAS, the City wishes to authorize the City Engineer or designee to execute state and federal master agreements between the City and the California Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF WOODLAND AS FOLLOWS:**

Section 1. The City Council hereby authorize the City Engineer or designee to execute state and federal master agreements between the city and the California Department of Transportation.

PASSED AND ADOPTED this 1st day of May 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Enrique Fernandez, Mayor

Ana B. Gonzalez, City Clerk

MASTER AGREEMENT
ADMINISTERING AGENCY-STATE AGREEMENT FOR
FEDERAL-AID PROJECTS

03 City of Woodland

District Administering Agency

Agreement No. 03-5046F15

This AGREEMENT, is entered into effective this _____ day of _____, 20____, by and between City of Woodland, hereinafter referred to as "ADMINISTERING AGENCY," and the State of California, acting by and through its Department of Transportation (Caltrans), hereinafter referred to as "STATE", and together referred to as "PARTIES" or individually as a "PARTY."

RECITALS:

1. WHEREAS, the Congress of the United States has enacted the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and subsequent Transportation Authorization Bills to fund transportation programs; and
2. WHEREAS, the Legislature of the State of California has enacted legislation by which certain federal-aid funds may be made available for use on local transportation related projects of public entities qualified to act as recipients of these federal-aid funds in accordance with the intent of federal law; and
3. WHEREAS, before federal funds will be made available for a specific program project, ADMINISTERING AGENCY and STATE are required to enter into an agreement to establish terms and conditions applicable to the ADMINISTERING AGENCY when receiving federal funds for a designated PROJECT facility and to the subsequent operation and maintenance of that completed facility.

NOW, THEREFORE, the PARTIES agree as follows:

ARTICLE I - PROJECT ADMINISTRATION

1. This AGREEMENT shall have no force or effect with respect to any program project unless and until a project-specific "Authorization/Agreement Summary", herein referred to as "E-76" document, is approved by STATE and the Federal Highway Administration (FHWA).
2. The term "PROJECT", as used herein, means that authorized transportation related project and related activities financed in part with federal-aid funds as more fully-described in an "Authorization/ Agreement Summary" or "Amendment/Modification Summary", herein referred to as "E-76" or "E-76 (AMOD)" document authorized by STATE and the Federal Highway Administration (FHWA).
3. The E-76/E-76 (AMOD) shall designate the party responsible for implementing PROJECT, type of work and location of PROJECT.
4. The PROGRAM SUPPLEMENT sets out special covenants as a condition for the ADMINISTERING AGENCY to receive federal-aid funds from/through STATE for designated PROJECT. The PROGRAM SUPPLEMENT shall also show these federal funds that have been initially encumbered for PROJECT along with the matching funds to be provided by ADMINISTERING AGENCY and/or others. Execution of PROGRAM SUPPLEMENT by the PARTIES shall cause ADMINISTERING AGENCY to adopt all of the terms of this AGREEMENT as though fully set forth therein in the PROGRAM SUPPLEMENT. Unless otherwise expressly delegated in a resolution by the governing body of ADMINISTERING AGENCY, and with written concurrence by STATE, the PROGRAM SUPPLEMENT shall be approved and managed by the governing body of ADMINISTERING AGENCY.
5. ADMINISTERING AGENCY agrees to execute and return each project-specific PROGRAM SUPPLEMENT within ninety (90) days of receipt. The PARTIES agree that STATE may suspend future authorizations/obligations and invoice payments for any on-going or future federal-aid project performed by ADMINISTERING AGENCY if any project-specific PROGRAM SUPPLEMENT is not returned within that ninety (90) day period unless otherwise agreed by STATE in writing.
6. ADMINISTERING AGENCY further agrees, as a condition to the release and payment of federal funds encumbered for the PROJECT described in each PROGRAM SUPPLEMENT, to comply with the terms and conditions of this AGREEMENT and all of the agreed-upon Special Covenants or Remarks incorporated within the PROGRAM SUPPLEMENT, and Cooperative/Contribution Agreement where appropriate, defining and identifying the nature of the specific PROJECT.
7. Federal, state and matching funds will not participate in PROJECT work performed in advance of the approval of the E-76 or E-76 (AMOD), unless otherwise stated in the executed project-specific PROGRAM SUPPLEMENT. ADMINISTERING AGENCY agrees that it will only proceed with the work authorized for that specific phase(s) on the project-specific E-76 or E-76 (AMOD). ADMINISTERING AGENCY further agrees to not proceed with future phases of PROJECT prior to receiving an E-76 (AMOD) from STATE for that phase(s) unless no further federal funds are needed or for those future phase(s).

8. That PROJECT or portions thereof, must be included in a federally approved Federal Statewide Transportation Improvement Program (FSTIP) prior to ADMINISTERING AGENCY submitting the "Request for Authorization".

9. ADMINISTERING AGENCY shall conform to all state statutes, regulations and procedures (including those set forth in the Local Assistance Procedures Manual and the Local Assistance Program Guidelines, hereafter collectively referred to as "LOCAL ASSISTANCE PROCEDURES") relating to the federal-aid program, all Title 23 Code of Federal Regulation (CFR) and 2 CFR part 200 federal requirements, and all applicable federal laws, regulations, and policy and procedural or instructional memoranda, unless otherwise specifically waived as designated in the executed project-specific PROGRAM SUPPLEMENT.

10. If PROJECT is not on STATE-owned right of way, PROJECT shall be constructed in accordance with LOCAL ASSISTANCE PROCEDURES that describes minimum statewide design standards for local agency streets and roads. LOCAL ASSISTANCE PROCEDURES for projects off the National Highway System (NHS) allow STATE to accept either the STATE's minimum statewide design standards or the approved geometric design standards of ADMINISTERING AGENCY. Additionally, for projects off the NHS, STATE will accept ADMINISTERING AGENCY-approved standard specifications, standard plans, materials sampling and testing quality assurance programs that meet the conditions described in the then current LOCAL ASSISTANCE PROCEDURES.

11. If PROJECT involves work within or partially within STATE-owned right-of-way, that PROJECT shall also be subject to compliance with the policies, procedures and standards of the STATE Project Development Procedures Manual and Highway Design Manual and, where appropriate, an executed Cooperative Agreement between STATE and ADMINISTERING AGENCY that outlines the PROJECT responsibilities and respective obligations of the PARTIES. ADMINISTERING AGENCY and its contractors shall each obtain an encroachment permit through STATE prior to commencing any work within STATE rights of way or work which affects STATE facilities.

12. When PROJECT is not on the State Highway System but includes work to be performed by a railroad, the contract for such work shall be prepared by ADMINISTERING AGENCY or by STATE, as the PARTIES may hereafter agree. In either event, ADMINISTERING AGENCY shall enter into an agreement with the railroad providing for future maintenance of protective devices or other facilities installed under the contract.

13. If PROJECT is using STATE funds, the Department of General Services, Division of the State Architect, or its designee, shall review the contract PS&E for the construction of buildings, structures, sidewalks, curbs and related facilities for accessibility and usability. ADMINISTERING AGENCY shall not award a PROJECT construction contract for these types of improvements until the State Architect has issued written approval stating that the PROJECT plans and specifications comply with the provisions of sections 4450 and 4454 of the California Government Code, if applicable. Further requirements and guidance are provided in Title 24 of the California Code of Regulations.

14. ADMINISTERING AGENCY will advertise, award and administer PROJECT in accordance with the current LOCAL ASSISTANCE PROCEDURES unless otherwise stated in the executed project-specific PROGRAM SUPPLEMENT.

15. ADMINISTERING AGENCY shall provide or arrange for adequate supervision and inspection of each PROJECT. While consultants may perform supervision and inspection work for PROJECT with a fully qualified and licensed engineer, ADMINISTERING AGENCY shall provide a full-time employee to be in responsible charge of each PROJECT who is not a consultant.

16. ADMINISTERING AGENCY shall submit PROJECT-specific contract award documents to STATE's District Local Assistance Engineer within sixty (60) days after contract award. A copy of the award documents shall also be included with the submittal of the first invoice for a construction contract by ADMINISTERING AGENCY.

17. ADMINISTERING AGENCY shall submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure by ADMINISTERING AGENCY to submit a "Report of Expenditures" within one hundred eighty (180) days of project completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current LOCAL ASSISTANCE PROCEDURES.

18. ADMINISTERING AGENCY shall comply with: (i) section 504 of the Rehabilitation Act of 1973 which prohibits discrimination on the basis of disability in federally assisted programs; (ii) the Americans with Disabilities Act (ADA) of 1990 which prohibits discrimination on the basis of disability irrespective of funding; and (iii) all applicable regulations and guidelines issued pursuant to both the Rehabilitation Act and the ADA.

19. The Congress of the United States, the Legislature of the State of California and the Governor of the State of California, each within their respective jurisdictions, have prescribed certain nondiscrimination requirements with respect to contract and other work financed with public funds. ADMINISTERING AGENCY agrees to comply with the requirements of the FAIR EMPLOYMENT PRACTICES ADDENDUM (Exhibit A attached hereto) and the NONDISCRIMINATION ASSURANCES (Exhibit B attached hereto). ADMINISTERING AGENCY further agrees that any agreement entered into by ADMINISTERING AGENCY with a third party for performance of PROJECT-related work shall incorporate Exhibits A and B (with third party's name replacing ADMINISTERING AGENCY) as essential parts of such agreement to be enforced by that third party as verified by ADMINISTERING AGENCY.

ARTICLE II - RIGHTS OF WAY

1. No contract for the construction of a federal-aid PROJECT shall be awarded until all necessary rights of way have been secured. Prior to the advertising for construction of PROJECT, ADMINISTERING AGENCY shall certify and, upon request, shall furnish STATE with evidence that all necessary rights of way are available for construction purposes or will be available by the time of award of the construction contract.
2. ADMINISTERING AGENCY agrees to indemnify and hold STATE harmless from any liability that may result in the event the right of way for a PROJECT, including, but not limited to, being clear as certified or if said right of way is found to contain hazardous materials requiring treatment or removal to remediate in accordance with Federal and State laws. The furnishing of right of way as provided for herein includes, in addition to all real property required for the PROJECT, title free and clear of obstructions and encumbrances affecting PROJECT and the payment, as required by applicable law, of relocation costs and damages to remainder real property not actually taken but injuriously affected by PROJECT. ADMINISTERING AGENCY shall pay, from its own non-matching funds, any costs which arise out of delays to the construction of PROJECT because utility facilities have not been timely removed or relocated, or because rights of way were not available to ADMINISTERING AGENCY for the orderly prosecution of PROJECT work.
3. Subject to STATE approval and such supervision as is required by LOCAL ASSISTANCE PROCEDURES over ADMINISTERING AGENCY's right of way acquisition procedures, ADMINISTERING AGENCY may claim reimbursement from federal funds for expenditures incurred in purchasing only the necessary rights of way needed for the PROJECT after crediting PROJECT with the fair market value of any excess property retained and not disposed of by ADMINISTERING AGENCY.
4. When real property rights are to be acquired by ADMINISTERING AGENCY for a PROJECT, said ADMINISTERING AGENCY must carry out that acquisition in compliance with all applicable State and Federal laws and regulations, in accordance with State procedures as published in State's current LOCAL ASSISTANCE PROCEDURES and STATE's Right-of-Way Manual, subject to STATE oversight to ensure that the completed work is acceptable under the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.
5. Whether or not federal-aid is to be requested for right of way, should ADMINISTERING AGENCY, in acquiring right of way for PROJECT, displace an individual, family, business, farm operation, or non-profit organization, relocation payments and services will be provided as set forth in 49 CFR, Part 24. The public will be adequately informed of the relocation payments and services which will be available, and, to the greatest extent practicable, no person lawfully occupying real property shall be required to move from his/her dwelling or to move his/her business or farm operation without at least ninety (90) days written notice from ADMINISTERING AGENCY. ADMINISTERING AGENCY will provide STATE with specific assurances, on each portion of the PROJECT, that no person will be displaced until comparable decent, safe and sanitary replacement housing is available within a reasonable period of time prior to displacement, and that ADMINISTERING AGENCY's relocation program is realistic and adequate to provide orderly, timely and efficient relocation of PROJECT-displaced persons as provided in 49 CFR, Part 24.

6. ADMINISTERING AGENCY shall, along with recording the deed or instrument evidencing title in the name of the ADMINISTERING AGENCY or their assignee, also record an Agreement Declaring Restrictive Covenants (ADRC) as a separate document incorporating the assurances included within Exhibits A and B and Appendices A, B, C and D of this AGREEMENT, as appropriate.

ARTICLE III - MAINTENANCE AND MANAGEMENT

1. ADMINISTERING AGENCY will maintain and operate the property acquired, developed, constructed, rehabilitated, or restored by PROJECT for its intended public use until such time as the parties might amend this AGREEMENT to otherwise provide. With the approval of STATE, ADMINISTERING AGENCY or its successors in interest in the PROJECT property may transfer this obligation and responsibility to maintain and operate PROJECT property for that intended public purpose to another public entity.
2. Upon ADMINISTERING AGENCY's acceptance of the completed federal-aid construction contract or upon contractor being relieved of the responsibility for maintaining and protecting PROJECT, ADMINISTERING AGENCY will be responsible for the maintenance, ownership, liability, and the expense thereof, for PROJECT in a manner satisfactory to the authorized representatives of STATE and FHWA and if PROJECT falls within the jurisdictional limits of another Agency or Agencies, it is the duty of ADMINISTERING AGENCY to facilitate a separate maintenance agreement(s) between itself and the other jurisdictional Agency or Agencies providing for the operation, maintenance, ownership and liability of PROJECT. Until those agreements are executed, ADMINISTERING AGENCY will be responsible for all PROJECT operations, maintenance, ownership and liability in a manner satisfactory to the authorized representatives of STATE and FHWA. If, within ninety (90) days after receipt of notice from STATE that a PROJECT, or any portion thereof, is not being properly operated and maintained and ADMINISTERING AGENCY has not satisfactorily remedied the conditions complained of, the approval of future federal-aid projects of ADMINISTERING AGENCY will be withheld until the PROJECT shall have been put in a condition of operation and maintenance satisfactory to STATE and FHWA. The provisions of this section shall not apply to a PROJECT that has been vacated through due process of law with STATE's concurrence.
3. PROJECT and its facilities shall be maintained by an adequate and well-trained staff of engineers and/or such other professionals and technicians as PROJECT reasonably requires. Said operations and maintenance staff may be employees of ADMINISTERING AGENCY, another unit of government, or a contractor under agreement with ADMINISTERING AGENCY. All maintenance will be performed at regular intervals or as required for efficient operation of the complete PROJECT improvements.

ARTICLE IV - FISCAL PROVISIONS

1. All contractual obligations of STATE are subject to the appropriation of resources by the Legislature and the allocation of resources by the California Transportation Commission (CTC).
2. STATE'S financial commitment of federal funds will occur only upon the execution of this AGREEMENT, the authorization of the project-specific E-76 or E-76 (AMOD), the execution of each project-specific PROGRAM SUPPLEMENT, and STATE's approved finance letter.
3. ADMINISTERING AGENCY may submit signed invoices in arrears for reimbursement of participating PROJECT costs on a regular basis once the project-specific PROGRAM SUPPLEMENT has been executed by STATE.
4. ADMINISTERING AGENCY agrees, at a minimum, to submit invoices at least once every six (6) months commencing after the funds are encumbered on either the project-specific PROGRAM SUPPLEMENT or through a project-specific finance letter approved by STATE. STATE reserves the right to suspend future authorizations/obligations, and invoice payments for any on-going or future federal-aid project by ADMINISTERING AGENCY if PROJECT costs have not been invoiced by ADMINISTERING AGENCY for a six (6) month period.
5. Invoices shall be submitted on ADMINISTERING AGENCY letterhead that includes the address of ADMINISTERING AGENCY and shall be formatted in accordance with LOCAL ASSISTANCE PROCEDURES.
6. ADMINISTERING AGENCY must have at least one copy of supporting backup documentation for costs incurred and claimed for reimbursement by ADMINISTERING AGENCY. ADMINISTERING AGENCY agrees to submit supporting backup documentation with invoices if requested by State. Acceptable backup documentation includes, but is not limited to, agency's progress payment to the contractors, copies of cancelled checks showing amounts made payable to vendors and contractors, and/or a computerized summary of PROJECT costs.
7. Payments to ADMINISTERING AGENCY can only be released by STATE as reimbursement of actual allowable PROJECT costs already incurred and paid for by ADMINISTERING AGENCY.
8. Indirect Cost Allocation Plans/Indirect Cost Rate Proposals (ICAP/ICRP), Central Service Cost Allocation Plans and related documentation are to be prepared and provided to STATE (Caltrans Audits & Investigations) for review and approval prior to ADMINISTERING AGENCY seeking reimbursement of indirect costs incurred within each fiscal year being claimed for State and federal reimbursement. ICAPs/ICRPs must be prepared in accordance with the requirements set forth in 2 CFR, Part 200, Chapter 5 of the Local Assistance Procedural Manual, and the ICAP/ICRP approval procedures established by STATE.
9. Once PROJECT has been awarded, STATE reserves the right to de-obligate any excess federal funds from the construction phase of PROJECT if the contract award amount is less than the obligated amount, as shown on the PROJECT E-76 or E-76 (AMOD).
10. STATE will withhold the greater of either two (2) percent of the total of all federal funds encumbered for each PROGRAM SUPPLEMENT or \$40,000 until ADMINISTERING AGENCY submits the Final Report of Expenditures for each completed PROGRAM SUPPLEMENT PROJECT.

11. The estimated total cost of PROJECT, the amount of federal funds obligated, and the required matching funds may be adjusted by mutual consent of the PARTIES hereto with a finance letter, a detailed estimate, if required, and approved E-76 (AMOD). Federal-aid funding may be increased to cover PROJECT cost increases only if such funds are available and FHWA concurs with that increase.

12. When additional federal-aid funds are not available, ADMINISTERING AGENCY agrees that the payment of federal funds will be limited to the amounts authorized on the PROJECT specific E-76 / E-76 (AMOD) and agrees that any increases in PROJECT costs must be defrayed with ADMINISTERING AGENCY's own funds.

13. ADMINISTERING AGENCY shall use its own non-federal funds to finance the local share of eligible costs and all expenditures or contract items ruled ineligible for financing with federal funds. STATE shall make the determination of ADMINISTERING AGENCY's cost eligibility for federal fund financing of PROJECT costs.

14. ADMINISTERING AGENCY will reimburse STATE for STATE's share of costs for work performed by STATE at the request of ADMINISTERING AGENCY. STATE's costs shall include overhead assessments in accordance with section 8755.1 of the State Administrative Manual.

15. Federal and state funds allocated from the State Transportation Improvement Program (STIP) are subject to the timely use of funds provisions enacted by Senate Bill 45, approved in 1997, and subsequent STIP Guidelines and State procedures approved by the CTC and STATE.

16. Federal funds encumbered for PROJECT are available for liquidation for a period of six (6) years from the beginning of the State fiscal year the funds were appropriated in the State Budget. State funds encumbered for PROJECT are available for liquidation only for six (6) years from the beginning of the State fiscal year the funds were appropriated in the State Budget. Federal or state funds not liquidated within these periods will be reverted unless a Cooperative Work Agreement (CWA) is submitted by ADMINISTERING AGENCY and approved by the California Department of Finance (per Government Code section 16304). The exact date of fund reversion will be reflected in the STATE signed finance letter for PROJECT.

17. Payments to ADMINISTERING AGENCY for PROJECT-related travel and subsistence (per diem) expenses of ADMINISTERING AGENCY forces and its contractors and subcontractors claimed for reimbursement or as local match credit shall not exceed rates authorized to be paid rank and file STATE employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced by ADMINISTERING AGENCY are in excess of DPA rates, ADMINISTERING AGENCY is responsible for the cost difference, and any overpayments inadvertently paid by STATE shall be reimbursed to STATE by ADMINISTERING AGENCY on demand within thirty (30) days of such invoice.

18. ADMINISTERING AGENCY agrees to comply with 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards.

19. ADMINISTERING AGENCY agrees, and will ensure that its contractors and subcontractors will be obligated to agree, that Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual PROJECT cost items.

20. Every sub-recipient receiving PROJECT funds under this AGREEMENT shall comply with 2 CFR, Part 200, 23 CFR, 48 CFR Chapter 1, Part 31, Local Assistance Procedures, Public Contract Code (PCC) 10300-10334 (procurement of goods), PCC 10335-10381 (non-A&E services), and other applicable STATE and FEDERAL regulations.

21. Any PROJECT costs for which ADMINISTERING AGENCY has received payment or credit that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, 23 CFR, 48 CFR, Chapter 1, Part 31, and other applicable STATE and FEDERAL regulations, are subject to repayment by ADMINISTERING AGENCY to STATE.

22. Should ADMINISTERING AGENCY fail to refund any moneys due upon written demand by STATE as provided hereunder or should ADMINISTERING AGENCY breach this AGREEMENT by failing to complete PROJECT without adequate justification and approval by STATE, then, within thirty 30 days of demand, or within such other period as may be agreed to in writing between the PARTIES, STATE, acting through the State Controller, the State Treasurer, or any other public entity or agency, may withhold or demand a transfer of an amount equal to the amount paid by or owed to STATE from future apportionments, or any other funds due ADMINISTERING AGENCY from the Highway Users Tax Fund or any other sources of funds, and/or may withhold approval of future ADMINISTERING AGENCY federal-aid projects.

23. Should ADMINISTERING AGENCY be declared to be in breach of this AGREEMENT or otherwise in default thereof by STATE, and if ADMINISTERING AGENCY is constituted as a joint powers authority, special district, or any other public entity not directly receiving funds through the State Controller, STATE is authorized to obtain reimbursement from whatever sources of funding are available, including the withholding or transfer of funds, pursuant to Article IV - 22, from those constituent entities comprising a joint powers authority or by bringing of an action against ADMINISTERING AGENCY or its constituent member entities, to recover all funds provided by STATE hereunder.

24. ADMINISTERING AGENCY acknowledges that the signatory party represents the ADMINISTERING AGENCY and further warrants that there is nothing within a Joint Powers Agreement, by which ADMINISTERING AGENCY was created, if any exists, that would restrict or otherwise limit STATE's ability to recover State funds improperly spent by ADMINISTERING AGENCY in contravention of the terms of this AGREEMENT.

ARTICLE V
AUDITS, THIRD PARTY CONTRACTING, RECORDS RETENTION AND REPORTS

1. STATE reserves the right to conduct technical and financial audits of PROJECT work and records and ADMINISTERING AGENCY agrees, and shall require its contractors and subcontractors to agree, to cooperate with STATE by making all appropriate and relevant PROJECT records available for audit and copying as required by paragraph three (3) of ARTICLE V.
2. ADMINISTERING AGENCY, its contractors and subcontractors shall establish and maintain a financial management system and records that properly accumulate and segregate reasonable, allowable, and allocable incurred PROJECT costs and matching funds by line item for the PROJECT. The financial management system of ADMINISTERING AGENCY, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles, enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices sent to or paid by STATE.
3. ADMINISTERING AGENCY, ADMINISTERING AGENCY's contractors and subcontractors, and STATE shall each maintain and make available for inspection and audit by STATE, the California State Auditor, or any duly authorized representative of STATE or the United States all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts and ADMINISTERING AGENCY shall furnish copies thereof if requested. All of the above referenced parties shall make such AGREEMENT, PROGRAM SUPPLEMENT and contract materials available at their respective offices at all reasonable times during the entire PROJECT period and for three (3) years from the date of submission of the final expenditure report by the STATE to the FHWA.
4. ADMINISTERING AGENCY is required to have an audit in accordance with the Single Audit Act of 2 CFR 200 if it expends \$750,000 or more in Federal Funds in a single fiscal year. The Federal Funds received under a PROGRAM SUPPLEMENT are a part of the Catalogue of Federal Domestic Assistance (CFDA) 20.205.
5. ADMINISTERING AGENCY agrees to include all PROGRAM SUPPLEMENTS adopting the terms of this AGREEMENT in the schedule of projects to be examined in ADMINISTERING AGENCY's annual audit and in the schedule of projects to be examined under its single audit prepared in accordance with 2 CFR, Part 200.
6. ADMINISTERING AGENCY shall not award a non-A&E contract over \$5,000, construction contract over \$10,000, or other contracts over \$25,000 (excluding professional service contracts of the type which are required to be procured in accordance with Government Code sections 4525 (d), (e) and (f)) on the basis of a noncompetitive negotiation for work to be performed under this AGREEMENT without the prior written approval of STATE. Contracts awarded by ADMINISTERING AGENCY, if intended as local match credit, must meet the requirements set forth in this AGREEMENT regarding local match funds.

7. Any subcontract entered into by ADMINISTERING AGENCY as a result of this AGREEMENT shall contain provisions 5, 6, 17, 19 and 20 of ARTICLE IV, FISCAL PROVISIONS, and provisions 1, 2, and 3 of this ARTICLE V, AUDITS, THIRD-PARTY CONTRACTING RECORDS RETENTION AND REPORTS.

8. To be eligible for local match credit, ADMINISTERING AGENCY must ensure that local match funds used for a PROJECT meet the fiscal provisions requirements outlined in ARTICLE IV in the same manner as required of all other PROJECT expenditures.

9. In addition to the above, the pre-award requirements of third-party contractor/consultants with ADMINISTERING AGENCY should be consistent with the LOCAL ASSISTANCE PROCEDURES.

ARTICLE VI - FEDERAL LOBBYING ACTIVITIES CERTIFICATION

1. By execution of this AGREEMENT, ADMINISTERING AGENCY certifies, to the best of the signatory officer's knowledge and belief, that:

A. No federal or state appropriated funds have been paid or will be paid, by or on behalf of ADMINISTERING AGENCY, to any person for influencing or attempting to influence an officer or employee of any STATE or federal agency, a member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress, or any employee of a Member of the Legislature or Congress in connection with the awarding of any STATE or federal contract, including this AGREEMENT, the making of any STATE or federal loan, the entering into of any cooperative contract, and the extension, continuation, renewal, amendment, or modification of any STATE or federal contract, grant, loan, or cooperative contract.

B. If any funds other than federal appropriated funds have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with this AGREEMENT, grant, local, or cooperative contract, ADMINISTERING AGENCY shall complete and submit Standard Form-LLL, "Disclosure Form to Rep Lobbying," in accordance with the form instructions.

C. This certification is a material representation of fact upon which reliance was placed when this AGREEMENT and each PROGRAM SUPPLEMENT was or will be made or entered into. Submission of this certification is a prerequisite for making or entering into this AGREEMENT imposed by Section 1352, Title 31, United States Code. Any party who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

2. ADMINISTERING AGENCY also agrees by signing this AGREEMENT that the language of this certification will be included in all lower tier sub-agreements which exceed \$100,000 and that all such sub-recipients shall certify and disclose accordingly.

ARTICLE VII - MISCELLANEOUS PROVISIONS

1. ADMINISTERING AGENCY agrees to use all state funds reimbursed hereunder only for transportation purposes that are in conformance with Article XIX of the California State Constitution and the relevant Federal Regulations.
2. This AGREEMENT is subject to any additional restrictions, limitations, conditions, or any statute enacted by the State Legislature or adopted by the CTC that may affect the provisions, terms, or funding of this AGREEMENT in any manner.
3. ADMINISTERING AGENCY and the officers and employees of ADMINISTERING AGENCY, when engaged in the performance of this AGREEMENT, shall act in an independent capacity and not as officers, employees or agents of STATE or the federal government.
4. Each project-specific E-76 or E-76 (AMOD), PROGRAM SUPPLEMENT and Finance Letter shall separately establish the terms and funding limits for each described PROJECT funded under the AGREEMENT. No federal or state funds are obligated against this AGREEMENT.
5. ADMINISTERING AGENCY certifies that neither ADMINISTERING AGENCY nor its principals are suspended or debarred at the time of the execution of this AGREEMENT. ADMINISTERING AGENCY agrees that it will notify STATE immediately in the event a suspension or a debarment occurs after the execution of this AGREEMENT.
6. ADMINISTERING AGENCY warrants, by execution of this AGREEMENT, that no person or selling agency has been employed or retained to solicit or secure this AGREEMENT upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, excepting bona fide employees or bona fide established commercial or selling agencies maintained by ADMINISTERING AGENCY for the purpose of securing business. For breach or violation of this warranty, STATE has the right to annul this AGREEMENT without liability, pay only for the value of the work actually performed, or in STATE's discretion, to deduct from the price of consideration, or otherwise recover, the full amount of such commission, percentage, brokerage, or contingent fee.
7. In accordance with Public Contract Code section 10296, ADMINISTERING AGENCY hereby certifies under penalty of perjury that no more than one final unappealable finding of contempt of court by a federal court has been issued against ADMINISTERING AGENCY within the immediate preceding two (2) year period because of ADMINISTERING AGENCY's failure to comply with an order of a federal court that orders ADMINISTERING AGENCY to comply with an order of the National Labor Relations Board.
8. ADMINISTERING AGENCY shall disclose any financial, business, or other relationship with STATE, FHWA or Federal Transit Administration (FTA) that may have an impact upon the outcome of this AGREEMENT. ADMINISTERING AGENCY shall also list current contractors who may have a financial interest in the outcome of this AGREEMENT.
9. ADMINISTERING AGENCY hereby certifies that it does not have nor shall it acquire any financial or business interest that would conflict with the performance of PROJECT under this AGREEMENT.

10. ADMINISTERING AGENCY warrants that this AGREEMENT was not obtained or secured through rebates, kickbacks or other unlawful consideration either promised or paid to any STATE employee. For breach or violation of this warranty, STATE shall have the right, in its discretion, to terminate this AGREEMENT without liability, to pay only for the work actually performed, or to deduct from the PROGRAM SUPPLEMENT price or otherwise recover the full amount of such rebate, kickback, or other unlawful consideration.

11. Any dispute concerning a question of fact arising under this AGREEMENT that is not disposed of by agreement shall be decided by the STATE's Contract Officer who may consider any written or verbal evidence submitted by ADMINISTERING AGENCY. The decision of the Contract Officer, issued in writing, shall be conclusive and binding on the PARTIES on all questions of fact considered and determined by the Contract Officer.

12. Neither the pending of a dispute nor its consideration by the Contract Officer will excuse ADMINISTERING AGENCY from full and timely performance in accordance with the terms of this AGREEMENT.

13. Neither ADMINISTERING AGENCY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by STATE, under or in connection with any work, authority or jurisdiction arising under this AGREEMENT. It is understood and agreed that STATE shall fully defend, indemnify and save harmless the ADMINISTERING AGENCY and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation and other theories or assertions of liability occurring by reason of anything done or omitted to be done by STATE under this AGREEMENT.

14. Neither STATE nor any officer or employee thereof shall be responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under, or in connection with, any work, authority or jurisdiction arising under this AGREEMENT. It is understood and agreed that ADMINISTERING AGENCY shall fully defend, indemnify and save harmless STATE and all of its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, including, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by ADMINISTERING AGENCY under this AGREEMENT.

15. STATE reserves the right to terminate funding for any PROJECT upon written notice to ADMINISTERING AGENCY in the event that ADMINISTERING AGENCY fails to proceed with PROJECT work in accordance with the project-specific PROGRAM SUPPLEMENT, the bonding requirements if applicable, or otherwise violates the conditions of this AGREEMENT and/or PROGRAM SUPPLEMENT, or the funding allocation such that substantial performance is significantly endangered.

16. No termination shall become effective if, within thirty (30) days after receipt of a Notice of Termination, ADMINISTERING AGENCY either cures the default involved or, if not reasonably susceptible of cure within said thirty (30) day period, ADMINISTERING AGENCY proceeds thereafter to complete the cure in a manner and time line acceptable to STATE. Any such termination shall be accomplished by delivery to ADMINISTERING AGENCY of a Notice of Termination, which notice shall become effective not less than thirty (30) days after receipt, specifying the reason for the termination, the extent to which funding of work under this AGREEMENT is terminated and the date upon which such termination becomes effective, if beyond thirty (30) days after receipt. During the period before the effective termination date, ADMINISTERING AGENCY and STATE shall meet to attempt to resolve any dispute. In the event of such termination, STATE may proceed with the PROJECT work in a manner deemed proper by STATE. If STATE terminates funding for PROJECT with ADMINISTERING AGENCY, STATE shall pay ADMINISTERING AGENCY the sum due ADMINISTERING AGENCY under the PROGRAM SUPPLEMENT and/or STATE approved finance letter prior to termination, provided, however, ADMINISTERING AGENCY is not in default of the terms and conditions of this AGREEMENT or the project-specific PROGRAM SUPPLEMENT and that the cost of PROJECT completion to STATE shall first be deducted from any sum due ADMINISTERING AGENCY.

17. In case of inconsistency or conflicts with the terms of this AGREEMENT and that of a project-specific PROGRAM SUPPLEMENT, the terms stated in that PROGRAM SUPPLEMENT shall prevail over those in this AGREEMENT.

18. Without the written consent of STATE, this AGREEMENT is not assignable by ADMINISTERING AGENCY either in whole or in part.

19. No alteration or variation of the terms of this AGREEMENT shall be valid unless made in writing and signed by the PARTIES, and no oral understanding or agreement not incorporated herein shall be binding on any of the PARTIES.

IN WITNESS WHEREOF, the PARTIES have executed this AGREEMENT by their duly authorized officers.

STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION City of Woodland

By _____

By _____

Chief, Office of Project Implementation
Division of Local Assistance

City of Woodland
Representative Name & Title
(Authorized Governing Body Representative)

Date _____

Date _____

EXHIBIT A

FAIR EMPLOYMENT PRACTICES ADDENDUM

1. In the performance of this Agreement, ADMINISTERING AGENCY will not discriminate against any employee for employment because of race, color, sex, sexual orientation, religion, ancestry or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. ADMINISTERING AGENCY will take affirmative action to ensure that employees are treated during employment without regard to their race, sex, sexual orientation, color, religion, ancestry, or national origin, physical disability, medical condition, marital status, political affiliation, family and medical care leave, pregnancy leave, or disability leave. Such action shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. ADMINISTERING AGENCY shall post in conspicuous places, available to employees for employment, notices to be provided by STATE setting forth the provisions of this Fair Employment section.

2. ADMINISTERING AGENCY, its contractor(s) and all subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12900 et seq.), and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12900(a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this AGREEMENT by reference and made a part hereof as if set forth in full. Each of the ADMINISTERING AGENCY'S contractors and all subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreements, as appropriate.

3. ADMINISTERING AGENCY shall include the nondiscrimination and compliance provisions of this clause in all contracts and subcontracts to perform work under this AGREEMENT.

4. ADMINISTERING AGENCY will permit access to the records of employment, employment advertisements, application forms, and other pertinent data and records by STATE, the State Fair Employment and Housing Commission, or any other agency of the State of California designated by STATE, for the purposes of investigation to ascertain compliance with the Fair Employment section of this Agreement.

5. Remedies for Willful Violation:

(a) STATE may determine a willful violation of the Fair Employment provision to have occurred upon receipt of a final judgment to that effect from a court in an action to which ADMINISTERING AGENCY was a party, or upon receipt of a written notice from the Fair Employment and Housing Commission that it has investigated and determined that ADMINISTERING AGENCY has violated the Fair Employment Practices Act and had issued an order under Labor Code Section 1426 which has become final or has obtained an injunction under Labor Code Section 1429.

(b) For willful violation of this Fair Employment Provision, STATE shall have the right to terminate this Agreement either in whole or in part, and any loss or damage sustained by STATE in securing the goods or services thereunder shall be borne and paid for by ADMINISTERING AGENCY and by the surety under the performance bond, if any, and STATE may deduct from any moneys due or thereafter may become due to ADMINISTERING AGENCY, the difference between the price named in the Agreement and the actual cost thereof to STATE to cure ADMINISTERING AGENCY's breach of this Agreement.

EXHIBIT B

NONDISCRIMINATION ASSURANCES

ADMINISTERING AGENCY HEREBY AGREES THAT, as a condition to receiving any federal financial assistance from the STATE, acting for the U.S. Department of Transportation, it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the ACT), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964" (hereinafter referred to as the REGULATIONS), the Federal-aid Highway Act of 1973, and other pertinent directives, to the end that in accordance with the ACT, REGULATIONS, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which ADMINISTERING AGENCY receives federal financial assistance from the Federal Department of Transportation. ADMINISTERING AGENCY HEREBY GIVES ASSURANCE THAT ADMINISTERING AGENCY will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7(a) (1) of the REGULATIONS.

More specifically, and without limiting the above general assurance, ADMINISTERING AGENCY hereby gives the following specific assurances with respect to its federal-aid Program:

1. That ADMINISTERING AGENCY agrees that each "program" and each "facility" as defined in subsections 21.23 (e) and 21.23 (b) of the REGULATIONS, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the REGULATIONS.

2. That ADMINISTERING AGENCY shall insert the following notification in all solicitations for bids for work or material subject to the REGULATIONS made in connection with the federal-aid Program and, in adapted form, in all proposals for negotiated agreements:

ADMINISTERING AGENCY hereby notifies all bidders that it will affirmatively ensure that in any agreement entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, religion, age, or disability in consideration for an award.

3. That ADMINISTERING AGENCY shall insert the clauses of Appendix A of this assurance in every agreement subject to the ACT and the REGULATIONS.

4. That the clauses of Appendix B of this Assurance shall be included as a covenant running with the land, in any deed effecting a transfer of real property, structures, or improvements thereon, or interest therein.

5. That where ADMINISTERING AGENCY receives federal financial assistance to construct a facility, or part of a facility, the Assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where ADMINISTERING AGENCY receives federal financial assistance in the form, or for the acquisition, of real property or an interest in real property, the Assurance shall extend to rights to space on, over, or under such property.
7. That ADMINISTERING AGENCY shall include the appropriate clauses set forth in Appendix C and D of this Assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the ADMINISTERING AGENCY with other parties:
- Appendix C;
- (a) for the subsequent transfer of real property acquired or improved under the federal-aid Program; and
- Appendix D;
- (b) for the construction or use of or access to space on, over, or under real property acquired, or improved under the federal-aid Program.
8. That this assurance obligates ADMINISTERING AGENCY for the period during which federal financial assistance is extended to the program, except where the federal financial assistance is to provide, or is in the form of, personal property or real property or interest therein, or structures, or improvements thereon, in which case the assurance obligates ADMINISTERING AGENCY or any transferee for the longer of the following periods:
- (a) the period during which the property is used for a purpose for which the federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
- (b) the period during which ADMINISTERING AGENCY retains ownership or possession of the property.
9. That ADMINISTERING AGENCY shall provide for such methods of administration for the program as are found by the U.S. Secretary of Transportation, or the official to whom he delegates specific authority, to give reasonable guarantee that ADMINISTERING AGENCY, other recipients, sub-grantees, applicants, sub-applicants, transferees, successors in interest, and other participants of federal financial assistance under such program will comply with all requirements imposed by, or pursuant to, the ACT, the REGULATIONS, this Assurance and the Agreement.
10. That ADMINISTERING AGENCY agrees that the United States and the State of California have a right to seek judicial enforcement with regard to any matter arising under the ACT, the REGULATIONS, and this Assurance.

11. ADMINISTERING AGENCY shall not discriminate on the basis of race, religion, age, disability, color, national origin or sex in the award and performance of any STATE assisted contract or in the administration on its DBE Program or the requirements of 49 CFR Part 26. ADMINISTERING AGENCY shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in the award and administration of STATE assisted contracts. ADMINISTERING AGENCY'S DBE Implementation Agreement is incorporated by reference in this AGREEMENT. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved DBE Implementation Agreement, STATE may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and/or the Program Fraud Civil Remedies Act of 1985 (31USC 3801 et seq.)

THESE ASSURANCES are given in consideration of and for the purpose of obtaining any and all federal grants, loans, agreements, property, discounts or other federal financial assistance extended after the date hereof to ADMINISTERING AGENCY by STATE, acting for the U.S. Department of Transportation, and is binding on ADMINISTERING AGENCY, other recipients, subgrantees, applicants, sub-applicants, transferees, successors in interest and other participants in the federal-aid Highway Program.

APPENDIX A TO EXHIBIT B

During the performance of this Agreement, ADMINISTERING AGENCY, for itself, its assignees and successors in interest (hereinafter collectively referred to as ADMINISTERING AGENCY) agrees as follows:

(1) Compliance with Regulations: ADMINISTERING AGENCY shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the REGULATIONS), which are herein incorporated by reference and made a part of this agreement.

(2) Nondiscrimination: ADMINISTERING AGENCY, with regard to the work performed by it during the AGREEMENT, shall not discriminate on the grounds of race, color, sex, national origin, religion, age, or disability in the selection and retention of sub-applicants, including procurements of materials and leases of equipment. ADMINISTERING AGENCY shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the REGULATIONS, including employment practices when the agreement covers a program set forth in Appendix B of the REGULATIONS.

(3) Solicitations for Sub-agreements, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by ADMINISTERING AGENCY for work to be performed under a Sub-agreement, including procurements of materials or leases of equipment, each potential sub-applicant or supplier shall be notified by ADMINISTERING AGENCY of the ADMINISTERING AGENCY's obligations under this Agreement and the REGULATIONS relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: ADMINISTERING AGENCY shall provide all information and reports required by the REGULATIONS, or directives issued pursuant thereto, and shall permit access to ADMINISTERING AGENCY's books, records, accounts, other sources of information, and its facilities as may be determined by STATE or FHWA to be pertinent to ascertain compliance with such REGULATIONS or directives. Where any information required of ADMINISTERING AGENCY is in the exclusive possession of another who fails or refuses to furnish this information, ADMINISTERING AGENCY shall so certify to STATE or the FHWA as appropriate, and shall set forth what efforts ADMINISTERING AGENCY has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of ADMINISTERING AGENCY's noncompliance with the nondiscrimination provisions of this agreement, STATE shall impose such agreement sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:

(a) withholding of payments to ADMINISTERING AGENCY under the Agreement within a reasonable period of time, not to exceed 90 days; and/or

(b) cancellation, termination or suspension of the Agreement, in whole or in part.

(6) Incorporation of Provisions: ADMINISTERING AGENCY shall include the provisions of paragraphs (1) through (6) in every sub-agreement, including procurements of materials and leases of equipment, unless exempt by the REGULATIONS, or directives issued pursuant thereto. ADMINISTERING AGENCY shall take such action with respect to any sub-agreement or procurement as STATE or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance, provided, however, that, in the event ADMINISTERING AGENCY becomes involved in, or is threatened with, litigation with a sub-applicant or supplier as a result of such direction, ADMINISTERING AGENCY may request STATE enter into such litigation to protect the interests of STATE, and, in addition, ADMINISTERING AGENCY may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX B TO EXHIBIT B

The following clauses shall be included in any and all deeds effecting or recording the transfer of PROJECT real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the U.S. Department of Transportation, as authorized by law, and upon the condition that ADMINISTERING AGENCY will accept title to the lands and maintain the project constructed thereon, in accordance with Title 23, United States Code, the Regulations for the Administration of federal-aid for Highways and the policies and procedures prescribed by the Federal Highway Administration of the Department of Transportation and, also in accordance with and in compliance with the Regulations pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the ADMINISTERING AGENCY all the right, title, and interest of the U.S. Department of Transportation in, and to, said lands described in Exhibit "A" attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto ADMINISTERING AGENCY and its successors forever, subject, however, to the covenant, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on ADMINISTERING AGENCY, its successors and assigns.

ADMINISTERING AGENCY, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns,

(1) that no person shall on the grounds of race, color, sex, national origin, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed (;) (and) *

(2) that ADMINISTERING AGENCY shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended (;) and

(3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the U.S. Department of Transportation shall have a right to re-enter said lands and facilities on said land, and the above-described land and facilities shall thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this deed.*

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX C TO EXHIBIT B

The following clauses shall be included in any and all deeds, licenses, leases, permits, or similar instruments entered into by ADMINISTERING AGENCY, pursuant to the provisions of Assurance 7(a) of Exhibit B.

The grantee (licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.), shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to terminate the (license, lease, permit etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to re-enter said land and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of ADMINISTERING AGENCY and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.

APPENDIX D TO EXHIBIT B

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the ADMINISTERING AGENCY, pursuant to the provisions of Assurance 7 (b) of Exhibit B.

The grantee (licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases add "as a covenant running with the land") that:

(1) no person on the ground of race, color, sex, national origin, religion, age or disability, shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in the use of said facilities;

(2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the ground of race, color, sex, national origin, religion, age or disability shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination; and

(3) that the (grantee, licensee, lessee, permittee, etc.,) shall use the premises in compliance with the Regulations.

(Include in licenses, leases, permits, etc.)*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)*

That in the event of breach of any of the above nondiscrimination covenants, ADMINISTERING AGENCY shall have the right to re-enter said land and facilities thereon, and the above-described lands and facilities shall thereupon revert to and vest in and become the absolute property of ADMINISTERING AGENCY, and its assigns.

* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purposes of Title VI of the Civil Rights Act of 1964.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 12.
SUBJECT: Update City Council Sub-Committee Assignment

Recommendation for Action:

Staff recommends that the City Council update appointments of Council members serving on the City / Yolo County 2x2 Sub-committee.

Staff Contact:

Ana B. Gonzalez, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.org

Background:

Each year, City Council members are appointed to various inter-jurisdictional boards and commissions as well as sub-committees established by the City Council.

At present, Council members Stallard and Davies serve on the City / County 2x2, with Mayor Pro Tempore Rodriguez serving as the alternate. It is recommended that Mayor Fernandez replace Council Member Stallard on the City / County 2x2 Sub-Committee, with Mayor Pro Tempore Rodriguez continuing to serve as the alternate.

Prepared By: Ana B. Gonzalez, City Clerk

Paul Navazio, City Manager



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 13.
SUBJECT: Appoint Member to the Personnel Board

Recommendation for Action:

Staff recommends that the City Council appoint Nicole Carr to the Personnel Board.

Staff Contact:

Ana B. Gonzalez, City Clerk, (530) 661-5806, ana.gonzalez@cityofwoodland.org

Report in Brief:

The Personnel Board currently has one vacancy left by Donna Slattery who resigned on December 18, 2017.

Staff advertised for openings on the various Boards and Commissions and received an application from Nicole Carr for the Personnel Board. The Human Resources Manager has reviewed Ms. Carr's application and believes she has desirable qualifications for the Personnel Board.

It is staff's recommendation that Ms. Carr be appointed to fill the vacancy left by Ms. Slattery for a term ending December 31, 2020.

Conclusion:

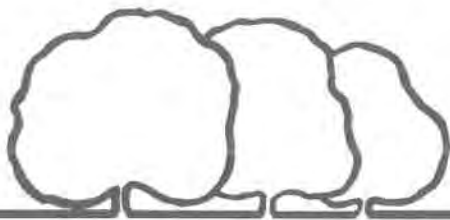
Staff recommends that the City Council re-appoint members to the Manufactured Home Fair Practices Commission (MHFPC), appoint Ben Cadranel, an alternate on the MHFPC to fill the vacancy left by Bob Noren and appoint Nicole Carr to the Personnel Board.

Prepared By: Ana B. Gonzalez, City Clerk

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Carr_application	4/27/2018	Backup Material



City of Woodland

City Clerk

300 First Street

Woodland, California 95695

FAX

(530) 661-5806

(530) 661-5813

FOR BOARD AND COMMISSION APPLICANTS AND APPOINTEES

PUBLIC CONTACT FORM (please print)

Name: Nicole D. Carr Address: [REDACTED]

[REDACTED]

Home/Contact Telephone Number: [REDACTED]

Work Telephone Number: [REDACTED]

E-Mail Addresses cityfeedbackmail@gmail.com

Should a member of the public desire to contact you concerning your representation on a Board or Commission, the City Clerk may release the following information (please check those that apply):

☐ Home Address

☐ Work Phone Number

☐ Home Phone Number

☐ Work Address

☒ E-Mail Address

☐ Please do not release any of this information

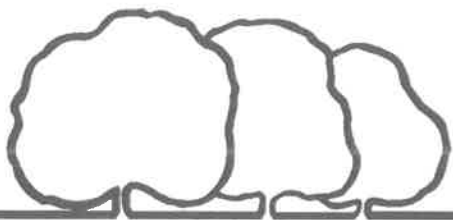
FOR STAFF USE ONLY

Board, Commission or Committee Application for: _____

Date Council Member Interview Scheduled for: _____

Council Members Conducting the Interview: _____ / _____

If Appointed, Date of Council Action: _____



City of Woodland

City Clerk

300 First Street

Woodland, California 95695

FAX

(530) 661-5806

(530) 661-5813

CITY BOARDS AND COMMISSIONS APPLICATION

Name of applicant:

Nicole D. Carr

My first choice is for appointment to the
Board or Commission.

Personnel Board

If I am not selected for my first choice, I am interested in serving on the following Boards and Commissions (Note: one may serve on only one Board, Commission or Committee at any one time):

☐ Board of Building Appeals

☐ Parks and Recreation Commission

☐ Commission on Aging

☐ Personnel Board

☐ Historical Preservation Commission

☐ Planning Commission

☐ Library Board of Trustees

☐ Traffic Safety Commission

☐ Manufactured Homes Fair Practices Commission

Please Note: Members of the Historical Preservation Commission, Library Board, Manufactured Homes Fair Practices Commission and Planning Commission are required to annually file Statements of Economic Interest forms disclosing such information as:

- investments, interests in real property, income, loans, etc.
- mailing address and telephone number

This information is a public record and these statements are available to the public upon request.

All Board and Commission Members are required by State Law to take a two hour ethics training course every two years. You will be notified of the next scheduled test.

The Interview Team will make recommendations for appointment to various Boards and Commissions. If there is no current vacancy, you will be placed on a waiting list.

I have business connections and/or investments that may result in possible conflict of interest. ☐ Yes ☒ No

I reside within the City limits of the City of Woodland. ☒ Yes ☐ No

Are you currently serving on a City Board or Commission? _____ Yes _____ X No

If yes, please state which _____ N/A _____

Employment experience: I currently am a Director of Human Resources for the California Department of Social Services. I oversee a staff of 102 persons to provide full-service, human resource services for ~5,000 employees. Prior to serving as a Director, I was appointed as an Assistant Deputy Director for the Department of Housing/Community Development, a Budget Officer for the Department of Corrections and Rehabilitation and an Analyst for the California Building Standards Commission.

Organization and community activity experience: I am a member of the International Public Management Association for Human Resources and I volunteer at the Crocker Art Gallery.

Other experience you have had which would help Council with a decision as to your qualifications to serve: As an Analyst for the Building Standards Commission, I was afforded the opportunity to develop rule making files, organize, manage and attend committee meetings and assist the Executive Director to develop responses to concerns arising from public hearings or public comment periods. I believe that this experience has afforded me with a good understanding of the purpose and processes of boards and commissions and will thereby enable me to fully contribute to the Personnel Board if appointed.

Educational background and other training: I possess a Master of Public Administration degree, which includes courses in management, human resources, marketing, business and public administration. I also possess an undergraduate degree in liberal studies which includes courses in fine arts, Spanish, English and Business.

Why are you interested in serving on a City Board or Commission? I believe that with my background and experience, I could offer a viable contribution to the citizens of the City of Woodland.

Please provide information on two personal or professional references:

Name	Address	Phone No.
Maureen Graber, Personnel Officer	4915 Charter Road, Rocklin, CA 95765	916/502-1403 Mobile
Anne Goodbody, Analyst	2272 NE Nuttal Court, Bend, OR 97701	978/408-6755 Mobile


Signature of Applicant

3/27/18
Date

Please return application to:

**Office of the City Clerk
City Hall
300 First Street
Woodland, CA 95695**

Note: Staff will contact you to schedule an interview with the City Council as scheduling permits.



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 14.
SUBJECT: Support AB 2887 (Aguiar-Curry) Migrant farm labor centers

Recommendation for Action:

Staff recommends that the City Council authorize the Mayor to forward a letter in support of AB 2887 (Aguiar-Curry) related to migrant farm labor centers.

Staff Contact:

Paul Navazio, City Manager, (530) 661-5800, paul.navazio@cityofwoodland.org

Fiscal Impact:

None.

Background:

Existing law requires the Department of Housing and Community Development (HCD), through its Office of Migrant Services, to assist in the development, construction, reconstruction, rehabilitation, or operation of migrant farm labor centers, as provided. Existing law authorizes the Director of Housing and Community Development to contract with specified local public and private entities, including school districts and housing authorities, for the procurement or construction of housing or shelter and to obtain specified services for migratory agricultural workers.

This bill would require HCD to allow in an annual operating contract the entity operating the contract, to have flexibility in its opening date, if needed, to adjust for variable seasonal or climate changes. The bill would also require the department to enter into operating contracts with entities, containing mutually agreeable language, that would be effective until terminated by the department, and provide funding annually by making an amendment to that contract. The bill would require the department to allow an entity to provide housing at a migrant farm labor center to single migratory agricultural workers if there are any vacant units after the housing needs for multi-membered migratory agricultural worker households have been accommodated, as specified.

This legislation is being sponsored by the Yolo Housing Authority, who is seeking support from cities within Yolo County.

Conclusion:

Staff recommends that the City Council authorize the Mayor to forward a letter in support of AB 2887 (Aguiar-Curry) related to migrant farm labor centers.

Prepared By: Ana B. Gonzalez, City Clerk

Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
AB 2887 legislative text	4/27/2018	Backup Material

AMENDED IN ASSEMBLY APRIL 17, 2018

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 2887

**Introduced by Assembly Member Aguiar-Curry
(Principal coauthor: Assembly Member Caballero)**

February 16, 2018

An act to *amend Section 50710.1 of, and to add Sections 50710.2, 50710.3, 50710.4, 50710.6, 50710.7, and 50717 to* the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 2887, as amended, Aguiar-Curry. Migrant farm labor centers.

Existing law requires the Department of Housing and Community Development, through its Office of Migrant Services, to assist in the development, construction, reconstruction, rehabilitation, or operation of migrant farm labor centers, as provided. Existing law authorizes the Director of Housing and Community Development to contract with specified local public and private entities, including school districts and housing authorities, for the procurement or construction of housing or shelter and to obtain specified services for migratory agricultural workers.

This bill would require the department to allow in an annual operating contract the entity operating the contract to have flexibility in its opening date if needed to adjust for variable seasonal or climate changes. The bill would ~~allow~~ *require* the department to enter into operating contracts with ~~entities~~ *entities, containing mutually agreeable language*, that would be effective until terminated by the department if the department ~~determines such contracts would be more efficient to administer, department, and provide funding annually by making an amendment~~.

to that contract. ~~The bill would require the department to consider, and allow the department to approve, any proposal or plan submitted by an entity operating a migrant farm labor center that proposes to allow a specified number of units at the center to be reserved for occupancy by lower income households, as specified. The bill would require the department to allow an entity to provide housing at a migrant farm labor center to single migratory agricultural workers if there are any vacant units after the housing needs for multimembered migratory agricultural worker households have been accommodated within an occupancy period.~~ *accommodated, as specified.*

This bill, on or before January 1, 2020, and on or before January 1 of each year thereafter, would require an entity operating a migrant farm labor center to provide a report to the Office of Migrant Services containing specified data about the migratory agricultural workers that resided at the center during the most recent contract period that ended, organized by household. The bill would ~~allow~~ *require* the director to ~~use~~ *consider* the data contained in the reports to determine the needs of the residents served at the migrant farm labor centers and how to better serve those needs.

~~This bill would state the intent of the Legislature to enact legislation to provide funds to entities operating a migrant farm labor center for the purpose of making capital improvements to real property at those centers, based on physical needs assessments and operational performance of the center.~~

Existing law authorizes any entity operating a migrant farm labor center to establish a reserve account comprised of the excess funds provided through the annual operating contract received from the department if the department certifies there is no need to address reasonable general maintenance requirements or repairs, rehabilitation, and replacement needs of the requesting migrant farm labor center which affect the immediate health and safety of residents, as specified.

This bill would instead require any entity operating a migrant farm labor center to establish a capital reserve account under the same conditions, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 **SECTION 1.** *Section 50710.1 of the Health and Safety Code*
2 *is amended to read:*

3 50710.1. (a) If all the development costs of any migrant farm
4 labor center assisted pursuant to this chapter are provided by
5 federal, state, or local grants, and if inadequate funds are available
6 from any federal, state, or local service to write-down operating
7 costs, the department may approve rents for that center that are in
8 excess of rents charged in other centers assisted by the Office of
9 Migrant Services. However, notwithstanding any other provision
10 of law, commencing with the 2006 growing season, the department
11 shall not increase rents for residents of any facility assisted by the
12 Office of Migrant Services to a level that exceeds 30 percent of
13 the average annualized household incomes of residents of the
14 facility without specific legislative authorization. Prior to approving
15 these rents, the department shall consider the adequacy of evidence
16 presented by the entity operating the center that the rents reimburse
17 actual, reasonable, and necessary costs of operation.

18 (b) At the end of each fiscal year, any entity operating a migrant
19 farm labor center pursuant to this chapter ~~may~~ *shall* establish a
20 *capital* reserve account comprised of the excess funds provided
21 through the annual operating contract received from the department
22 if the department certifies there is no need to address reasonable
23 general maintenance requirements or repairs, rehabilitation, and
24 replacement needs of the requesting migrant farm labor center
25 which affect the immediate health and safety of residents. The
26 cumulative balance of the reserve account shall ~~not exceed 10~~
27 ~~percent of the annual operating funds annually committed to the~~
28 ~~entity by the department.~~ *be reported annually to the department.*
29 Funds in the reserve account shall be used only for capital
30 improvements such as replacing or repairing structural elements,
31 furniture, fixtures, or equipment of the migrant farm labor center,
32 the replacement or repair of which are reasonably required to
33 preserve the migrant farm labor center. *An entity shall first use the*
34 *available cap reserve funds for required improvements or repairs*
35 *before requesting additional funding from the department for that*
36 *use.* Withdrawals from the reserve account shall be made only
37 upon the written approval of the department of the amount and
38 nature of expenditures.

1 (c) A migrant farm labor center governed by this chapter may
2 be operated for an extended period prior to or beyond the standard
3 180-day period, as further provided in paragraph (8) below, after
4 approval by the department, provided that all of the following
5 conditions are satisfied:

6 (1) No additional subsidies provided by the department are used
7 for the operation or administration of the migrant farm center
8 during the extended occupancy period except to the extent that
9 state funds are appropriated or authorized for the purpose of
10 funding all or part of the cost of subsidizing extended occupancy
11 periods.

12 (2) Rents are not to be increased above the rents charged during
13 the standard 180-day occupancy period unless the department finds
14 that an increase is necessary to cover the difference between
15 reasonable operating costs necessary to keep the center open during
16 the extended occupancy period and the amount of state funds
17 available pursuant to paragraph (1) and any contributions from
18 agricultural employers or other federal, local, or private sources.
19 These contributions shall not be used to reduce the amount of state
20 funds that otherwise would be made available to the center to
21 subsidize rents during an extended occupancy period.

22 (3) In no event shall the rent during the extended occupancy
23 period exceed the average daily operating cost of the center, less
24 any subsidy funds available pursuant to paragraph (1) or (2). With
25 respect to an extended occupancy beyond the standard 180-day
26 period, households representing at least 25 percent of the units in
27 the center shall have indicated their desire and intention to remain
28 in residency by signing a petition to the local entity to keep the
29 center open for an extended period at rents that are the same or
30 higher than rents during the regular period of occupancy. Each
31 household shall receive a clear bilingual notice describing the
32 extended occupancy options attached to the lease.

33 The Legislature finds and declares that because the number of
34 residents may be substantially reduced during the extended
35 occupancy period, a rent increase may be necessary to cover
36 operating costs. It is the intent of the Legislature that the public
37 sector, private sector, and farmworkers should each play an
38 important role in ensuring the financial viability of this important
39 source of needed housing.

1 (4) An extended occupancy period is requested by an entity
2 operating the migrant farm labor center and received by the
3 department no earlier than 30 days and no later than 15 days prior
4 to the center's scheduled opening or closing date. The department
5 shall notify the entity and petitioning residents of the final decision
6 no later than seven days prior to the center's scheduled opening
7 or closing date. During the extended occupancy period, occupancy
8 shall be limited to migrant farmworkers and their families who
9 resided or intended to reside at a migrant center during the regular
10 period of occupancy.

11 (5) Before approving or denying an early opening or an
12 extension and establishing the rents for the extended occupancy
13 period, both of which shall be within the sole discretion of the
14 department, the department shall take into consideration all of the
15 following factors:

16 (A) The structural and physical condition of the center, including
17 water and sewer pond capacity and the capacity and willingness
18 of the local entity to operate the center during the extended
19 occupancy period.

20 (B) Whether local approvals are required, and whether there
21 are competing demands for the use of the center's facilities.

22 (C) Whether there is adequate documentation that there is a
23 need for residents of the migrant center to continue work in the
24 area, as confirmed by the local entity.

25 (D) The climate during the extended occupancy period.

26 (E) The amount of subsidy funds available that can be allocated
27 to each center to subsidize rents below the operating costs and the
28 cost of operating each center during the extended occupancy period.

29 (F) The extended occupancy period is deemed necessary for the
30 health and safety of the migrant farmworkers and their families.

31 (G) Other relevant factors affecting the migrant farmworkers
32 and their families and the operation of the centers.

33 (6) The rents collected during the extended occupancy period
34 shall be remitted to the department. However, based on financial
35 records to the satisfaction of the department, the department may
36 reduce the amount to be remitted by an amount it determines the
37 local entity has expended during the extended occupancy period
38 that is not being reimbursed by department funds.

39 (7) The occupancy during the extended occupancy period
40 represents a new tenancy and is not subject to existing and statutory

1 and regulatory limitations governing rents. Prior to the beginning
2 of the extended occupancy period, residents shall be provided at
3 least two days' advance written notice of any rent increase and of
4 the expected length of the extended occupancy period, including
5 the scheduled date of the beginning of the extended occupancy
6 period and closure of the center. Prior to being eligible for
7 residency during the extended occupancy period, residents shall
8 sign rental documents deemed necessary by the department.

9 (8) Notwithstanding anything to the contrary contained in this
10 section, the standard 180-day occupancy period combined with
11 any extended occupancy periods shall not exceed a cumulative
12 operating period of 275 days in any calendar year.

13 (d) The Legislature finds and declares that variable annual
14 climates and changing agricultural techniques create an inability
15 to accurately predict the end of a harvest season for the purposes
16 of housing migrant farmworkers and their families. Because of
17 these factors, in any part of this state, and in any specific year, one
18 or more migrant farmworker housing centers governed by this
19 chapter need to open early or remain open up to a total of 275 days
20 to allow the residents to provide critical assistance to growers in
21 harvesting crops while also fulfilling work expectations that
22 encouraged them to migrate to the areas of the centers. In addition,
23 if the centers close prematurely or open late, the migrant
24 farmworkers often must remain or reside in the areas to work.
25 During this time they will not be able to obtain decent, safe, and
26 affordable housing and the health and safety of their families and
27 the surrounding community will be threatened.

28 The Legislature therefore finds and declares that, for the purposes
29 of any public or private right, obligation, or authorization related
30 to the use of property and improvements thereon as a 180-day
31 migrant center, an extended use of any housing center governed
32 by this chapter pursuant to this section is deemed to be the same
33 as the 180-day use generally authorized by this chapter.

34 (e) Because of the presumed income levels of the occupants of
35 migrant farm labor centers, an entity operating a migrant farm
36 labor center shall be deemed eligible for the California Alternative
37 Rates for Energy program established pursuant to Sections 382
38 and 739.1 of the Public Utilities Code. Any savings from a
39 reduction in energy rates shall be passed on to the occupants of
40 the migrant farm labor center.

1 SECTION 1.

2 SEC. 2. Section 50710.2 is added to the Health and Safety
3 Code, to read:

4 50710.2. The department shall ~~allow~~ *allow*, in an annual
5 operating ~~contract~~ *contract*, the entity operating the contract to
6 have flexibility in its opening date if needed to adjust for variable
7 seasonal or climate changes.

8 SEC. 2.

9 SEC. 3. Section 50710.3 is added to the Health and Safety
10 Code, to read:

11 50710.3. (a) The department ~~may~~ *shall* enter into operating
12 contracts with ~~entities~~ *entities, containing mutually agreeable*
13 *language*, that would be effective until terminated by the
14 ~~department if the department determines such contracts would be~~
15 ~~more efficient to administer, department,~~ and provide funding
16 annually by making an amendment to that contract.

17 (b) This section shall not be interpreted to allow an operating
18 period to exceed a term that is otherwise authorized by this chapter.

19 ~~SEC. 3. Section 50710.4 is added to the Health and Safety~~
20 ~~Code, to read:~~

21 ~~50710.4. (a) The department shall consider and may approve~~
22 ~~any proposal or plan submitted by an entity operating a migrant~~
23 ~~farm labor center that proposes to allow a specified number of~~
24 ~~units at the center to be reserved for occupancy by lower income~~
25 ~~households.~~

26 ~~(b) Any proposal or plan approved by the department shall not~~
27 ~~allow more than 30 percent of available units in a migrant farm~~
28 ~~labor center to be reserved for occupancy by lower income~~
29 ~~households.~~

30 ~~(c) An entity shall allow for and consider public input on any~~
31 ~~proposal or plan prior to submission of that proposal or plan to the~~
32 ~~department. Public input shall include input from the migratory~~
33 ~~agricultural workers and their families, agricultural employers,~~
34 ~~and the general public.~~

35 ~~(d) The department shall consider the thoroughness of the plan,~~
36 ~~the incorporation of any public input, and demonstrated need in~~
37 ~~that jurisdiction for the proposal or plan, when determining whether~~
38 ~~to approve a proposal or plan.~~

~~(e) Any proposal or plan approved by the department shall be incorporated into the operating contract for that migrant farm labor center.~~

~~(f) For purposes of this section, “lower income households” means migratory agricultural worker households with incomes that are below _____ percent of median income.~~

~~SEC. 4. Section 50710.6 is added to the Health and Safety Code, to read:~~

~~50710.6. It is the intent of the Legislature to enact legislation to provide funds to entities operating a migrant farm labor center for the purpose of making capital improvements to real property at those centers, based on physical needs assessments and operational performance of the center.~~

~~SEC. 5:~~

~~SEC. 4. Section 50710.7 is added to the Health and Safety Code, to read:~~

~~50710.7. *The If there are any vacant units after the housing needs for multimembered migratory agricultural workers have been met, the department shall allow an entity to provide housing at a migrant farm labor center to single migratory agricultural workers if there are any vacant units after the housing needs for multimembered migratory agricultural worker households have been accommodated within an occupancy period: in those vacant units.*~~

~~SEC. 6:~~

~~SEC. 5. Section 50717 is added to the Health and Safety Code, to read:~~

~~50717. (a) On or before January 1, 2020, and on or before January 1 of each year thereafter, an entity operating a migrant farm labor center shall provide a report to the Office of Migrant Services that contains the data specified in subdivision (b) about the migratory agricultural workers that resided at the center during the most recent contract period that ended, organized by household. *This data shall be reported in an aggregate, anonymous format, without any individual identifiable information.*~~

~~(b) The report shall include, but is not limited to, include the following information:~~

~~(1) Where the migratory agricultural workers are migrating from.~~

~~(2) Household income.~~

1 (3) Race or ethnicity of members of the household.

2 (4) Genders of the members of the household.

3 (5) Number of schoolaged ~~children~~. *children, including number*
4 *of participants in the Migrant Education Program, and the number*
5 *of residents enrolled in postsecondary school programs.*

6 (6) Identifying if members are homeowners or renters.

7 (7) Identifying if there are *elderly or* disabled members.

8 (c) The director ~~may use~~ *shall consider* the data contained in
9 the reports to determine the needs of the residents served at the
10 migrant farm labor centers and how to better serve those needs,
11 and ~~may require any other data to be included in the report that he~~
12 ~~or she deems appropriate to aid in the administration of the migrant~~
13 ~~housing program.~~ *needs.*

O



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 15.
SUBJECT: Establishing an Interim Zoning Ordinance to Ensure
Conformity with the 2035 General Plan

Recommendation for Action:

Staff recommends that the City Council:

1. Receive a staff report;
2. Conduct the public hearing; and
3. Adopt Ordinance No. _____, by a Four-Fifths vote, establishing a stand alone Interim Zoning Ordinance to provide a clear legal basis for zoning and development review to ensure consistency with the 2035 General Plan; and

Copies of all referenced documents can be ordered through the City or accessed online at the City of Woodland web site: <http://cityofwoodland.org/gov/meetings.asp>.

Staff Contact:

Cindy A. Norris, Principal Planner, (530) 661-5911, cindy.norris@cityofwoodland.org

Fiscal Impact:

On May 16, 2017 the City Council authorized a contract agreement with Dyett and Bhatia in the amount of \$25,820 for initial preparation of the Phase I Interim Zoning Update. Funding was authorized from CIP #07-07, the Zoning Ordinance Update Project approved in the General Fund -Capital Budget. Funding for staff was provided through the General Fund. Completion of the full comprehensive zoning update will require additional resources for possible CEQA analysis, any consultant or City Attorney time.

Report in Brief:

The purpose of this action is to recommend adoption of a Phase I zoning update consisting of an Interim Zoning Ordinance. The Interim Ordinance will provide a set of standards and procedures to ensure consistency with the recently adopted 2035 General Plan. The Phase II zoning update will consist of a comprehensive update to the Zoning Ordinance, but may take another year to complete. It is critical during the interim that the City have clear legal basis for the development review process, for guidance on possible allowed uses or new development proposals, and if needed, to enable the city to modify or deny projects that do not conform to the new General Plan.

Background:

The City of Woodland reached a significant milestone in approving the 2035 General Plan Update on May 16, 2017. With the update, a number of land use designations, standards, policies and implementation measures were added or changed. In several instances, these changes are inconsistent with the existing Zoning Ordinance and Specific Plans. As example, there is no corresponding zoning district for the new General Plan land use designations Corridor Mixed Use, Light Industrial Flex and Regional Commercial with Light Industrial Flex Overlay (CMU, LIF, RC/LIF). Ultimately, the City intends to prepare a comprehensive update to the Zoning Ordinance, but that effort may take an additional year or more to complete. Therefore, it is critical during the interim period to provide city staff with a legal basis to conduct regulatory review concerning development, assessment of allowed uses, and if needed, to enable the city to modify or deny projects that do not conform to the new General Plan. Phase I will be a stand-alone, uncoded ordinance that will include text and regulations as well as updated zoning district boundaries, uses, map, graphics, and exhibits as needed in place until the final comprehensive zoning is enacted.

The City has the authority under California Government Code 65858 to adopt “interim zoning”. The purpose of an interim zoning ordinance is to immediately allow for the prohibition of certain uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that is being considered or studied. If the City Council adopts the Interim Zoning Ordinance, it would do so as an urgency ordinance. Pursuant to Government Code 65858 (b), the Ordinance is effective for 45 days, or until June 14, 2018, unless the City Council further extends it by a four-fifths vote for an additional 22 months and 15 days. Approval of the Interim Zoning Ordinance will not only ensure that new development is consistent with the General Plan, but it will also provide predictability and certainty for property owners and developers during the “transition” period until the final comprehensive zoning is complete.

Discussion:

The Relationship between the General Plan and the Zoning Ordinance

The General Plan sets the long-range vision for a community, typically over a 20-year horizon, and includes overarching goals and policies. It is a comprehensive policy document that provides general guidance on appropriate land uses, density or intensity of development, and base development standards and urban form characteristics. The General Plan looks beyond the city’s existing borders and applies future land use on lands within the City’s Urban Limit Line.

The Zoning Code is one of the most important tools used to implement the General Plan. The Zoning Code translates policy and vision into specific standards and criteria affecting each parcel within the City. The Code applies to lands within the city’s boundaries. It is a regulatory rather than a policy document and can be very specific and tailored. Multiple zoning districts may be developed to implement a single General Plan land use district. However, any zoning district must be consistent with the requirements of the General Plan.

In several instances, the new 2035 General Plan creates inconsistencies with the existing zoning or specific plans.

These inconsistencies include land use changes, updated policies, updated development standards, and new implementation programs. The following are new land use designations that are not currently reflected in zoning:

- Corridor Mixed Use
- Corridor Mixed Use/Light Industrial Flex Overlay
- Industrial/Light Industrial Flex Overlay
- Community Commercial
- Regional Commercial
- Regional Commercial/ Light Industrial Flex Overlay
- Flood Study Area

In addition to land map changes, new General Plan development criteria and standards may now conflict with existing zoning as follows:

- Increased densities for residential Medium and High Residential Districts
 - o Medium Residential increased from 8-15 dwelling units/acre to 8.1–19.9 dwelling units/acre.
 - o High Density Residential from 16-25 dwelling units/acre to 20-40 dwelling units/acre
- Allowing residential uses in Corridor Mixed Use areas at 20-40 dwelling units/acre, (except the north side of Kentucky Avenue).
- Allowing greater intensity of development for mixed-use development in the Corridor Mixed Use areas, expressed as Floor Area Ratio (The ratio of total floor area to site acreage).

The Interim Zoning Ordinance

Not all land use areas were changed with the new General Plan. The existing Zoning Map and Zoning Ordinance will

remain in effect over those unchanged parcels (R-1, R-2, R-M, I). For those areas that do have new land use designations, the Interim Ordinance will repeal specific Articles in the existing zoning, which will be superseded by the Interim Zoning. The replaced zones will no longer apply, (C-2, C-3, CH, EOZ-I, EOZ-CH and East Street Specific Plan). The interim map and new interim zones will apply on affected properties. The primary affected land areas are located along the major corridors, Main Street (not including the Downtown), East Street, and Kentucky as well as a portion of the Industrial area west of Pioneer Avenue.

The following criteria were considered in development of the Interim Zoning Ordinance:

- Make zoning easier to understand and use
- Streamline development review and approval
- Provide greater certainty for future development through application of specific design standards that are form based
- Provide administrative review and relief options
- Encourage and facilitate infill development
- Encourage healthy lifestyle choices and ensure walkability
- Provide flexibility to allow adaptation to market conditions
- Incentivize job generating uses
- Achieve high quality urban design
- Emphasize sustainability principles and compliance with the CAP Develop performance standards for commercial and industrial uses to minimize incompatibilities with surrounding properties.
- Update the non-conforming use standards (separate update to the zoning code) recognize benign non-conforming uses as compared with those that are inconsistent with the General Plan

Key Provisions in the Interim Zoning Ordinance

New Zoning Districts with Corresponding Use Table and Definitions

Nine new zoning districts are proposed as shown in the Interim Zoning Map in Attachment 2:

- Corridor Mixed Use (CMU)
 - o CMU-E (East Street);
 - o CMU-WM (West Main Street);
 - o CMU-K (Kentucky Avenue), and
 - o CMU/LIF (Corridor Mixed Use with Light Industrial Flex Overlay)
- Community Commercial
 - o CC (Community Commercial)
- Regional Commercial
 - o RC (Regional Commercial)
 - o RC/LIF (Regional Commercial with Light Industrial Flex Overlay)
- Industrial with a Light Industrial Flex Overlay
 - o I/LIF (Industrial with Light Industrial Flex Overlay)
- Flood Study Area

The proposed new use table (as provided in Attachment 3) has been tailored to be reflective of the character or intent for each zoning district. The use table provides grouped categorization of uses that are permitted “P”, allowed with a Zoning Administrator permit “A”, or allowed with a Conditional Use Permit “C”. The use table also specifies those uses that are prohibited with a dash “-“. In addition, to provide greater understanding in evaluating uses,

comprehensive definitions of the listed uses are provided. Because it is not possible to list all possible uses that may occur, the intent is to rely upon the use definitions to describe the general characteristics of identified uses, which will then help in making best fit interpretations for new and proposed uses.

New Development and Urban Form Design Standards and Guidelines

The new development standards generally rely on form-based and physical design concepts. The intent is to create human-scale building and landscape forms, particularly along streets and other public rights-of-way, to foster denser, walkable, transit oriented urban design, characterized by buildings whose form and placement help “frame” the street, with reduced parking provided to the rear or side of each site, visible and accessible entries, and pedestrian friendly design. Building front setbacks from the street are reduced, compared to current zoning standards, and greater intensity of development is encouraged. The focus is on the street front and building exteriors with the goal to activate street frontages and corridors.

Urban form standards and guidelines describe expectations with regard to architectural form, pedestrian oriented design features, site circulation, treatment of outdoor spaces, and landscaping emphasizing high-quality street-frontage design and walkability. Those projects that meet the specified site development standards and design criteria should move through the review process quickly.

New Performance Standards and Findings

The Interim Ordinance provides measurable performance standards to which all development shall be subject. These will be in addition to performance standards provided in the current Zoning Ordinance. Performance standards help to ensure compatibility and limit nuisance or hazardous effects from adjacent properties and uses.

Updated Review Process and an Emphasis on Administrative Review

With the goal of providing greater certainty and reducing review requirements and timelines, the Interim Zoning Ordinance allows a larger number of uses that are permitted, or that may be considered through a staff level zoning administrator review. This is possible because the Interim Ordinance provides specific site development criteria, urban form standards, as well as specific performance standards. A proposed project that has a complete application and meets the zoning provisions should be able to move through the process in a more efficient manner. Further, the Ordinance provides the ability to address and review conflicts or uncertainties that may arise between the General Plan and Zoning.

Updates and Recommended Changes

Since the Planning Commission meeting on April 5, 2018, staff is recommended a few minor changes to ensure clarity and consistency within the document. In particular, modifications have been recommended to the Development Standards Tables, 4.03.1 and 4.03.2, to side and rear setback standards to allow the possibility for zero (0) setbacks, consistent with current code standards. Proposed edits to the document are shown in track change and/or in yellow highlight.

It is noted that the draft provisions in Interim Zoning Ordinance have continually been tested against possible development proposals and in so doing have helped further refine the standards and provisions. The Interim Zoning Ordinance will continue to serve as a test document to help the City develop criteria and standards in the final comprehensive zoning update.

Potential Zoning Map Update Consistent with Proposed General Plan Amendment

Concurrent with review of the Interim Zoning Ordinance, the City is also conducting a technical clean up to the 2035 General Plan Land Use Map. There are eight (8) locations where proposed General Plan land use changes are recommended to the Land Use Map. If approved, the Interim Zoning Map will also be amended consistent with those changes. A draft amended Interim Zoning Map is included as Attachment 4 to illustrate the changes that will be made concurrently if the General Plan Amendment is approved.

Public Notification

- The Public Hearing Notice for the Planning Commission hearing was published in a one-eighth page notice in the Daily Democrat newspaper on March 4, 2018 and on April 21, 2018. Further, a full-page article regarding the Interim Zoning Ordinance was published in the Daily Democrat on April 17, 2018.

Environmental Determination

- The intent of the Interim Zoning Ordinance is to bring conformity between the zoning and the General Plan. The proposed Interim Zoning Ordinance relies on the previously certified Final Environmental Impact Report for the 2035 General Plan and Climate Action Plan (EIR). As stated on page IA 1-20 of the General Plan Update 2035, "For the period immediately following the adoption of the General Plan, the City will establish a stand-alone Interim Zoning Ordinance in accordance with Government code Section 65858, which would apply until a comprehensive update of the Zoning Ordinance is completed."

Additionally, on page 1-2 of the Draft Environmental Impact Report for the 2035 General Plan and Climate Action Plan it is explained that the City elected to include an enhanced level of analysis for the General Plan Update EIR. It further states that, "The 2035 General Plan EIR uses detailed, parcel-level land use programming for the basis of analysis, with a focus on vacant and underutilized properties that would be appropriate for development between the present and 2035. This EIR includes a comprehensive analysis of land use changes anticipated under the 2035 General Plan, with additional detail in the areas, such as transportation, air quality, greenhouse gas emissions, noise and other topics, based on reasonable assumptions as to the amount, type, and character of land use changes under the 2035 General Plan." Therefore, the Interim Zoning Ordinance is within the Findings of Fact regarding Impacts and Mitigation Measures (CEQA Guidelines Section 15168 (c)(2)) and provisions of the California Environmental Quality Act (CEQA) have been satisfied.

Commission/Committee Recommendation:

During the development of the General Plan, the City held numerous public workshops and community sessions seeking comments and participation in review of the goals, policies and implementation programs. Many comments received and resulting adopted General Plan policies and programs identify the need to modify zoning. Once the update was initiated, the Planning Commission Subcommittee met twice to review the Interim Zoning Ordinance, on September 15, 2017 and again on February 21, 2018. In addition, staff presented the Interim Zoning Ordinance update to the Chamber of Commerce on February 21, 2018.

On March 15, 2018, the Planning Commission held a duly noticed public hearing. The Planning Commission received an in depth report from staff, followed by questions and public comment. One member of the public was in attendance. The item was continued to April 5, 2018 meeting (Attachment 5, Planning Commission Staff Report).

On April 5, 2018, at the continued public hearing, two members of the public attended the meeting and raised specific concerns with regard to proposed standards. Mr. Ram Sah suggested that the allowed maximum building height in the Community Commercial District, in Development Standards Table 4.03.2, be stated as 4 stories rather than 3. The Commission concurred with the request. The second individual to speak was Jeffery Moss, representing AAA Self Storage located at 226 Doctor Claassen Way. He requested that the Planning Commission consider allowing mini-storage facilities in the Industrial/Light Industrial Flex Overlay Zone (Letter dated 4.4.18-Attachment 6). The

Comprehensive Use Table attachment to the April 5, 2018 Planning Commission item, showed mini-storage as not permitted in the Industrial/Light Industrial Flex Zoning. Following discussion, the Planning Commission recommended changing the Comprehensive Use Table to allow mini-storage as a conditionally permitted use in the Industrial/Light Industrial Flex Zone.

Mini-Storage Moratorium:

On November 7, 2017 the City Council approved an extension to an urgency ordinance establishing a moratorium on mini-storage. The moratorium will remain in effect until December 31, 2018 or adoption of the Interim Zoning Ordinance, whichever occurs first. The moratorium allowed an exception for two projects that had entitlement approvals and building permits ready to issue (1610 Tide Court and 1425 Cannery Road). The Cannery Road project is located in the Industrial/Light Industrial Flex zone.

The moratorium was approved due to concerns with over-saturation and proliferation of mini-storage facilities within the City of Woodland. There is concern that mini-storage facilities located inappropriately will not promote the City's goals of achieving either aesthetic or fiscal health, do not foster economic growth, and do not promote the City's agricultural heritage or environmentally sustainable community. Large areas of finite land resources are required, but result in few jobs and limited fiscal benefit compared to other uses due to the lower building valuation rates and minimal sales tax realized. The majority of land within the Industrial district falls within the second highest tax rate increment area of between 20-25%.

In addition to the concern with over-concentration of mini-storage facilities in the city is that the new General Plan does not expressly allow for mini-storage facilities in the Light Industrial Flex Overlay. Further, the Industrial with Light Industrial Flex Overlay district was developed with the intent of encouraging smaller sized, light industrial research and agricultural technology uses that typically have higher employment volumes. In additional concern was the ability to limit negative performance and operating impacts associated with heavier industrial uses (odor, particulates, vibration) on sensitive uses. It is noted that while mini-storage is a concern in the Industrial/Light Industrial Flex Overlay, it has been and is continued to be recommended as a permitted use in the Industrial zone.

During discussion at the meeting, staff initially considered and recommended to Planning Commission consideration of the use through a Conditional Use Permit. One Commission member (Wells) spoke to recommend that the Planning Commission consider allowing mini-storage expansion as a necessary use and recommended reduction of limiting criteria regarding building heights and site area coverage. The motion for that action did not receive a second. The Planning Commission voted to recommend that mini-storage be allowed in the Industrial/Light Industrial Flex Overlay zone with a Conditional Use Permit with all development criteria in place as provided in the draft.

The Planning Commission voted unanimously (6 Ayes, 0 Noes, 1 Absent) to recommend approval of the Interim Zoning Ordinance to the City Council as amended during the meeting.

However, upon further consideration of the concerns regarding mini-storage, staff is recommending that mini-storage not be permitted in the Industrial/Light Industrial Flex Overlay area consistent with the original staff recommendation to Planning Commission as provided in the packet on March 15 and April 5, 2018. However, in light of the concern expressed by Mr. Moss, staff is recommending that an exception be allowed, such that existing mini-storage facilities may request to expand existing approved facilities through a conditional use permit review. A key limiting issue may be site coverage requirements. New proposed criteria L 27 in the Comprehensive Use Table, as shown in track change, (Attachment 3) states the following:

New mini-storage is not permitted, except the expansion, remodel or reconstruction of a previously approved and constructed mini-storage facility subject to a Conditional Use Permit. The new buildings shall be a minimum of two-stories in height. The project shall incorporate conservation and

sustainability features to achieve net zero energy use; shall provide a security and lighting plan; and shall demonstrate measurable community benefit in a manner agreed upon by the City and memorialized in a documented agreement.

At the conclusion of the meeting the Planning Commission encouraged staff to provide additional public notification of the Interim Zoning Ordinance update. As a result, staff in coordination with the Daily Democrat, provided a full-page article regarding the update on April 17, 2018.

Conclusion

Staff recommends adoption of the Interim Zoning Ordinance, the Interim Zoning Map and other tables or graphics. It is critical during the period that the comprehensive code update is being prepared, to provide a legal basis for the development review process, guidance on possible allowed uses or new development proposals, and if needed, to enable the city to modify or deny projects that do not conform to the new General Plan. Adoption of the Interim Zoning Ordinance will provide a legal bridge while the comprehensive code update is being prepared and its use will help inform future standards and most importantly will facilitate the review of project proposals located in the affected areas.

Conclusion:

Staff recommends that the City Council:

1. Receive a staff report;
2. Conduct the public hearing; and
3. Adopt Ordinance No. _____, by a Four-Fifths vote, establishing a stand alone Interim Zoning Ordinance to provide a clear legal basis for zoning and development review to ensure consistency with the 2035 General Plan; and

Copies of all referenced documents can be ordered through the City or accessed online at the City of Woodland web site: <http://cityofwoodland.org/gov/meetings.asp>.

Prepared By: Cindy A. Norris, Principal Planner

Reviewed By: Ken Hiatt, Assistant City Manager - Community and Economic Development



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
ATT 1 - Interim Zoning Ordinance	4/26/2018	Ordinance
ATT 2-Interim Zoning Map - Exhibit A to the Interim Zoning Ordinance	4/20/2018	Exhibit
ATT 3 - Comprehensive Use Table - Exhibit B to the Interim Zoning Ordinance	4/26/2018	Exhibit
ATT 4-Recommended Changes to the Interim Zoning Map with Approved General Plan Amendments	4/20/2018	Backup Material

ATT 5 - Planning Commission Staff Report - April 5, 2018

4/20/2018

Backup Material

ATT 6 - Letter from J. Moss 4.4.18

4/26/2018

Cover Memo

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND ADOPTING A PHASE I/INTERIM ZONING ORDINANCE, THEREBY ENSURING CONFORMANCE WITH THE 2035 GENERAL PLAN AND 2035 CLIMATE ACTION PLAN

WHEREAS, on May 16, 2017, the City Council of the Woodland adopted the 2035 General Plan and the 2035 Climate Action Plan; and

WHEREAS, the City of Woodland conducted numerous public workshops and community sessions seeking comments and participation on the 2035 General Plan update, including review of goals, policies, and implementation programs, many of which spoke to the need to modify zoning provisions; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), on May 16, 2017, the City Council certified the Final Environmental Impact Report (FEIR) for the 2035 General Plan and 2035 Climate Action Plan, documents in which the need for an Interim Zoning Update was identified; and

WHEREAS, further, the 2035 General Plan EIR uses detailed land use programming for the basis of analysis, with a focus on vacant and underutilized properties that would be appropriate for development between the present and 2035. The EIR includes a comprehensive analysis of land use changes anticipated under the 2035 General Plan, with additional detail in the areas, such as transportation, air quality, greenhouse gas emissions, noise and other topics, based on reasonable assumptions as to the amount, type, and character of land use changes under the 2035 General Plan. Therefore, the Interim Zoning Ordinance is within the Findings of Fact regarding Impacts and Mitigation Measures (CEQA Guidelines Section 15168 (c)(2)) and provisions of the California Environmental Quality Act (CEQA) have been satisfied; and

WHEREAS, the City of Woodland intends, within a reasonable time after adopting the 2035 General Plan, to update the Zoning Ordinance, Zoning Map, and affected Specific Plans, to ensure consistency with the new General Plan, but believes that it will take up to an additional year for City Staff to complete the comprehensive update; and

WHEREAS, during this interim period between the adoption of the 2035 General Plan and approval of a comprehensive update to the Zoning Ordinance, Zoning Map, and affected Specific Plans, the City has discovered inconsistencies between the 2035 General Plan and Zoning Ordinance and Specific Plans, including new land use designations that do not have corresponding zoning districts, creating a lack of clarity on the part of project applicants and City staff processing applications; and

WHEREAS, due to the need to have interim guidance following adoption of the 2035 General Plan and adoption of the new Zoning Ordinance that is consistent with the General Plan, the City Council finds that this urgency ordinance is in the best interests of the public health, safety, and welfare as it will provide much needed direction and clarity to both the City and project applicants regarding applicable zoning standards relating to allowed, conditionally allowed or prohibited uses and site development requirements; and

WHEREAS, this Ordinance is being adopted pursuant to Government Code Section 65858, which would apply for an initial period of 45 days and may be further extended for a maximum total period of two years provided certain findings have been satisfied, or until a comprehensive update of the Zoning Ordinance is completed. The Phase I/Interim Zoning Ordinance will be a stand alone, uncodified ordinance with an associated zoning map; and

WHEREAS, the City reviewed the proposed Interim Ordinance with representative groups including the City of Woodland Chamber of Commerce policy group and the Planning Commission Zoning Subcommittee; and

WHEREAS, a public notice describing the proposed amendments to the Municipal Code was published in the Daily Democrat, a newspaper of general circulation, in accordance with Government Code section 60661; and

WHEREAS, on March 15, 2018 the Planning Commission opened a duly noticed public hearing, which was continued to April 5, 2018, to review the proposed Phase I/Interim Zoning Ordinance, to consider evidence and testimony presented by City Staff and other interested parties and voted 6 to 0 with 1 member absent recommending approval to the City Council; and

WHEREAS, the City of Woodland City Council considered this Ordinance during a duly noticed public hearing on May 1, 2018, pursuant to Government Code Section 65858(b).

NOW, THEREFORE, the City Council of the City of Woodland does hereby ordain as follows:

Section 1. **Establish Interim Zoning Ordinance.** The City Council hereby adopts the Interim Zoning Ordinance, attached hereto as **Attachment 1**, to ensure consistency with the 2035 General Plan pursuant to the authority for adopting interim zoning regulations set forth in Government Code section 65858.

Section 2. **Supersede.** The Interim Zoning Ordinance in some places conflicts with Chapter 25 of the Municipal Code, the City of Woodland Zoning Ordinance. In those instances of a conflict, in particular in Articles 3, 13, 15, 16, 17, 17.5, 18, and 31 of Chapter 25 of the City of Woodland Municipal Code and-the East Street Specific Plan, the provisions of the Interim Zoning Ordinance shall apply and supersede all applicable provisions of Chapter 25, the City of Woodland Zoning Ordinance.

Section 3. **Establish Interim Zones.** The City Council hereby adopts Interim Zoning Districts, as shown on a map attached hereto as **Attachment 2**, and also referred to in the Interim Zoning Ordinance as *Exhibit A - Interim Zoning Map*.

Section 4. **CEQA.** The City Council hereby finds that this Ordinance

Section 5. **Effective Date.** This Ordinance shall take effect immediately upon approval of the City of Woodland City Council.

PASSED AND ADOPTED by the City Council of the City of Woodland on this 1st day of May, 2018, by at least a 4/5 vote, as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

Attachment 1 – Interim Zoning Ordinance

Attachment 2 – Interim Zoning Map (Exhibit A to the Interim Zoning Ordinance)

Attachment 3 – Comprehensive Use Table (Exhibit B to the Interim Zoning Ordinance)

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ARTICLE 1 General Provisions

1.01 Title

This ordinance shall be known and cited as the “Interim Zoning Ordinance”.

1.02 Purpose and Authority

The purpose of this Interim Zoning Ordinance is to establish zoning standards consistent with the 2035 Woodland General Plan, adopted by the City Council by Resolution 6836 on May 16, 2017, and to apply such interim standards until such time as the City Council adopts a new more comprehensive Zoning Ordinance that is consistent with the 2035 General Plan. These regulations are enacted pursuant to the Authority for adopting interim zoning regulations established in Government Code Section 65858.

1.03 Definitions and Key Terms of Reference

Definitions in Article 3 of the Zoning Ordinance in Chapter 25 of the Municipal Code are incorporated by reference. Additional definitions of land use (called “use groups”) are presented in Article 6 of this Ordinance Section 6.02, with Definitions of Terms provided in Section 6.03.

As used in this Ordinance, the following terms have the following meanings:

- A. Sections beginning with “25” refer to sections of the Zoning Ordinance.
- B. Sections beginning with “1” refer to sections of this ordinance.

1.04 Permit Procedures and Variances

All development subject to this Ordinance shall follow the procedures for site plan review and obtaining permits and other approvals as specified in the Zoning Ordinance and Community Design Standards. In addition, this Ordinance and the 2035 General Plan establish identical residential density and maximum floor area ratios (FARs). Any proposed deviation from a prescribed residential density or floor area ratio shall require a General Plan Amendment, unless the General Plan specifically provides for such deviations.

1.05 General Plan Conformity Review

This Interim Zoning Ordinance establishes “interim zones” consistent with the General Plan. This Ordinance, shall govern the City’s determinations of whether development applications conform to the General Plan until the City Council adopts a permanent and comprehensive Zoning Ordinance. The current Zoning Ordinance shall continue to apply to any property for which this Interim Zoning Ordinance does not apply.

- A. **Applicability: Exemptions.** Every project located in the City must conform to the City’s General Plan. Discretionary review under this section does not apply to projects with approved conditional use permits, approved minor conditional use permits, approved tentative subdivision maps, valid building permits, and similar entitlements.

B. Process for Conformity Determinations; Director's Decision and Appeals.

1. The Community Development Director shall have the authority to determine whether any development application conforms to the General Plan according to the criteria for General Plan conformity determinations established in this Article 1, and issue a written decision.
2. The Director's decision may be appealed to the Planning Commission consistent with the provisions contained in Section 25-31-40. The Commission shall act on the appeal after a duly-noticed public hearing. The Commission's decision may be appealed to the City Council. In considering an appeal at a duly-noticed public hearing, the appeal body shall determine whether the application conforms to the General Plan and may affirm, overturn, or modify the proposed determination. The decision of the appeal body shall be made by resolution.

C. Criteria for Determining General Plan Conformity

This section specifies the process for processing development applications depending on whether the application conforms to the General Plan.

1. Applications in conformance with the General Plan:
 - a. ***If allowed by the Interim Zoning Ordinance or Zoning Ordinance (no "express conflict").*** The permitting process for the proposal shall be consistent with requirements and entitlement process as set forth in the Interim Zoning Ordinance or the Zoning Ordinance.
 - b. ***If not permitted by the Zoning Ordinance ("express conflict").*** An application that is determined to conform to the General Plan, but is not permitted or conditionally permitted by the Zoning Ordinance and Interim Zoning Ordinance may be approved upon the granting of a conditional use permit, if it is determined that the application conforms to the findings set forth in Article 27 and to each of the following additional findings:
 - i. The application will be physically compatible with the neighborhood context, development patterns and building form, and scale will be clearly appropriate for the surrounding area;
 - ii. The proposed application, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
 - iii. The application is clearly consistent with the purposes of the district in which the site is located;
 - iv. The application is clearly consistent with the intent and desired character of the relevant land use classification or the General Plan and any associated General Plan policies; and

- v. The application will clearly promote implementation of the General Plan.
 - c. **Optional Rezoning in Lieu of Conditional Use Permit (“Express Conflict”).** At the applicant’s option, in lieu of the conditional use permit provided above, the applicant may apply for a rezoning any such rezoning shall be for a “best fit district” corresponding to the general plan land use designation in which the proposal is located. If such a rezoning is recommended by the Planning Commission and approved by the City Council, the proposal shall then be subject to all of the provisions of the zoning district.
2. Applications for which the General Plan is silent or not precise on conformance:
- a. **If permitted or conditionally permitted by Zoning Ordinance or Interim Zoning Ordinance (no “express conflict”).** An application for which the General Plan is silent or does not provide precise policy direction as regards to conformity and which is permitted or conditionally permitted by the Zoning Ordinance or Interim Zoning Ordinance shall be required to make consistency findings provided in Section 1.05(C)(1)(b), and shall be processed in accordance with the entitlement review specified in the Zoning Ordinance or Interim Zoning Ordinance.
 - b. **If not permitted by Zoning Ordinance or Interim Zoning Ordinance (“express conflict”).** Any application for which the General Plan is silent or does not provide precise policy direction as regards to conformity and which is not permitted by the Zoning Ordinance or Interim Zoning Ordinance shall be denied. At the applicant’s option, the applicant may modify the proposed application to conform to the Zoning Ordinance or the Interim Zoning Ordinance or may apply for a rezoning. Any such rezoning shall be to the Best Fit zoning district or other zoning district that is consistent with the General Plan land use classification in which the proposed use is located and shall be required to make consistency findings provided in Section 1.05(C)(1)(b). If the City Council approves such a rezoning, the use shall then be subject to all of the provisions of the new zoning district.
3. **Applications determined not to conform to the General Plan.** Any application for a proposed use that does not conform to the General Plan shall not be accepted or approved, except as provided for below.
- a. At the applicant’s option, the applicant may modify the project to conform to the General Plan or may apply for a General Plan Amendment and related Zoning Ordinance Amendment.

ARTICLE 2 Interim Zones

2.01 Purpose

The purpose of this Article 2 is to establish “interim zones” consistent with the General Plan, which shall govern determinations for conformity with the General Plan and decisions on development projects until such time as

the City Council adopts a new comprehensive Zoning Ordinance consistent with the 2035 General Plan. If this Interim Zoning Ordinance does not change the zoning for a particular area, the existing Zoning Ordinance shall apply unless otherwise modified by this Interim Zoning Ordinance (see Article 3).

2.02 Zoning Ordinance Provisions Superseded

This Article shall temporarily supersede and take precedence over Articles 13, 14, 15, 15.5, 16, 17, and 17.5 of Chapter 25 of the Zoning Ordinance with respect to the Interim Zones shown in Exhibit A of this Ordinance. Article 14.5, CBD Central Business District, remains in force and effect until such time as the City Council adopts a new Downtown Specific Plan.

2.03 Interim Zones

Exhibit A, Interim Zoning Map, shows interim zones that are consistent with the General Plan. Specific uses permitted, conditionally permitted, or prohibited are set forth in Article 3 of this Ordinance. The interim zones are as follows:

- A. **CMUWM (Corridor Mixed Use West Main) Zone.** West of Downtown, the CMUWM Zone is a mixed-use corridor intended to accommodate significant residential infill and neighborhood-serving retail. Higher-density and intensity development is allowed to give the corridor a more urban character. Residential, retail, commercial service, and office uses are permitted in a horizontal or vertical mixed-use setting, subject to appropriate development and design standards to enhance the streetscape.
- B. **CMUE (Corridor Mixed Use East Street) Zone.** The CMUE Zone is an auto-oriented corridor with a mix of uses. The use regulations and standards are intended to facilitate revitalization with design flexibility, while also improving urban character. Residential, retail, commercial service, office, and light industrial uses are permitted in a horizontal or vertical mixed-use setting, subject to appropriate development and design standards to enhance the streetscape. Neighborhood revitalization is facilitated along North East Street and the transition zone to the industrial area. Regulations that apply to South East Street support the potential for multi-story, mixed-use development.
- C. **CMUK (Corridor Mixed Use Kentucky Avenue) Zone.** The CMUK Zone accommodates a mix of mostly service and industrial uses. The district regulations are intended to allow this area to continue to function as an agriculture-industrial corridor while sensitively integrating newer, higher-intensity mixed-use development that activates specific sections of the corridor. Between Cottonwood Street and the west railroad boundary, a range of uses are allowed, including commercial service, light industrial, and agricultural industrial. New residential mixed use development on the north side of the corridor shall be allowed only if a Specific Plan is adopted for the entire area shown as SP-3A on the General Plan Land Use Diagram.
- D. **CC (Community Commercial) Zone.** The CC Zone is intended to provide for commercial development that serves local neighborhoods as well as the rest of the City but does not regularly attract regional, visitor, or pass-through traffic. Allowable uses include retail, services, grocery stores, restaurants, professional offices, and similar commercial uses. Hotels are also permitted. Entertainment uses and

specialty retail are not permitted so as not to compete with these types of commercial uses in the Central Business District (Downtown).

- E. **RC (Regional Commercial) Zone.** The RC Zone is intended to accommodate retail establishments that serve residents and visitors of the region at large. Shopping malls and large format “big-box” retail are allowed, as are supporting uses such as gas stations and hotels. Up to 10 percent of the total square footage of a regional shopping center may consist of ancillary office spaces that support commercial uses and/or stand-alone, professional office buildings. Expansion of complementary clusters of larger-format or unique retail, healthcare, commercial, recreational and institutional uses that reinforce and support each other also are permitted. Entertainment uses are not permitted so as to not compete with these types of commercial uses in the Central Business District (Downtown).
- F. **LIF (Light Industrial Flex Overlay) Zone.** The LIF Zone is applied to areas where light industrial or service commercial uses are appropriate and additional use limitations are needed to implement the General Plan. The type and character of allowable uses varies, depending on the base zone. Such uses include but are not limited to auto sales and repair, storage facilities, equipment rental, wholesale businesses, nurseries, contractors’ facilities, and retail not typically located in shopping centers. Ancillary office spaces that support such commercial uses are also permitted. General industrial uses, or uses with outdoor activities and visible outdoor storage are not allowed. The more specific purposes of each combination of an LIF overlay with a base zoning district are as follows.
1. **LIF on Corridor Mixed Use.** The Light Industrial Flex overlay in a Corridor Mixed Use zoning district would create a transition between industrial and residential mixed-use areas. Smaller scale custom, light industrial and artisan manufacturing uses that contribute to the vitality of the corridor are specifically allowed, subject to appropriate review.
 2. **LIF on Regional Commercial.** The Light Industrial Flex overlay on the Regional Commercial Zone district would provide for a transition from industrial to retail for the area south of East Main Street and north of Interstate (I-5). In addition to uses permitted by the Regional Commercial Zone, custom to light industrial uses, new auto and recreation vehicle (RV) sales and service, limited contractor facilities, and other retail not typically found in retail centers are allowed, subject to appropriate review.
 3. **LIF on Industrial.** The Light Industrial Flex overlay in an Industrial zoning district would create a transition from more intensive industrial uses to the east with the intent of minimizing conflicts to other sensitive uses. The LIF overlay provides for a mix of limited and artisan/small-scale manufacturing uses, including multi-tenant spaces with offices, contractor’s storage, agricultural processing, food producers, industrial technology, and other sensitive processing uses that require performance standards. Larger and more intensive uses that may create odors, particulates, dust, vibration, etc. are restricted and, in the case of general industrial uses with outdoor facilities, are not allowed. Outdoor storage must be screened or covered, as appropriate.

- G. **FSA (Flood Study Area) Zone.** The Flood Study Area zone is applied to areas restricted from urban development due to health and safety concerns related to flood risk, or because the property falls within a likely future flood project improvement area. Allowed uses include open space, as well as low-intensity agriculture or recreational uses. Generally, land uses that require extensive capital improvements or permanent infrastructure improvements shall be prohibited, with the exception of improvements related to flood protection and control. Existing structures and business operations in areas designated as Flood Study Area Zone may remain, but may not expand.

2.04 Interim Zoning Map

Exhibit A, the Interim Zoning Map shows the interim zones established by Section 2.03. Any land not subject to an Interim Zone designation shall continue to be subject to the Zoning Ordinance. Certain minor adjustments to the boundaries of existing Zones also are delineated in **Exhibit A**; these changes modify existing Zoning Maps.

ARTICLE 3 Zoning District Regulations

3.01 Purpose

The purpose of this Article 3 is to establish land use, development and design regulations for the Interim Zones and to modify the residential density standard in the R-M (Residential Multiple Family Residential Zone) to be consistent with the General Plan.

3.02 Zoning Ordinance Provisions Superseded

The provisions of this Article temporarily supersede and take precedence over Articles 13, 14, 15, 15.5, 16, and 17 of the Zoning Ordinance for the land subject to the Interim Zones and the provisions of Article 11 related to residential density.

3.03 Uses Permitted, Conditionally Permitted, and Prohibited

Uses, as classified in Article 6 of this Ordinance, are permitted, conditionally permitted, allowed with administrative review, or prohibited in base and overlay zones as indicated in **Exhibit B**. Permitted uses are indicated by a "P", conditionally permitted uses are indicated by a "C", those requiring administrative review are indicated by an "A", and prohibited uses are indicated by an "-". An "L" designation followed by a number refers to a numbered list of specific criteria or permit requirements listed at the end of the table.

A use requiring administrative review shall be reviewed by the Zoning Administrator but may be forwarded to the Planning Commission at the discretion of the Zoning Administrator. Conditionally permitted uses are permitted upon the granting of a conditional use permit pursuant to Article 27 of Chapter 25 of the Woodland Municipal Code. Uses requiring a Zoning Administrator permit (also known as a minor conditional use permit) are allowed upon the granting of a Zoning Administrator permit pursuant to Article 27 of Chapter 25 of the Woodland Municipal Code and Section 3.04 below. Conditional Use Permits and Zoning Administrator Permits are also subject to any additional findings that may be required by this Ordinance

3.04 Zoning Administrator Review Minor/Major

Zoning Administrator Review is required for uses that possess locational, use, structural, traffic, or operating characteristics requiring special consideration in order to be compatible with neighboring properties.

- A. **(Tier I) Minor** – Includes review of uses, minor additions or modifications, or it is anticipated that the application will typically have less impact on adjacent properties. A public notice will be provided to properties and tenants within a 300-foot radius and a 10-day comment period will be provided. If no comments, concerns, or issues are received, the application will be acted upon without holding an administrative public hearing. The applicant shall be responsible for posting the site consistent with a format provided by the City, and shall provide verification of such posting.
- B. **(Tier II) Major** – Includes significant alteration, modification, or new construction, or it is anticipated that the application could have an impact on adjacent properties or may be controversial. A public hearing notice will be provided to all properties and tenants within a 300- foot radius and a 10-day comment period will be provided. The site shall be posted to include notice informing the public of the type of application, date, time and location of the administrative hearing. The applicant shall be responsible for posting the site consistent with a format provided by the City, and shall provide verification of such posting. An administrative public hearing will be scheduled prior to final action on the application.

The Zoning Administrator may only approve a zoning administrator permit subject to the following additional findings:

1. The proposed use is allowed within the applicable zoning district and complies with all other provisions of the Zoning Ordinance or Interim Zoning Ordinance.
2. The proposed use is consistent with the General Plan.
3. The design, location, size and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.
4. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.
5. Granting the permit would not constitute a nuisance or be injurious to detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Further, all development projects must comply with the City of Woodland Community Design Standards (Resolution 4527, adopted on April 6, 2004), if applicable, and any other discretionary review required by specific plan requirements that may also apply.

3.05 Special Regulations in the Corridor Mixed Use Zones

- A. Considerations for Identified Neighborhood or Special Use Areas.
1. Reuse or retrofit of the County Fair Mall site shall be reviewed as a separate plan.
 2. New residential or mixed use development on the north side of Kentucky Avenue shall only be allowed in the context of an adopted specific plan for the area labeled SP-3A on the General Plan Land Use Diagram.
- B. **Commercial and Residential Development.** Commercial-only or Residential –only development on a single parcel is allowed, subject to Exhibit B, and design and site plan review in accordance with the City of Woodland Community Design Standards.
- C. **Public Open Space.** Well-designed, privately-owned and publicly-accessible open space shall be included in all non-residential, residential, and mixed use development plans, where feasible and appropriate. For commercial and mixed use buildings of 25,000 square feet or more, or four or more retail stores or offices for walk-in clientele, a plaza, courtyard, square or green shall be provided for visitors and customers that is at least five square feet in size for each 1,000 square feet of floor area, up to a maximum of 1,500 square feet. Amenities shall be included within the plaza, such as benches or other seating, shade trees, drinking fountains, water features, public art, or performance areas.
- D. **Location of Off-Street Parking.** Parking shall be located along the side or rear of buildings. Alternate parking arrangement may be considered through site plan and design review with approval by the Zoning Administrator or Planning Commission as appropriate to the proposed use. Parking shall comply with provision of Article 23, Chapter 25 of the Woodland Municipal Code related to Off Street Parking and Loading.
- E. **Trees.** Planting of canopy trees in front and street side setback areas and in parking areas must be sufficient to provide shade along walkways and enhance character and identity. Landscaping shall be provided consistent with the requirements provided in Article 22, Chapter 25 of the Woodland Municipal Code related to Landscaping, including Section 25-22-20(b)(4) requiring minimum parking lot shading. Solar panels over parking spaces may substitute for up to 60 percent of the required number of trees in a parking lot.
- F. **Business Uses, Activities and Storage.** All permitted uses, activities or storage of related equipment and materials shall be conducted or contained wholly within completely enclosed buildings. Auto service stations, temporary outdoor uses, vehicle leasing, sales and services may in the opinion of the Zoning Administrator, be allowed when and where the use activity or storage are incidental to a principal use on the premises and in character and harmony with the surrounding area as provided for in Exhibit B.
- G. Design Guidelines and Standards for Desired Urban Form for Corridor Mixed Use
1. *Building Frontage.* Building frontages should help visually frame the facing sidewalk and street. On corner lots, the building shall help visually anchor the intersection through its height and mass. The primary façade of the building shall face the primary street.

- a. *Pedestrian Entries.* Building entrances shall face the street with prominent and inviting architectural details.
 - b. *Vehicle Entries.* To maintain a continuous building frontage, wherever feasible, vehicle access to and from off-street parking should be off a side street or single access point at one end of the parcel.
2. *Building Transparency: Required Opening for Non-Residential Uses.* Provide a visual connection between the street and the interior building spaces. Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings. In addition, all of the following requirements shall apply:
 - a. No building wall may extend in a continuous plane for more than 25 feet without a window, door or storefront opening.
 - b. Street facing facades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing.
 - c. For ground floor street facing facades occupied by commercial uses, exterior walls facing a front or street side lot line shall include windows, doors, storefront or other openings with transparent glazing for at least 50 percent of the building wall located between 2.5 and 7 feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas.
3. *Architectural Design.* Building architectural design shall be appropriate to the locational context in terms of scale, massing and shape. Buildings shall present an attractive appearance to public streets, be aesthetically and functionally compatible to the nearby development context, demonstrate a high level of quality, and support the growth in value of surrounding properties. Design features and elements may include articulated facades, projections, and recessed entryways. The street-facing façade shall promote visual interest appropriate to and consistent with the building's architectural style.
 - a. The design of buildings and landscapes shall physically define the streets and public spaces as places of shared use.
 - b. Architecture and landscape design should grow from local climate, topography, history, and building practice and provide their inhabitants with a clear sense of location, weather, and time.
 - c. Buildings and landscapes should emphasize beauty, aesthetics, human comfort, and the creation of a sense of place for people.
 - d. Public and publicly-accessible spaces shall consist of sidewalks, plazas, squares, greens and other spaces that host daily interaction and public life.

- e. Wall projections or recesses for buildings greater than 50-feet in width and less than 100-feet in width shall be no less than 12 inches in depth; or wall projections or recesses for buildings 100-feet or wider shall be no less than 24 inches in depth. The frequency and scale of the projection or recess shall be proportionate to the overall mass and scale of the building.
- f. To maintain a human scale for multi-story buildings, the height of facades shall be divided into smaller increments.
 - i. Generally, each street-facing building facade shall be composed of a clearly visible base, middle, and top. Non-traditional designs may incorporate other means of façade composition.
 - ii. The horizontal articulation of the three building elements may consist of a substantial-appearing base a roof cornice line, or an eave and gable overhang or a similar architectural element appropriate to the style that frames the middle section.
 - iii. Buildings or portions of buildings that are over four-stories shall also provide articulation for the top story of the building. This may be accomplished through color change, material change, a cornice/belt course at the bottom of the uppermost floor, by stepping the top story back, or similar measures.
- g. Windows shall create visual interest and shadow lines in each wall opening with the appearance of depth. Examples of means to achieve this include the following:
 - i. Trim that is substantial, visible, and at least 1-inch in depth around all upper-story windows and non-commercial ground floor buildings;
 - ii. Recesses that are at least two-inches deep from the plane of the surrounding exterior wall; or
 - iii. Providing prominent surface relief and articulation to a façade using awnings, canopies, balconies, porches, stoops, arcades, forecourts, or massing changes.
- h. Materials shall present a durable and attractive appearance through high quality materials, finishes, and workmanship defined as:
 - i. At least two cladding materials (excluding roof and foundation); and
 - ii. At least three exterior colors, (each cladding material shall count as a color, and trim/accent colors shall each count as a color, and visually significant colors for doors, balconies, and similar elements may count as a color).

- iii. Buildings that accurately adhere to a recognized architectural style, which is appropriately expressed through one cladding material or one color, may be accepted.
4. *Pedestrian Access.* New development must orient the primary building and entry to the street or public right-of-way.
- a. Commercial sidewalk connections. Create an interface between the building and public sidewalk that results in a high level of activity at the street. Direct entrances into ground-floor commercial establishments, which are adjacent to streets at a rate of no less than one per 100 feet of linear street frontage.
 - b. Residential sidewalk connections. Provide building entrances for individual ground-floor dwelling units adjacent to streets at no less than one per 100 feet of linear street frontage.
 - c. Common area sidewalk connection. When common entrances provide access into a multifamily unit, such entrances shall be clearly distinguished from entrances into individual dwellings or fronts.
 - d. Entrances shall be weather protected by a portico, canopy, or alcove of no less than four feet in depth.
5. *Connectivity.* To the extent possible, new development with adjoining lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems. Easements shall be used to assist in defining maintenance and utility responsibilities.
- a. A conceptual master plan that outlines circulation, access, shared parking, maintenance, and utility easements shall be required where a parcel proposed for development has adjacent properties that are undeveloped and/or that allow for possible connection points, to assist in achieving all of the following:
 - i. Providing a clearly defined pedestrian route between parking areas and the primary pedestrian entrance (s) to the building and shared parking arrangements are encouraged.
 - ii. Minimizing the number of curb-cuts and potential conflicts between bike/pedestrian and auto movements.
 - iii. Enhancing opportunities to encourage walking and biking to nearby amenities, services, and transit facilities.
 - iv. Providing a concept plan that may be used to encourage or facilitate appropriate future uses that best achieve the goals of the district and General Plan.

6. **Transitions in Scale, Density and Use Adjacent to Neighborhoods.** New development shall be designed to harmonize with the surrounding physical context. Appropriate transitions in height and mass may be required as conditions of approval in design and site plan review where higher intensity development is adjacent to lower-intensity residential zones. Techniques for improving transitional compatibility include the following treatments:
- a. Transitions in scale, density, and uses should occur along alleys or mid-block rather than across streets;
 - b. Placing the least intensive part of a development along the adjoining perimeter of a lower intensity development;
 - c. Incorporating height step-backs where different building heights adjoin, or across streets, adding compatible elements such as porches and balconies, and separating outdoor activity areas from existing homes;
 - d. Providing additional screening for parking and mechanical equipment; and placing additional controls on lighting such as full cutoff shielding; and/or
 - e. Ensuring careful placement of windows, glazing, and utilizing landscaping to help buffer lower intensity uses.
7. **Exceptions.** Exceptions to the requirements in the Design Guidelines and Standards may be approved through design and site plan review with approval by the Zoning Administrator or Planning Commission as appropriate to the uses, and for review and approval of unique uses and conditions.

3.06 Special Regulations in the Community Commercial Zone

- A. **Building Size Limitations.** No single use may have a single floorplate that exceeds 60,000 square feet in order to maintain a neighborhood and community scale.
- B. **Drive-through Limitations.** Drive-through windows and establishments are not desired and, more specifically, fast food drive-throughs are prohibited within one-half mile of a school.
- C. **Location of Off-Street Parking.** Parking shall be located along the side or rear of buildings. Alternate parking arrangement may be considered through site plan and design review with approval by the Zoning Administrator or Planning Commission as appropriate to the proposed use. Parking shall comply with provision of Article 23, Chapter 25 of the Woodland Municipal Code related to Off Street Parking and Loading.
- D. **Business Uses, Activities and Storage.** All permitted uses, activities or storage of related equipment and materials shall be conducted or contained wholly within completely enclosed buildings. Auto service

stations, temporary outdoor uses, vehicle leasing, sales and services may be allowed by the Zoning Administrator, when and where the use activity or storage is incidental to a principal use on the premises and in character and harmony with the surrounding area as provided for in Table 3.02 of these standards.

E. Design Guidelines and Standards for Desired Urban Form – Community Commercial Zone

1. *Building Frontage.* Building frontages should help visually frame the facing sidewalk and street. On corner lots, the building shall help visually anchor the intersection through its height and mass. The primary façade of the building shall face the primary street.
2. *Pedestrian Entries.* Building entrances shall face the street with prominent and inviting architectural details.
3. *Vehicle Entries.* To maintain a continuous building frontage, wherever feasible, vehicle access to and from off-street parking should be off a side street or single access point at one end of the parcel.
4. *Architectural Design.* Building architectural design shall be appropriate to the locational context in terms of scale, massing and shape. Buildings shall be compatible with the nearby development context, demonstrate a high level of quality, and support the growth in value of surrounding properties. Design features and elements may include articulated facades, projections, and recessed entryways. The street-facing façade shall promote visual interest appropriate to and consistent with the building's architectural style.
 - a. The design of buildings and landscapes shall physically define the streets and public spaces.
 - b. Buildings and landscapes should emphasize beauty, aesthetics, human comfort, and the creation of a sense of place for people.
 - c. Public and publicly-accessible spaces shall consist of sidewalks, plazas, squares, greens and other spaces that host daily interaction and public life.
 - d. Wall projections or recesses for buildings greater than 50-feet in width and less than 100-feet in width shall be no less than 12 inches in depth; or wall projections or recesses for buildings 10 feet or wider shall be no less than 24 inches in depth. The frequency and scale of the projection or recess shall be proportionate to the overall mass and scale of the building.
 - e. To maintain a human scale for multi-story buildings, the height of facades shall be divided into smaller increments.
 - i. Generally, each street-facing building facade shall be composed of a clearly visible base, middle, and top. Non-traditional designs may incorporate other means of façade composition

- ii. The horizontal articulation of the three building elements may consist of a substantial-appearing base a roof cornice line or an eave and gable overhang or a similar architectural element appropriate to the style that frames the middle section.
 - iii. Buildings or portions of buildings that are over four-stories shall also provide articulation for the top story of the building. This may be accomplished through color change, material change, a cornice/belt course at the bottom of the uppermost floor, by stepping the top story back, or similar measures.
 - f. Windows shall create visual interest and shadow lines in each wall opening with the appearance of depth. Examples of means to achieve this guideline include the following:
 - i. Trim that is substantial, visible, and at least 1-inch in depth around all upper-story windows and non-commercial ground floor buildings;
 - ii. Recesses that are at least two-inches deep from the plane of the surrounding exterior wall; or
 - iii. Providing prominent surface relief and articulation to a façade using awnings, canopies, balconies, porches, stoops, arcades, forecourts, or massing changes.
 - g. Materials shall present a durable and attractive appearance through high quality materials, finishes, and workmanship defined as:
 - i. At least two cladding materials (excluding roof and foundation); and
 - ii. At least three exterior colors, (each cladding material shall count as a color, and trim/accent colors shall each count as a color, and visually significant colors for doors, balconies, and similar elements may count as a color).
 - iii. Buildings that accurately adhere to a recognized architectural style, which may be appropriately expressed through one cladding material or one color, may be accepted.
5. *Building Transparency: Required Opening for Non-Residential Uses.* Provide a visual connection between the street and the interior building spaces. Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings. In addition, the following requirements shall apply:
- a. No building wall may extend in a continuous plane for more than 25 feet without a window, door or storefront opening.
 - b. Street facing facades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing.

- c. For ground floor street facing facades occupied by commercial uses, exterior walls facing a front or street side lot line shall include windows, doors, storefront or other openings with transparent glazing for at least 50 percent of the building wall located between 2.5 and 7 feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas.
6. *Variation in Massing and Form.* Street-facing façades in long buildings must be visually “broken up” or separated vertically by: variations in roof forms and parapet heights; pronounced (at least one-foot-deep) recesses and/or projections in the wall plane; pilasters that are at least eight inches deep and at least eight inches wide; projected bays, recesses and entries; vertical accents or focal points; cornices; and distinct changes in texture and/or wall color.
7. *Connectivity.* To the extent possible, new development with adjoining lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems. Easements shall be used to assist in defining maintenance and utility responsibilities.
- a. A conceptual master plan that outlines circulation, access, shared parking, maintenance and utility easements shall be required where a parcel proposed for development has adjacent properties that are undeveloped and/or that allow for possible connection points, to assist in achieving all of the following
 - i. Providing a clearly defined pedestrian route between parking areas and the primary pedestrian entrance (s) to the building and shared parking arrangements are encouraged.
 - ii. Minimizing the number of curb-cuts and potential conflict between bike/pedestrian and auto movements.
 - iii. Enhancing opportunities to encourage walking and biking to nearby amenities, services, and transit facilities.
 - iv. Providing a concept plan that may be used to encourage or facilitate appropriate future uses that best achieve the goals of the district and General Plan.
8. *Pedestrian Access.* Shaded walkways shall be provided between the principal building entries and parking areas. A clearly defined pedestrian route between the street-adjacent sidewalk, parking areas, and the primary pedestrian entrance (s) to the building shall be provided.
9. *Parking Lot Circulation.* Convenient pedestrian connections shall be provided from adjoining neighborhoods and transit-served streets. To the extent possible, new development with adjoining lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems as well as defining maintenance and utility responsibilities. Shared parking arrangements are encouraged.

10. *Parking Lot Landscaping.* Attractive landscaping in and around parking areas shall be included to provide shade and enhance community center character and identity. Landscaping shall be provided consistent with the requirements provided in Article 22 of Chapter 25 of the Woodland Municipal Code related to Landscaping, including Section 25-22-20(b)(4) requiring minimum parking lot shading.
11. *Outdoor Spaces.* Outdoor patios/plazas shall be provided in new and upgraded shopping centers and be designed as focal gathering points. These spaces shall be at least five square feet in size for each 1,000 square feet of floor area, up to a maximum of 1,500 square feet. Amenities shall be included within the plaza, such as benches or other seating, shade trees, drinking fountains water features, public art, or performance areas.

3.07 Special Regulations in the Regional Commercial Zone

- A. **Limitations on Certain Commercial Uses.** Certain Business Services and Office uses listed in Table 3.02 are conditionally permitted only if it can be demonstrated to the satisfaction of the Planning Commission that the uses are compatible with and support a regional commercial center and will not adversely affect adjacent uses. Ground level office uses shall not exceed 10 percent of the total floor area in a regional center, but upper-story office uses are exempt from this limitation.
- B. **Plaza and Outdoor Patio Areas.** Plazas and outdoor patio areas with pedestrian amenities and public art are required within new and upgraded shopping centers to create focal points. These spaces shall be at least five square feet in size for each 1,000 square feet of floor area, up to a maximum of 1,500 square feet. Amenities shall be included within the plaza, such as benches or other seating, shade trees, drinking fountains, water features, public art, or performance areas.
- C. **Outdoor Storage.** All uses or activities shall be conducted wholly within completely enclosed buildings, except auto service stations, temporary outdoor uses, vehicle leasing, sales and services, or where in the opinion of the Zoning Administrator the use is incidental to a principal use on the premises and the proposed outdoor use is in character and harmony with the surrounding area as provided for in Exhibit B.
- D. **Design Standards for Desired Urban Form – Regional Commercial Zone**
 1. *High Quality Design.* A regional center shall provide a consistent level of high quality architecture and landscape design throughout. The result should be a memorable and desirable destination that enriches the community and the region at large.
 2. *High Quality Materials and Sustainability.* Employ high quality, durable materials and best practices in sustainability in the center design.
 3. *Parking Lot Circulation.* Convenient pedestrian and bicycle connections shall be provided within the project and to adjacent neighborhoods and transit-served streets. To the extent possible, new development with adjoining lots shall be designed to allow cross-access for internal

pedestrian, bicycle, and vehicular circulation systems as well as defining maintenance and utility responsibilities. Shared parking arrangements are encouraged.

4. *Pedestrian Access.* Shaded walkways shall be provided between the principal building entries and parking areas. A clearly defined pedestrian route between parking areas and the primary pedestrian entrance(s) to the building shall be provided. Shaded pathways providing a minimum five-foot clear pedestrian passage shall be provided. Interest and variability shall be achieved through the use of a variety of pathway materials. Features such as landscaping, seating, fountains, low walls, patio seating, and other architectural features shall be provided to enhance the pedestrian experience.
5. *Gateway or Entry Features and Public Art.* The design shall include a clear sense of arrival and departure through a distinctive gateway or entry features that enhance the quality and character of Woodland. A public art program is required for the center.
6. *Landscaping.* Landscaping shall include shade trees in and around parking areas to enhance regional center character and identity. Landscaping shall be provided consistent with the requirements provided in Article 22 of Chapter 25 of the Woodland Municipal Code related to Landscaping, including Section 25-22-20(b)(4) requiring minimum parking lot shading. Solar panels over parking spaces may substitute for up to 60 percent of the required number of trees.
7. *Reference to Other Criteria.* The Design Standards and Urban Form Characteristics provided in Section 3.06 D, Community Commercial Zone, shall be utilized in evaluating Regional Commercial Development.

3.08 Special Regulations in the Light Industrial Flex Overlay Zones

A. **Application Over Base District.** The Light Industrial Flex Overlay regulations are to be applied in addition to the base zone regulations.

A.B. **Limitations on Certain Commercial Uses.** Service commercial and light industrial uses that are not typically located in shopping centers are permitted provided that they are in developments that are visually complementary to adjacent development.

B.C. **Limitations on Office Uses.** Ancillary office spaces that support such uses are also permitted, but they shall not be the primary use.

C.D. **Limitations on Outdoor Activities and Facilities.** No outdoor storage shall be allowed between the primary building and the sidewalk or street. Outdoor storage must be screened. Outdoor activities are not allowed, except for incidental loading, nurseries and garden centers, and community gardens, temporary outdoor uses, or when the Zoning Administrator determines that the use is incidental to a principal use on the site and the proposed outside use is in character and harmony with the surrounding area.

D.E. Design Standards for Desired Urban Form – Light Industrial Flex. Within the LIF Overlay Zone, building design may vary, but generally follow that specified for the base zone and more specifically reflect the following principles and requirements.

1. *Context Sensitive Design.* Context sensitive design of industrial and commercial uses is desired, including screening, buffer landscaping, and upper story setbacks when located adjacent to lower intensity and residential uses. When an LIF Overlay Zone abuts a residential zone, the maximum building height is 30 feet within 40 feet of the residential zone boundaries, and buildings setbacks shall be 15 feet for interior side yards and 50 feet for interior rear yards adjacent to residential zones.
2. *Screening/Fencing.* Appropriate screening shall be provided through a combination of fencing, landscape hedges, and building placement. Walls or fences in public view should be built with attractive, durable materials. New or used materials in good condition and designs appropriate to the street context shall be utilized. Chain link or chain link with slats is not an acceptable fencing material visible from the street~~in the front setback~~ or along an arterial or collector. Concrete, wood, and metal, may be used in combination with each other. Wood fencing that is appropriately designed for an industrial area (not dog eared) with a cap or other finish may be considered. All wood or metal fencing must be stained or otherwise treated to provide a finished look and prevent deterioration. Blackened tubular steel fencing, or other alternative materials appropriate to the district, may be used in combination with appropriate landscaping. Landscaping and irrigation shall be provided in the planter area between the fencing and sidewalk. Bare dirt is not appropriate. Barbed wire or “razor-wire” may be considered only where it is demonstrated to be necessary for security purposes, and in no case shall it be publicly visible.
3. *Streetscape.* Streetscape design shall promote an uncluttered street appearance with appropriate fencing, landscaping, and screening.
4. *Architectural Design.* The street-facing façade shall include applied surface ornamentation or decorative detailing to promote visual interest. This may include, but not be limited to, moldings/trim, brackets, niches, and decorative entrances.
5. *Parking.* Parking shall be located at the side or rear of buildings, wherever possible, with only customer parking located in front of buildings. Throughout the LIF Overlay Zone, where parking is located in front of buildings, a 10-foot landscaped area must be provided between the parking area and the adjacent right-of-way, which may consist of permeable paving and a continuous canopy of trees.
6. *Compatibility and Performance Standards.* LIF Overlay areas within Corridor Mixed Use and Regional Commercial zones are subject to performance standards and design criteria that ensure development is attractive and visually complementary to adjacent development.

7. **Existing Development.** The intent for the LIF Overlay areas within the Industrial Zone is for them to exhibit a higher quality visually than is typical for industrial areas without this overlay. Therefore, where the existing development does not comply with new design criteria, requirements may be placed on existing development through conditions of approval to foster the desired visual transition envisioned by the General Plan. This may include upgrades or improvements to the site where publicly visible, including landscaping, fencing, lighting, surfacing, signage, as well as potential building improvements to enhance the visual attractiveness from the street.

3.09 Residential Density in the R-H Residential High Multiple Family Zone

The required lot area per dwelling unit shall be a minimum of 850 square feet and a maximum of 1,700 square feet, which corresponds to the General Plan density range of 20 to 40 units per gross acre.

3.10 Flood Study Area Zone

Uses that may be considered, subject to Planning Commission review and approval, in the Flood Study Zone are open space, low-intensity agriculture, or recreational uses. Existing structures and business operations may remain but may not expand.

3.11 Use Regulations and Standards in All or Several Zones

The use and design regulations provided below shall apply to all zones. All applicable sections of the Zoning Ordinance standards and regulations shall apply in addition to the specific standards and guidelines provided in the Interim Zoning Ordinance. Further, all development projects must comply with the City of Woodland Community Design Standards (Resolution 4527, adopted on April 6, 2004), if applicable, and any other discretionary review required by specific plan requirements that may also apply. Applicability shall be determined by “best fit” analysis.

A. **Use and Design Regulations.** The following use regulations shall apply:

1. **Accessory and Temporary Uses.** Accessory uses and structures and temporary uses are subject to the provisions of the Zoning Ordinance.
2. **Outdoor Storage.** All uses or activities shall be conducted wholly within completely enclosed buildings, and no outdoor storage shall be allowed between the primary building and the sidewalk or street, except as may be provided in specific use regulations per zoning district.
3. **Prefabricated Storage, Shipping or Cargo Containers.** Prefabricated storage/shipping containers may not be utilized as permanent storage in any residential, commercial or corridor mixed use zone. Containers may be allowed on a temporary basis subject to design review for review of placement and screening.
 - a. If temporary for a project (materials storage during construction), they must be removed upon the project completion.

- b. If related to use for recycling in a commercial or corridor mixed use district, consideration and placement shall be subject to Zoning Administrator Permit.
- c. If temporary for business-related storage (e.g. permitted wholesale storage of goods):
 - i. If left on a parcel in excess of one year, the containers are considered permanent storage and must comply with the Building Code, Prevention Code and would require a building permit.
 - ii. No stacking of containers is allowed.
 - iii. Containers must not be visible from any public right-of-way. Screening of the containers may be accomplished through a combination of placement on site, fencing, and landscaping.
 - iv. No container signage (typically painted on the sides and ends) of any type may be visible from adjoining properties.
 - v. Containers shall meet side and rear setback requirements of the zone.
 - vi. Provide the anticipated time frame for removal of the containers and replacement with permanent structures. .
 - vii. Containers shall be accessible for periodic fire/life safety inspection. Each container requires additional ground area in the parcel, adjacent to the container, equal or greater than one-half the area of corresponding container.

2.4. **Exterior Lighting.** Exterior lighting must be attached to the building and integrated with architectural style, material, and colors. Lighting should reflect the best aesthetic character of the surrounding neighborhood, particularly in historic districts. Exterior lighting must be fully shielded to promote dark sky, prevent glare into adjacent neighborhoods, and be architecturally integrated with building style, material, and colors

3.5. **Improvements to Existing Non-Conforming Sites.** For those situations where a site is non-conforming with current Zoning or Community Design standards, development will be required to provide limited improvements to enhance the visual characteristics of the street or street-side frontage in order to bring the site into greater conformity with the Zoning and Community Design Standards. Improvements may require the removal and replacement of inappropriate signage, the adding or replacing of missing landscaping, adding fencing to meet screening requirements, adding or improving on-site lighting, or re-paving and/or striping of existing parking areas.

Table 3.11.1 Required Landscape Buffers

<i>Proposed Use</i>	<i>Adjoining Use</i>					
	<i>Park or Open Space</i>	<i>Single-Family Residential</i>	<i>Multi-Family Residential</i>	<i>Mixed Use</i>	<i>Commercial</i>	<i>Industrial</i>
Park or Open Space	—	Type 1	Type 1	Type 1	—	—
Single-Family Residential	—	—	—	Type 1	Type 2	Type 2
Multi-Family Residential	Type 1	Type 1	—	—	Type 1	Type 2
Mixed use	Type 2	Type 2	Type 2	—	—	Type 1
Commercial	Type 2	Type 2	Type 2	—	—	—
Industrial	Type 2	Type 2	Type 2	Type 1	Type 1	—

Table 3.11.2 Buffer Yard Requirements (for each 100 linear feet of buffer yard)

<i>Buffer Yard Type</i>	<i>Minimum Width</i>	<i>Trees</i>		<i>Shrubs</i>		<i>Fencing</i>
		<i>Large</i>	<i>Small to Medium</i>	<i>Large</i>	<i>Small to Medium</i>	
Type 1	10	2	2	4	6	May be wood, Masonry encouraged
Type 2	15	2	3	5	7	Masonry

B. Standards. The following standards shall apply:

1. **Landscaping, Buffering and Screening.** Landscaping, buffering, and screening shall be provided as required by the Zoning Ordinance and in interim zones by this Ordinance as shown in Tables 3.11.1 and 3.11.2.
 - a. When a multi-story building is proposed and the second story or above is located within 50-feet of the side or rear yard of a single-family lot, screening measures shall be applied to provide reasonable privacy.
 - b. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior unit, incorporating wing walls or louvers, using glass block or other translucent material, or other such methods.

- c. Sufficiency of Screening. The review authority shall determine the sufficiency of the proposed screening measures and may require additional measures.
 - d. Consideration for Alternative Buffering or Screening. Alternative means of achieving buffering or screening as required in Tables 3.11.1 and 3.11.2 may be considered by the Zoning Administrator or Planning Commission as appropriate, if it can be demonstrated that the alternative will achieve or exceed the intended purpose for the buffering or screening.
- 2. **Off-street Parking and Loading.** Off-street parking and loading shall be provided as required by the Zoning Ordinance.
 - 3. **Property Maintenance Standards.** All properties shall be maintained by their respective owners in good order. This shall include litter management and the repair and maintenance of all structures, fences, signs, walks, driveways, landscaping, painting, and other exterior features, as may be necessary to maintain good order. Landscape maintenance agreements shall be required of all new development or significant remodels or renovation projects.
 - 4. **Screening of Mechanical Equipment.** All exterior mechanical equipment shall be screened from public view, including adjacent properties. Equipment to be screened includes but is not limited to, heating and/or air conditioning units, water tanks, valves, back flow prevention devices, solar and photovoltaic panels, and transformers. Screening materials may be solid concrete, wood or other opaque material or a combination of fence/wall. Landscaping shall effectively screen equipment so that it is not readily visible from the public right-of-way.
 - 5. **Construction Management.** The following shall be followed during any construction activities:
 - a. During the construction of a project, the construction site shall be secured by temporary fencing.
 - b. All portions of the construction site shall be watered as necessary to reduce emissions of dust and other particulate matter, and all stockpiles shall be covered. Public streets shall be kept dirt free to the satisfaction of the City Engineer.
 - c. All construction and transport equipment shall be muffled in accordance with state and federal laws and regulations. Noise standards as Section 15-26 of the Municipal Code shall apply.
 - d. Construction and transport equipment shall be operated so as to minimize exhaust emissions. During construction, trucks and equipment should run only when necessary.
 - e. Construction hours shall be as stipulated in Section 15-26 of the Municipal Code.
 - f. All water run-off from construction sites shall be controlled.

- g. At the end of construction, local road surfaces shall be returned to pre-construction condition.
6. **Trash Enclosures.** Trash enclosures shall be required for multiple family, commercial and industrial uses. All of the following shall apply regarding materials, construction and design:
- a. The walls of the trash enclosure structure shall be constructed of solid masonry material with a decorative exterior surface finish compatible with the main structure(s). The trash enclosure walls shall be a minimum of six feet in height, and the minimum dimensions shall be adequate for the size and number of dumpster and recycling bins.
 - b. The trash enclosure structure shall have solid heavy gauge metal gates.
 - c. The trash enclosure shall feature a floor and approach that is paved with a durable, all-weather surface.
 - d. Trash receptacles shall be covered or a cover structure shall be constructed above the enclosure so as to protect its contents from the elements.
 - e. The trash enclosure for residential developments should be designed to allow walk-in access by residents without requiring the main enclosure gates to be opened.
 - f. Signage identifying the types of recyclable materials accepted for collection at the trash enclosure shall be conspicuously posted within the enclosure.
 - g. The trash enclosure shall be designed so that adverse impacts such as noise, odor, vectors, or glare are minimized through the use of adequate separation, fencing, landscaping, or other means.
 - h. If visible from public view, the perimeter of the trash enclosure structure shall be planted with landscaping, including a combination of shrubs and /or climbing evergreen vines.
 - i. No trash enclosure shall be located in any required street-side setback area.
7. **Performance Standards.** All development shall be subject to the performance standards as set forth in the Zoning Ordinance and the following additional requirements. These performance standards are intended to ensure that uses and activities are conducted in a manner that protects the public health and safety and do not produce adverse impacts on surrounding properties or the community at large.
- a. Lighting. All lighting, reflective surfaces, or any other sources of illumination shall be designed and located in a manner that produces no glare on public streets or on any other parcel. Lights shall be of the minimum illumination necessary for a given application and shall be directed downward and shielded at lot lines so as to confine all direct rays to the premises on which it is located. Exterior lighting shall be fully shielded.

- b. Fire Hazards. The storage, use, transportation, or production of products which, either in the raw or finished state, constitute a flammable or explosive material shall be subject to approval of the Fire Department (as example, flour milling or nut shell processing). Burning of waste materials in open fires or unapproved incinerators is prohibited.
- c. Liquid or Solid Waste. The use, handling, storage, and transportation of waste materials, including hazardous wastes, shall comply with the provisions of the California Hazardous Materials Regulations and any other applicable laws. Discharge at any point into a public or private sewage disposal system, stream, or the ground, of any material that could contaminate any water supply, or otherwise cause the emission of dangerous or offensive elements is prohibited. No exceptions are allowed unless in accordance with regulations, licenses or approvals of the various local and state agencies having jurisdiction over such activities.
- d. Odor, Particulate Matter and Air Contaminants. No continuous, frequent, or repetitive odors are permitted that are perceptible on or beyond adjacent lot lines or in the public right-of-way. An odor detected no more than a total of 15 minutes in any one day shall not be deemed to be continuous, frequent or repetitive as used in this subsection. No dust or particulate matter shall be emitted that is detectable at zoning district boundary lines or property lines by a reasonable person without instruments. Exhaust air ducts shall be located or directed away from abutting residentially-zoned properties.
- e. Vibration. Machinery used for manufacturing and industrial processes, including oil and gas collection, processing, and distribution must be designed and housed to ensure that vibration will be reduced to a minimum amount discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.
- f. Buffers/Lot Perimeters. Tables referred to in (1) of this section, indicate when a buffer treatment is required and of what type based on the proposed adjoining use. Only the proposed use is required to provide the buffer yard. All uses adjacent to residential zones shall be located, oriented, and designed so as to be compatible with residential zones. Fencing and landscaping adequate to screen development from adjacent residential zones is required.
- g. Noise Standards. Applicants for proposed projects may be required to provide evidence that all of the applicable requirements relating to noise may be satisfied by the project prior to approval. Provisions contained in Chapter 8 of the 2035 General Plan shall apply in addition to other applicable sections of the Municipal Code that relate to noise and nuisance considerations. Maximum noise levels at property lines shall not exceed 70 dBA Ldn. Table 8.6 of the General Plan provides noise level performance standards that apply to the noise sources themselves for new projects and existing non-transportation sources.

8. **Temporary Uses.** Temporary uses shall be as allowed, consistent with regulations for temporary uses for the “Best Fit” zoning district under the Zoning Ordinance, except that the Zoning Administrator may impose additional conditions related to size, location, and hours of operation to ensure that the temporary use will not conflict with applicable General Plan policies.
- a. Purpose. To establish a process for review and approval of certain uses that are intended to be of limited duration of time and will not permanently alter the character or physical facilities of the site where they occur, nor prevent development of future uses as envisioned by the General Plan or any applicable specific plan.
 - b. Applicability. A Temporary Use Permit is required for any temporary uses that are not otherwise permitted in the base zoning district regulations Exhibit B.
 - c. An application for a Temporary Use Permit must be filed and processed in compliance with procedures in Section (25-13-30). An application must be submitted at least 30 days before the use is intended to begin. The application must include the written consent of the owner of the property or the agent of the owner.
 - d. The Zoning Administrator may approve, approve with conditions, or deny applications for temporary uses without a public hearing. However, at the discretion of the Zoning Administrator, a temporary use requiring Administrative Review may be forwarded to the Planning Commission.
 - e. The following uses may be authorized in a nonresidential zone for a period not to exceed: 60 days. After public notice, as required in Section 3.04 (A) of this Ordinance, the Zoning Administrator may extend the temporary use for 10 months, and subsequently extend the temporary use for a period of one-year.
 - i. Consideration for extension of the approval period may be authorized by the Zoning Administrator if the authorized use is consistent with the findings provided in Section 3.04 C.
 - ii. The following uses may be authorized in a nonresidential zone as temporary uses, subject to securing a building permit and compliance with all conditions or approval, if required:
 - iii. Temporary structures and uses incidental to the construction of a building or a group of buildings, including but not limited to construction staging of materials and equipment;
 - iv. Rental or sales office incidental to a new development, provided that it is located in the development project or in an adjacent temporary structure;
 - v. Structures and uses incidental to environmental cleanup and staging;

- vi. New and used auto sales or storage lots;
- vii. Parking that is accessory to any temporary use listed above; and
- viii. Other temporary emergency uses as determined by the Zoning Administrator.

ARTICLE 4 Dimensional, Intensity, and Density Regulations

4.01 Purpose

The purpose of this Article 4 is to prescribe minimum required setbacks and maximum permitted residential density, building intensity, and height, for buildings and structures in all zoning districts; and to prescribe bonus density and intensity that may be conditionally permitted.

4.02 Zoning Ordinance Provisions Superseded

The provisions of this Article temporarily supersede the setbacks, building height, intensity and density regulations in the Zoning Ordinance that otherwise would apply to land within the Interim Zones.

4.03 Setbacks

The minimum setbacks of buildings from lot lines, also known as “yards,” shall be as prescribed in the Zoning Ordinance in Tables 4.03.1 and 4.03.2 below. General requirements for yards are as follows, subject to additional provisions in the Zoning Ordinance, which are hereby incorporated by reference. If there is more than one “Best Fit” zoning district for an Interim Zone, the Zoning Administrator shall determine which zoning district to apply and what the required setbacks are, with consideration given to the characteristics of the proposal and the surrounding area and any relevant provisions of the General Plan.

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v. 4/198/18

Table 4.03.1 Corridor Mixed Use Zone Standards

Standard	West Main (CR 98 to Cleveland)	East Main (East to Johnston and E)	East St. S (Main to Sports Pk)	East Street North (Main to Harter)	Kentucky (East to West)	Armfield (Lemen : Main/East to E St.
Residential Gross Density	Min 20 - Max 40	Min 20 - Max 40	Min 20 - Max 40	Min 20 - Max 40	Min 12 - Max 30	Min 12 - Max 30
Floor Area Ratio	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use
Minimum-Maximum No. of Floors	Min 1 - Max 5	Min 1 - Max 5	Min 1 - Max 5	Min 1 - Max 5	Min 1 - Max 3	Min 1 - Max 3
PB Min. 1st to 2nd Floor Height (2)	15/13	15/13	15/13	15/13	14/12	12
Minimum-Maximum Front Setback	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 6 ft - Max 15 ft	Min 6 ft - Max 15 ft
PB Minimum Side Setback	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
PB Minimum Street Side Setback	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 6 ft - Max 15 ft	Min 6 ft - Max 15 ft
PB Minimum Rear Setback	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Maximum parcel Coverage	70%	70%	70%	70%	60%	60%
Primary Pedestrian Entrance	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk
Minimum off street parking						
Residential	1 / Dwelling Unit	1 / Dwelling Unit	1/Dwelling Unit	1/Dwelling Unit	1/Dwelling Unit	1/Dwelling Unit
Min. Off-Street Parking Non-Residential	As determined by Owner (3)	As determined by Owner (3)	As determined by Owner (3)	As determined by Owner (3)	As determined by Owner (3)	As determined by Owner (3)
Notes:						
1. PB = Principal Building fronting on the street or public right-of-way. AB = Accessory Building- generally to be located behind the primary building on the rear half of the site, so as not to visually compete with or be taller than the PB. (Accessory Buildings Code Section 25-21-10)						
2. First number for single story/second number two or more building stories. At minimum the first floor shall be a story-and-a-half. The minimum 1st to 2nd floor height is measured from finish floor to finish floor.						
3. The minimum amount of off-street parking to be determined by Owner, based upon information provided in a parking use and needs statement, subject to approval by the Community Development Director.						
4. At all corner parcels a minimum two-story minimum building height is required.						
5. Use regulations in Section 3.11 shall apply, including buffer requirements in Tables 3.11.1 & 3.11.2						
These standards are in addition to Special Regulations in the Corridor Mixed Use Zones found in Section 3.05						

Table 4.03.2. Community Commercial, Regional Commercial and Light Industrial Flex Zone Standards

Standard	Community Commercial	Regional Commercial	Regional Commercial with Flex Overlay	Industrial with Flex Overlay		
Floor-Area-Ratio	0.15 - 0.5	0.15-0.7	0.15 - 0.7	Set by base district		
PB Min. - Max. No. of Floors	Min 1 - Max 4	Min 1 - Max 5	Min 1 - Max 5	Min 1 - Max 4		
PB Min. 1st to 2nd Floor Height (2)	12	12	11	11		
PB Minimum Front Setback	Min 15 ft	Min 15 ft	Min 15 ft	Min 15 ft		
PB Minimum Street Side Setback	Min 5- Max 15	Min 5- Max 15	Min 5- Max 15	Min 5- Max 15		
PB Minimum Side Setback	0 ft	0 ft	0 ft	0 ft		
PB Minimum Rear Setback	0 ft	10 ft	10 ft	0 ft		
Lot Coverage	50%	70%	70%	70%		
Primary Pedestrian Entrance	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk		
Min. Off-Street Parking Non-Resid.	By Owner (3)	By Owner (3)	By Owner (3)	By Owner (3)		
Notes:						
1. PB = Principal Building fronting on the street or public ROW AB = Accessory Building to be located behind PB on the rear half of the site, so as not to visually compete or be taller than the PB. (Code Section 25-21-10)						
2. First number for single story/second number two or more building stories. At minimum the first floor shall be a story-and-a-half. The minimum 1st to 2nd floor height is measured from finish floor to finish floor.						
3. The minimum amount of off-street parking to be determined by Owner, based upon information provided in a parking use and needs statement, subject to approval by the Community Development Director.						
4. Use Regulations and Standards in Section 3.11 shall apply, including setbacks provided in Tables 3.11.1 and 3.11.2 in the case of adjacency to a less intensive use.						
In addition to these standards, the best fit provisions of the Community Design Standards shall apply.						
These standards are in addition to Special Regulations in the Community Commercial, Regional Commercial and Light Industrial Flex Zones found in Sections 3.06, 3.07 or 3.08						

4.04 Landscaping, Open Space and Parking.

All of the provisions of the Zoning Ordinance applicable to the Best Fit zoning district shall apply to new development and alterations and additions subject to discretionary review under this Ordinance.

4.05 Residential Density, Building Intensity, and Height.

A. CMU (Corridor Mixed Use) Zone

1. Maximum Allowable Floor Area Ratio (FAR): 2.0 for single-use developments and 3.0 for mixed-use developments that combines residential and non-residential uses. With approval of a conditional use permit, new development may be allowed to exceed FAR limits if the Planning Commission determines that the project offers significant community benefit, such as the provision of publicly accessible open space or the promotion of transit accessibility.
2. Maximum Residential Density: 40 dwelling units per gross acre. The minimum density is 20 dwelling units per gross acre, but lower densities are allowed where proposed development abuts low density residential development.

3. Maximum Building Height: 65 feet. When a CMU District abuts a residential zone, the maximum building height is 30 feet within 40 feet of a single family, duplex, or neighborhood preservation zone and 45 feet within 50 feet of a multi-family residential zone.

B. CC (Community Commercial) Zone

1. Maximum allowable floor area ratio (FAR): 0.50.
2. Maximum Building Height: 40 feet; 65 feet for anchor department stores. When a CC District abuts a residential zone, the maximum building height is 30 feet within 40 feet of a single family, duplex, or neighborhood preservation zone and 40 feet within 50 feet of a multi-family residential zone.

C. RC (Regional Commercial) Zone

1. Maximum allowable floor area ratio (FAR): 0.7. With a conditional use permit, the Planning Commission may approve FAR bonuses for upper-story office, visitor accommodations, such as hotels, and service uses.
2. Maximum Building Height: 65 feet. When an RC District abuts a residential zone, the maximum building height is 30 feet within 40 feet of a single family, duplex, or neighborhood preservation zone and 40 feet within 50 feet of a multi-family residential zone.

- D. **Exceptions to height limits.** These exceptions are to those set forth in Section 25-25-10 of the Zoning Code. No building and structure shall exceed the height limits of this section except as follows. The structures listed below are permitted to extend up to ten feet above the maximum height limits. Any extension above ten feet shall require a conditional use permit.

1. Fire and parapet walls;
2. Roof structures for the housing of air conditioners, elevators, stairways, tanks, ventilating fans and similar equipment;
3. Skylights; and
4. Solar energy panels.

ARTICLE 5 Required Findings

5.01 Purpose

The purpose of this Article 5 is to prescribe findings for the granting of conditional use permits and Zoning Administrator permits (also known as minor conditional use permits) pursuant to the provisions of this Ordinance. In addition to the general findings required by the Zoning Ordinance, the Zoning Administrator or

Planning Commission must make the findings required by this Article, depending on whichever has approval authority, as follows:

5.02 Uses in Corridor Mixed Use, Community Commercial and Regional Commercial Zones

- A. To grant a use permit the Zoning Administrator or Planning Commission must find that the proposed use is designed to facilitate revitalization, achieve the desired urban form, and support a pedestrian environment, as required by the General Plan. Conditions of approval may be imposed to reduce potential adverse impacts and conform to the design guidelines and standards of this Ordinance.
- B. To grant a use permit the Zoning Administrator or Planning Commission must find that the use will not cause, directly or indirectly, potential adverse impacts on adjacent neighborhoods and will contribute to the economic vitality of the City and that the project meets the desired urban form as provided for in the General Plan. Conditions of approval may be imposed to reduce potential adverse impacts and conform to the design standards and guidelines of this Ordinance.

5.03 Commercial Cannabis Uses in the Industrial and Industrial/Light Industrial Flex Zones

Additional findings are required for consideration of Commercial Cannabis Uses in addition to other findings required in the Industrial and Industrial/Light Industrial Flex Zones in accordance with Section 25-21.6.50.

5.04 Uses in the Light Industrial Flex Overlay Zone

To grant a use permit the Zoning Administrator or Planning Commission must find that the use is consistent with the General Plan, will not cause adverse impacts on adjacent neighborhoods, and will complement and enhance the character of the area. Conditions of approval may be imposed to reduce potential adverse impacts and conform to the design standards and guidelines of this Ordinance.

ARTICLE 6 Definitions

6.01 Purpose

The purpose of this Article 6 is to define certain terms and concepts used in this ordinance. If not otherwise specified, terms used in this ordinance shall be as defined in the Zoning Ordinance.

6.02 Use Groups

For purposes of this Ordinance, use classifications are divided into the following use types: Residential; Retail, Commercial, and Office; Institutional, Public/Semi-Public, and Community Facilities; Industrial; Transportation, Communications, and Utilities; and Accessory and Temporary Uses. These use types are defined as follows. Similar uses may be permitted by interpretation of the Zoning Administrator.

- A. Residential Use Types.

1. **Single Unit Dwelling, Detached.** A dwelling unit that is designed for occupancy by one household, located on a single parcel that does not contain any other dwelling unit (except a second dwelling unit, where permitted), and not attached to another dwelling unit on an abutting parcel. This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.
2. **Single Unit Dwelling, Attached.** A dwelling unit that is designed for occupancy by one household located on a single parcel that does not contain any other unit (except an accessory dwelling unit), and is attached through common vertical walls to one or more dwellings on an abutting parcel.
3. **Duplex.** A single building that contains two dwelling units or two single unit dwellings on a single parcel. This use is distinguished from an Accessory Dwelling Unit, as defined by State law.
4. **Multiple-Unit Dwelling.** Three or more dwelling units within a single building or within two or more buildings on a site or parcel. Types of multiple-unit dwellings include garden apartments, condominiums, and multi-story apartment buildings. The classification is distinguished from Group Residential facilities (see below).
5. **Garden Court.** Three or more detached dwelling units within a single site or parcel.
6. **Family Day Care.** A day-care facility licensed by the State of California that is located in a dwelling unit where a resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.
 - a. **Small.** A facility that provides care for up to six children or eight children including children who reside at the home and are under the age of 10.
 - b. **Large.** A facility that provides care for seven to 14 children, including children who reside at the home and are under the age of 10.
7. **Group Residential.** Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes rooming and boarding houses, dormitories, fraternities, convents, monasteries, and other types of organizational housing, but excludes Residential Facilities.
8. **Residential Care Facility.** Facilities that provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including group homes for minors, persons with disabilities, people in recovery from alcohol or drug additions, and hospice facilities.

- a. *Residential Care, General.* A Residential Facility licensed by the State of California and providing care for more than six persons.
- b. *Residential Care, Limited.* A Residential Facility licensed by the State of California providing care for six or fewer persons.

9. **Supportive Housing.** Dwelling units with no limit on length of stay that are occupied by the target population as defined in subdivision (d) of Section 53260 of the California Health and Safety Code or individuals eligible for services provided pursuant to the Lanterman Development Disabilities Act (Division 45 of the Welfare and Institutions Code), and that are linked to onsite or offsite services that assist supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and, where possible, work in the community and where no onsite medical care is provided. Supportive housing as defined by Subdivision (b) of Section 50675.14 may be provided in a multiple-unit structure or group residential facility. Facilities may operate as licensed or unlicensed facilities subject to applicable State requirements.
10. **Transitional Housing.** Dwelling units configured as rental housing but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time, that shall be not less than six months from the beginning of assistance. Transitional housing may be designated for homeless or recently homeless individuals or families transitioning to permanent housing as defined in subdivision (h) of Section 50675.2 of the California Health and Safety Code. Facilities may be linked to onsite or offsite supportive services designed to help residents gain skills needed to live independently. Transitional housing may be provided in a variety of rental housing types (e.g., multiple-unit dwelling, single-room occupancy, group residential, single unit dwelling). This classification includes domestic violence shelters.

B. Retail, Commercial and Office Use Types.

1. **Adult Businesses.** Adult businesses mean any commercial activity that primarily involves the sale, display, or viewing of books, magazines, films, videos, photographs or other materials, distinguished or characterized by an emphasis on matter depicting, describing, or relating to human sex acts, or by an emphasis on male or female genitals, buttocks or female breasts. It includes adult book stores, adult movie theaters, sexual encounter establishments, adult cabarets, and similar businesses.
2. **Agricultural Production, light.** Use of land for agricultural production, vine or tree farm, truck garden, apiary, horticulture, vineyard, hop yard, fruits, beekeeping, and associated crop preparation and harvesting activities on any other type of agriculture determined to be substantially similar to the above. Agricultural production may be ancillary to a primary user as a test or research facility. This use does not include nurseries, greenhouses, processing, or retail sales of agricultural products from the site.

3. **Animal Sales and Services.** Sales and service activities related to the care and treatment of domestic animals.
 - a. *Boarding Kennel.* An establishment licensed to operate a facility providing shelter and care for domestic animals on a commercial basis for a period in excess of 48 hours. This classification includes activities such as feeding, exercising, grooming, and incidental medical care for domestic animals.
 - b. *Grooming/Pet Day Care.* Provision of day care and bathing and trimming services for domestic animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of 48 hours.
 - c. *Retail Sales (Pet Shops).* Retail sales and boarding of domestic animals, provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use.
 - d. *Veterinary Services.* Medical and health services for animals. Typical uses include veterinary offices, pet clinics, and animal hospitals. This use type excludes kennels.
4. **Auto/Vehicle Sales and Services.** Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and motorcycles, including the following:
 - a. *Alternative Fuels and Recharging Facility.* A facility offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., LPG) and may include equipment to recharge electric-powered vehicles.
 - b. *Automobile Rental Office.* Rental of automobiles. Typical uses include car rental agencies with no on-site storage of vehicles.
 - c. *Automobile Storage Lot.* Any property used for short or long term parking of operable vehicles for sale or lease at an automobile dealership or rental agency on a separate parcel from such agency or dealership.
 - d. *Automobile/Vehicle Sales and Leasing.* Sale or lease, retail or wholesale, of new or used automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated minor repair services and parts sales for vehicles sold or leased by the dealership. This classification includes on-site facilities for maintaining an inventory of vehicles for sale or lease but excludes buildings and property on a separate site that are used for storing vehicles.
 - i. *New.* Sales and leasing of new cars, recreational vehicles, and trucks by new car dealers, including sales of previously-owned automobiles and trucks, and sales of parts and accessories, storage, and incidental maintenance and repair.

- ii. Used. Sales and leasing of previously owned automobiles, recreational vehicles, and trucks by car dealers not affiliated with a new car manufacturer.
- e. *Tire Retreading and Recapping.* Recap or remold involves a re-manufacturing process for tires that replace the tread on worn tires. Retreading is applied to casings of spent tires that have been inspected and repaired.
- f. *Automobile/Vehicle Repair, Major.* General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, collision service including body, frame or fender straightening or repair, overall painting or paint shops of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto repair shops, body and fender shops, transmission shops, vehicle painting, tire sales, and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping. Vehicles may be stored overnight.
- g. *Automobile/Vehicle Service and Repair, Minor.* The service and repair of automobiles, light-duty trucks not exceeding one and one-half tons' capacity, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, as well as smog check quick-service oil, tire sales and service, tune-up and brake and muffler shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight.
- h. *Automobile/ Vehicle Washing (full service).* Washing, waxing, or cleaning of automobiles or similar light vehicles, with hands-on service by employees who may move, vacuum, wash, wax, and dry the vehicle. Includes an interior or exterior waiting facility for customers and may include ancillary retail and/or food and drink service for waiting customers.
- i. *Automobile/ Vehicle Washing (self-serve).* Includes self-serve washing facilities that are the principal use of a building, structure, or site, either self-wash facility or drive through automated wash with no or limited-employee assistance. No on-site waiting facility is provided for customers.
- j. *Farm/Agricultural Equipment Sales, Service and Rental.* Sales, servicing, rental, fueling, and washing of tractors, and other equipment used for agricultural, or landscape gardening activities.
- k. *Large Vehicle and Equipment Sales, Service and Rental.* Sales, servicing, rental, fueling, and washing of recreational vehicles (RVs), large trucks, trailers, heavy equipment used for construction, moving activities. Examples include cranes, earth moving equipment,

heavy trucks, combines, and similar equipment. Includes large vehicle operation training facilities.

- I. *Service Station.* Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services.

5. Banks and Financial Institutions

- a. *Bank and Savings and Loan.* Financial institution, including credit union office or check cashing service, that provides retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money.
- b. *Nontraditional Financial Institutions.* Establishments engaged in short-term lending and buy-back activities in which customers typically take part in one-time or infrequent transactions and do not open long-term accounts or deposit funds. Typical uses include check cashing services, pay day lenders (also known as deferred deposit originators), and similar activities.

6. ***Building Materials, Sales and Service.*** Retail sales or rental of building supplies or equipment. This classification includes finished lumber for purchase, tool and equipment sales, or rental establishments.

7. Business and Communication Services

- a. *Business Services.* The business services use type refers to establishments primarily engaged in the provisions of services of a clerical, employment, protective, or minor processing nature to firms, rather than individuals, and where the storage of goods other than samples is prohibited. Typical uses include janitorial, secretarial services and blueprint services.
- b. *Communications Services.* The communications services use type refers to establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but excludes studios, telecommunication service centers.

8. ***Commercial Entertainment and Recreation.*** Provision of participant or spectator entertainment to the general public. This classification may include restaurants, snack bars, and other incidental food and beverage services.

- a. *Hookah Bar/Smoking Lounge:* Any facility or location whose business operation includes the smoking of tobacco or other substances through one or more pipes (commonly known

as a hookah, waterpipe, shisha, or narghile) designed with a tube passing through an urn of water that cools the smoke down as it is drawn through it.

- b. *Large-scale Facility.* This classification includes large outdoor facilities such as amusement and theme parks, amphitheaters, driving ranges, and golf courses. It also includes indoor facilities with more than 5,000 square feet in building area such as fitness centers, gymnasiums, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; bowling alleys; archery or indoor shooting ranges.
 - c. *Small-scale Facility.* This classification includes small, generally indoor facilities that occupy less than 5,000 square feet of building area, such as billiard parlors, card rooms, game arcades, dance halls, poolrooms, and amusement arcades. Does not include Health and Fitness facility (see personal service uses).
9. **Commercial Parking Facilities.** Surface lots and structures offering parking to the public for a fee when such use is not incidental to another activity. These facilities may be publicly or privately owned.
10. **Drive-in, and Drive Through Sales and Services:** A use where a customer is permitted or encouraged, either by the design of the physical facilities or by the service and/or packaging procedures offered, to be served while remaining seated within an automobile or commercial vehicle, but not limited to drive through fast-food, financial services, pharmacy, and automatic car washes.
11. **Eating and Drinking Establishments.** Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.
- a. *Bars/Night Clubs/Lounges.* Businesses serving beverages for consumption on the premises as a primary use and including on-sale service of alcohol including beer, wine, and mixed drinks. This use includes karaoke bars and micro-breweries where alcoholic beverages are sold and consumed on site and any food service is subordinate to the sale of alcoholic beverages.
 - b. *Micro-Distillery.* A small, often boutique-style distillery established to produce beverage grade spirit alcohol in relatively small quantities, usually done in single batches (as opposed to larger distillers' continuous distilling process). Typically, no more than 15,000 U.S. gallons of spirits per year. May include a restaurant, bar, or tasting room.
 - c. *Microbrewery.* Typically produces small batches of beer (15,000 barrels a year). Generally, no more than 75% of the total gross floor space is involved in brewing. Microbreweries sell to the public either as wholesale or retail capacity. They typically do not include food service.

- d. *Brewpub.* A full-service or limited-service restaurant with a micro-brewery as an accessory use. A brewpub may sell other supplier's beer, including other hand-crafted or micro-brewed beers as well as wine to patrons for consumption on its premises.
 - e. *Restaurant, Full Service.* Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Take-out service may also be provided.
 - f. *Restaurant, Limited Counter Service/Fast Food.* Establishments where food and beverages are consumed on the premises, taken out, or delivered, but where limited table service is provided. This classification includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, and snack bars with indoor or outdoor seating for customers. This classification includes bakeries that have tables for on-site consumption of products.
 - g. *Restaurant with Drive Through.* A restaurant where food or coffee-type beverages are purchased by motorists who remain in their vehicles during the sales transaction.
 - h. *Tasting Room.* A retail sales facility where customers may taste and purchase beverage and food products grown and /or processed on the site. Products offered for tasting and sale may include wine, beer, olive oil, cheese, and/or other food and beverage products.
12. **Food and Beverage Sales.** Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, groceries, and liquor stores.
- a. *Convenience Market.* Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption. These establishments typically have long or late hours of operation and occupy a relatively small building. This classification includes small retail stores located on the same parcel as or operated in conjunction with a Service Station but does not include delicatessens or specialty food shops.
 - b. *Farmers Market.* A location where the primary activity is the sale of agricultural products by producers and certified producers. Sales of ancillary products may occur at the location. An open air farmers market may only be operated by a local government agency.
 - c. *General Market.* Retail food markets of food and grocery items primarily for offsite preparation and consumption. Typical uses include supermarkets and specialty food stores such as retail bakeries; candy, nuts and confectionary stores; meat or produce markets; vitamin and health food stores; cheese stores; and delicatessens. This classification may include small-scale specialty food production with retail sales as an ancillary use, and supermarkets may stock non-food products and include on-site pharmacies.

- d. **Healthy Food Grocer.** A food and beverage retail sales establishment that (1) dedicates at least 50 percent (50%) of retail space to a general line of grocery products intended for home preparation, consumption and use; and (2) dedicates at least 30 percent (30%) of retail space to perishable goods including dairy, fresh produce, fresh meats, poultry, fish and frozen foods.
- e. **Liquor Store.** Establishments primarily engaged in selling packaged alcoholic beverages for off-site consumption
- 13. **Funeral and Interment Service.** Establishment primarily engaged in services involving the care, preparation or disposition of human dead other than in a cemetery. Typical uses include crematory and mortuary.
 - a. **Crematorium.** A facility that houses one or more crematory units, machines in which deceased human remains are combusted and transformed into ash.
- 14. **Live-Work.** A unit that combines a work space for commercial activities and incidental residential occupancy occupied and used by a single household in a structure that has been constructed or converted for such use and modified to accommodate residential and non-residential occupancies in compliance with the Building Code.
- 15. **Maintenance and Repair Service.** Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of motor vehicles or boats (see Automotive/Vehicle Sales and Services) and personal apparel (see Personal Services).
- 16. **Mixed Use.** A development that combines multiple uses on the same lot or in the same building, such as retail, office, and residential. Mixed use development typically provides a minimum of two or more uses otherwise permitted, or conditionally permitted in the district and uses are functionally integrated as part of the site. A development site over two (2) acres in aggregate shall, at a minimum, include a second use.
- 17. **Offices, Business and Professional**
 - a. **Administrative and Professional Offices.** The administrative professional offices use type refers to offices of private firms or organizations or public or quasi-public organizations that are primarily used for the provision of professional, executive, management or administrative services. Typical uses include administrative offices, tax preparation, legal offices, engineering or architectural firms. Any drive-up service is specifically excluded.
 - b. **Medical or Dental Offices.** The medical offices use primarily engaged in the provision of personal health services including consultation, diagnosis, therapeutic, preventative, or corrective personal treatment by physicians, dentists, nurses, counselors, and other health personnel, including practitioners of medical and/or healing arts as licensed for

such practice by the State. Provides for treatment by up to two licensed physicians, dentists, and their professional associates.

- c. *Walk-in Clientele.* Office providing direct services to patrons or clients without prior appointments, such as employment agencies, insurance agents, real estate offices, travel agencies, communication services, and utility company offices. It does not include banks and check-cashing facilities, which are separately classified.

18. **Personal Services**

- a. *General Personal Services.* Provision of recurrently needed services of a personal nature. This classification includes barbershops and beauty salons, day spas, clothing rental, seamstresses, tailors, dry cleaning agents, shoe repair shops, self-service laundries (excluding larger bulk cleaning plants), photocopying, and photo finishing services. These uses also may include accessory retail sales of products related to the services provided.
- b. *Instructional Services.* Services for the purpose of personal enrichment. Typical uses include classes or instruction in music, health, athletics, art, or academics. Rehearsal studios may be an accessory use.
- c. *Massage establishments.* Any establishments having in whole or in part, a fixed place of business where individuals engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, massages, baths, health treatments involving massages or baths as a primary or secondary function, provided that “massage establishment” does not include establishments where massage is administered in conjunction with the practice of a medical doctor, chiropractor, acupuncturist, physical therapist, or nurse.
- d. *Health/Fitness Facility.* Gyms, exercise clubs, or studios offering martial arts, physical exercise, yoga training, and similar types of instruction to classes and groups of more than five persons.
- e. *Tattoo or Body Modification Parlor.* An establishment whose principal business activity is one or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or 2) piercing of the body of a person for the purpose of inserting jewelry or other decoration.

- 19. **Regional Shopping Center.** A multi-tenant center with a broad range of retail and service uses and eating and drinking establishments, typically anchored by larger format stores (with 60,000 square feet of space or more). Secondary uses may include hotels and service stations. Accessory uses may consist of ancillary office space for support service uses and stand alone, professional office buildings.

20. **Retail Sales**

- a. *Artisan Shop:* A retail store selling art glass, ceramics, jewelry and other handcrafted items and supplies needed to create finished items, where the facility includes an area for the crafting of the items sold.
- b. *Firearm Sales and Servicing:* A business whose primary use is the sale and servicing of firearms, ammunition, and related materials.
- c. *Flea Market/Swap Meet.* An indoor or outdoor place, in an approved location, or for an approved activity where new or used goods or secondhand personal property is offered for sale or to exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces. The term Swap Meet or Flea Market is interchangeable with auctions, open-air markets, or other similarly labeled activities, but the term does not include supermarket or department store retail operations.
- d. *General Retail Sales, Small-Scale.* The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments with 25,000 square feet or less of sales area; including bakeries, clothing stores, drug and discount stores, florists, gift shops, household stores, furniture stores, pet supply stores, pharmacies, small hardware and garden supply/nurseries stores, sports stores, stationary and variety stores, and businesses retailing goods including, but not limited to, the following: art supplies, dry goods, toys, hobby materials, handcrafted items, jewelry, cameras, pet supplies, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, musical instruments, electronic equipment, sporting and camping equipment, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with accessory indoor repair services.
- e. *General Retail Sales, Large-Scale.* Retail establishments with over 25,000 square feet of sales area that sell merchandise and bulk goods for individual consumption, including department stores and membership warehouse clubs, where sales of grocery items do not occupy more than 25 percent of the floor area. Retail sales may be combined with accessory indoor repair services.
- f. *Nursery and Garden Center.* Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod that are predominantly grown elsewhere. Fertilizer and soil products are stored and sold in packaged form only.
- g. *Pawn Shop.* Establishments engaged in the buying, selling, trading, accepting for auctioning or auctioning of new or secondhand merchandise and offering loans in exchange for personal property.

- h. **Secondhand/Consignment Store.** A store where secondhand goods are for sale or goods are placed on consignment, which is the act of placing goods in the hands of another, while still retaining ownership, until the goods are sold. Unlike a pawn shop, secondhand/consignment stores do not offer loans in exchange for personal property.
 - i. **Smoke shop:** Smoke shop and tobacco store shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.
21. **Transient Lodging.** Transient lodging refers to establishments primarily engaged in the provision of lodging services with incidental food, drink, and other sales and services intended for the convenience of guests.
- a. **Bed and Breakfast.** A residential structure that is in residential use by the property owner or manager and within which bedrooms are rented for overnight lodging and where meals may be provided
 - b. **Hotel and Motel.** An establishment providing temporary lodging to transient patrons. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. This use classification includes motor lodges, motels, apartment hotels, and tourist courts.
 - c. **RV Park Resort.** A form of lodging designed to accommodate travelers with recreational vehicles for short-term overnight vacation stays, on a nightly or weekly basis, in allotted spaces, or for occupancy by tents or other movable temporary sleeping quarters. Such a facility would be designed to be self-contained, providing attractive amenities to the clients, which may include but are not limited to barbecue area, bathhouses, exercise equipment, tennis courts, gift store, laundry, and swimming pool. Sites shall be attractively landscaped and visually screened from the freeway or public view.
 - d. **Short-term rental.** Rental of a dwelling unit for less than a month. Provides a room or rooms in a private home. A permanent resident must reside at the property and be present in the home during the time of the homestay.

C. Institutional, Public/Semi-Public, and Community Facilities Use Types

- 1. **College and Trade School.** Institutions of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes junior colleges, business and computer schools, management training and technical and trade schools, but excludes personal instructional services such as music lessons.

2. **Community and Religious Assembly.** A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day care centers and schools that are separately classified and regulated.
3. **Community Garden.** An area of land managed and maintained by a public or non-profit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be accessory to public or institutional uses such as parks, schools, community centers, or religious assembly uses. This classification does not include gardens that are on a property in residential use when access is limited to those who reside on the property. Community Gardens to not include Medical Marijuana Collectives.
4. **Cultural Facility.** Facilities engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This classification includes performing arts for theater, music, dance, and events as an accessory use; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; publicly owned art galleries; and zoos and botanical gardens. It does not include schools or institutions of higher education providing curricula of a general nature.
5. **Day Care.** Establishments providing non-medical care for persons on a less-than-24-hour basis other than Family Day Care (Small and Large). This classification includes commercial and nonprofit nursery schools, preschools, day care facilities for children or adults, and any other day care facility licensed by the State of California.
6. **Emergency Shelter.** A temporary, short-term residence providing housing with minimal supportive services for homeless families or individual persons where occupancy is limited to six months or less, as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.
7. **Hospitals and Clinics.** State-licensed public, private, and non-profit facilities providing medical, surgical, mental health, or emergency medical services. This classification includes facilities for inpatient or outpatient treatment as well as training, research, and administrative services for patients and employees.
 - a. **Civic Health Care Facilities.** A facility that primarily provides medical care and supervision including facilities that provide inpatient/outpatient medical and/or psychiatric treatment that involves regular pharmaceutical distribution or treatment, blood bank, plasma, medical laboratory, substance abuse treatment , or dialysis center. Does not

include facilities that solely provide counseling and that do not distribute medicine on-site.

- b. *Hospital.* A facility providing medical, surgical, mental health, or services primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.
- c. *Medical or Dental Clinic.* A facility providing medical, mental health, or surgical services exclusively on an out-patient basis, including emergency treatment, cosmetic, diagnostic services, administration, and related services to patients who are not lodged overnight. Treatment is typically provided by more than two licensed physicians and their professional associates. May include the provision of medical testing and analysis services as an ancillary use. This classification includes licensed facilities offering substance abuse treatment, blood banks, plasma, dialysis centers, and emergency medical services. It does not include private medical and dental offices that typically require appointments and are usually smaller scale.
- d. *Skilled Nursing, Extended Care, and Assisted Living Facility.* A range of facility types that provides bed care on a chronic basis, or provides convalescent care for persons who by reason of illness, physical infirmity, or age are unable to properly care for themselves for a period of time. A skilled nursing facility is usually temporary in nature and is focused on rehabilitation that is intended to prepare the resident to return to their independent living. Extended care provides for the prolonged care of individuals who require custodial or nursing care. Assisted living services typically provide assistance with bathing, dressing, grooming, medications, and meal preparation in a setting that is, by design, residential in nature and is intended not to be temporary.

8. **Government Buildings.** Facilities providing administrative or public services, including public safety and emergency services, with incidental storage, training, and maintenance facilities.

9. **Social Service Center.** Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less-than-24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from licensed day care centers (See Day Care Center), clinics (see Clinic), and emergency shelters providing 24-hour or overnight care (See Emergency Shelter).

D. Industrial Use Types

- 1. **Artisan/Small-scale Manufacturing.** The artisan manufacturing use type refers to establishments primarily engaged in small-scale, on-site production of goods by hand manufacturing, which involves only the use of hands tools or domestic mechanical equipment not exceeding two (2) horsepower or kilns not exceeding 25 kilowatts, and the incidental direct

sale to consumers of only those goods produced on site. Typical uses include ceramic studios, glass, candle making shops, metal, and woodworking, manufacturers that typically occupy smaller spaces with a maximum floor area of 10,000 square feet.

2. **Artist's Studio.** Work space for an artist or artisan, including individuals practicing one of the fine arts, or an applied art or craft. This use may include incidental display and retail sales of items produced on the premises and instructional space for small groups of students. It does not include joint living and working units (See Live-Work). Small-scale art production that is generally of a low impact. Typical uses include painting, photography, jewelry, textile, and small scale pottery studios. All work is indoors and may only have very limited artisan display.
3. **Brewery/Distillery**
 - a. **Brewery.** An independent regional brewery with a majority of volume in "traditional" or "innovative" beers. Typical annual production may be between 15,000 and 6,000,000 barrels.
 - b. **Distillery.** An establishment where whiskey or a similar strong alcoholic drink, or spirits, is made by a process of distilling. Distillation of fermented products produces distilled beverages with a high alcohol content, or separates out other fermentation products of commercial value. Typically greater than 15,000 gallons of spirits per year.
4. **Food Preparation/Commercial Kitchen.** Businesses preparing and/or packaging food for off-site consumption, excluding those of an industrial character in terms of processes employed, waste produced, water used, and traffic generation. Typical uses include catering kitchens, bakeries with on-site retail sales, and small scale specialty food production. This classification does not include businesses involved in the processing or manufacturing of wholesale food products.
5. **Industrial, Heavy.** The processing, manufacturing, or compounding of materials, products, or energy, or any industrial activities that because of their scale or method of operation regularly produce noise, heat, glare, dust, smoke, fumes, odors, vibration, or other external impacts detectable beyond the lot lines of the property. Uses may utilize raw materials to fabricate semi-finished products that include but are not limited to metal fabricating facilities, open welding shops, lumber woodworking (milling) facilities, heavy machine shops, chemical storage and distributing, industrial fabrication facilities, concrete product manufacturing activities, and aggregate or asphalt yards. Characteristics of activities may include massive structures outside of the buildings such as cranes, conveyor systems, cooling towers or open-air storage of large quantities of raw, semi-refined, or finished products. Heavy industrial uses may regularly employ hazardous material or procedures or produce hazardous by-products, include outdoor storage areas, and may have activities that take place outside of structures. There is no general public access.
6. **Industrial, Medium.** Typically, larger in scale and size than light industrial uses and involves the manufacturing of products from processed or unprocessed raw materials, where the finished

product is non-combustible and non-explosive. This manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land uses, but is not offensive or obnoxious. Odors produced on site shall not have a material negative effect on other businesses or properties in the area.

This use shall include any packaging of the product manufactured on site. Activities may include research and development, and manufacturing of finished or semi-finished products in multiple-use facilities or structures. Outdoor storage is not permitted in the frontage zone and must not be visible from any thoroughfare, excluding alleys. A fence and landscape buffer is required along all side and rear property lines where it abuts any residential or similar less intensive use. May involve inter-plant transfers.

Examples include but are not limited to the production of the following: glass products made from manufactured glass, clay and pottery products; food and beverages, wood truss assembly, canners, roasters, breweries, wholesale bakeries, frozen food manufactures; candy and other confectionery products; computer hardware; products made from rubber, plastic, resin; converted paper and cardboard products; fabricated metal products made from semi-finished metals.

7. **Industrial Light.** Typically, smaller scale establishments engaged in the production of small consumer goods taking place primarily within enclosed buildings producing minimal impacts on nearby properties. Any heat, glare, dust, smoke, fumes, odors, or vibration are confined to the building. These uses typically have a larger number of employees per acre and are more consumer oriented. An activity that uses moderate amounts of partially processed materials to produce items of relatively high value per unit weight. A light industrial use may include a showroom or ancillary sales of products related to the items manufactured on-site. Limited storage may be required but must be fully screened. Often includes buildings that are smaller scale, under 50,000 square feet, or in multi-tenant type configurations, with office and production area combined.

Examples of light industries may include the manufacturing of foods, beverages, personal care and home care products, cosmetics, clothes and shoes, furniture, art ware and crafts, consumer electronics, and sign manufacture shops. It also includes the preparation, manufacturing, and/or packaging of food for off-site consumption in commercial kitchens or for specialty food manufacturing.

8. **Recycling Facilities.** Collection or processing or recyclable materials or items.
 - a. Recycling Collection Facilities. A drop-off/collection and sorting point for recyclable materials such as paper, metal, plastic, and glass.
 - b. Recycling Processing Facilities. An industrial facility where recycled materials are processed into new materials or products.

9. **Research and Development.** The research and development use type refers to establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale. Excludes uses, that in the Zoning Administrator's determination, may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration or the storage of hazardous material, including biohazards, or because they would threaten public safety. Businesses shall be compliant with all Fire and Building safety codes.
10. **Specialty Food Processing:** A facility for the transformation of raw ingredients, by physical or chemical means into food or of food into other forms. The application of food science to the selection, preservation, processing, packaging, distribution, and use of safe food. These uses may have specific quality assurance and quality control to ensure that ingredients and finished products are tested and meet safety and quality specifications.
11. **Storage Yard:** The use of land to store material, equipment, or vehicles. May include storage of construction materials or equipment on a site other than a construction site.
12. **Warehouse, Storage and Distribution.** An establishment or multi-tenant building engaged solely in the wholesale, storage, or distribution of goods to other vendors. Activities typically include but are not limited to wholesale, storage, and warehousing services; moving and storage services; storage and wholesaling to retailers from the premises of finished goods and food products; and distribution facilities for large scale-retail firms.
 - a. **Indoor Warehousing and Storage, Limited.** Storage within an enclosed building, 5,000 square feet or less in size, of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials including, but not limited to, personal automobiles, or construction materials.
 - b. **Indoor Warehouse and Storage, General.** Storage within an enclosed building greater than 5,000 square feet in size, of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials including, but not limited to, feed, construction materials, cold storage, draying or freight, moving and storage and warehouses. Excludes the storage of hazardous chemical, mineral, and explosive materials.
 - c. **Personal Self-Storage Facility (mini-storage).** A storage facility that is characterized by individual separate spaces accessible by customers for the storing and retrieval of personal effects and household goods. This classification excludes manufacturing, retail or wholesale selling, office or other business services with the spaces and human habitation.
 - d. **Personal Self Storage – Warehouse Facility:** The indoor storage of large boats, RVs, and other large objects for customers for storage and retrieval. The items may be moved

about within the facility by the business operator with goods and vehicles possibly arranged in racks for storage.

- e. *Chemical or Mineral Storage.* Storage of hazardous materials including, but not limited to: bottled gas, chemicals, minerals and ores, petroleum or petroleum based fuels, and fireworks.

E. Transportation, Communications and Utilities

1. **Communications Facilities.** Broadcasting and other information relay services.

- a. *Antennas and Transmission Towers.* Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures designed to support reception or transmission systems. Typical uses include wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, and cellular telephone transmission/personal communications systems towers.
- b. *Equipment within Buildings.* Indoor facilities containing primarily communication equipment and storage devices such as computer servers.

2. **Park-and-ride Facility.** A parking lot with public transportation connections enabling commuters and other people to leave their cars and either carpool or use transit to reach a city center or major employment location.

3. **Transportation Passenger Facility.** Facilities for passenger transportation operations, including transit bus stops and bus terminals.

4. **Utilities, Minor.** Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, and underground water and sewer lines.

F. Accessory and Temporary Uses

1. **Accessory Use.** A use that is customarily associated with, and incidental and subordinate to, the primary use, is located on the same lot as the primary use, and occupies not more than 20 percent of the gross floor area.

2. **Temporary Use.** A use that is intended to be of limited duration of time and that will not permanently alter the character or the physical facilities of the site where it occurs. These may include seasonal sales, special events and sales, temporary outdoor sales and displays, and temporary construction offices.

G. Commercial Cannabis Uses

Refer to Section 25-21.6-30 in the Woodland Municipal Code for definitions for commercial cannabis uses.

Definitions of Terms

As used in this Ordinance

In any case of conflicting definitions the Director shall determine which shall be applied.

Abandoned, Abandonment- When, for a period of over one year, a non-conforming use is either vacated, the business license lapses, the lease is terminated, and/ or utilities are terminated.

Abutting, Adjoining, or Adjacent- Having a common property or district line, or separated only by an alley, path, private street, or easement.

Access- The place or way through which pedestrians and/ or vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this code.

Accessory Building- See Building, accessory.

Accessory Structure- See Structure accessory.

Addition – Any construction which increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area.

Alley- A public way permanently reserved for access to the rear or side of properties otherwise abutting on a street.

Alteration- Any change, addition, or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance, and repairs.

Ancillary – Subordinate, connected with something, but less important than the main feature. Providing necessary support to the primary activities or operation.

Applicant – Is a person who requests in writing the approval of a permit, license, certificate, or other entitlement for use from one or more public agencies.

Application – The form and information submitted by an applicant. The form and information is to be used to determine whether to approve or deny permits or other entitlement for use.

Arcade- A public way passageway or colonnade open along at least one side, except for structural supports, usually covered by a canopy or permanent roofing.

Area, Net – The area contained within the site or parcel area.

Area, Gross – The entire area within the boundaries of a project site, building, or lot, measured to the centerline of proposed bounding streets and to the edge of the right-of-way of existing or dedicated streets.

Automatic Irrigation System- An irrigation system that utilizes an automatic timing device (automatic controller) to remotely control valves for operation of water supply to landscapes.

Average Grade- A horizontal line approximating the ground elevation through each building on a site used for calculating the exterior volume of a building. Average grade is calculated separately for each building.

Awning- An architectural projection that provides weather protection, or decoration and is wholly supported by the building to which it is attached. An awning is typically constructed of non-rigid materials on a supporting framework, which projects from and is supported by the exterior wall of a building.

Balcony- A platform that projects from the wall of a building 30 inches or more above grade that is accessible from the building's interior, is not accessible from the ground and is not enclosed by walls on or more than two sides. See also Deck.

Base District- See zoning district.

Bathroom- A room containing a sink, a toilet, and a shower and/ or bathtub.

Bay Window- An angular or curved window that projects from the building surface.

Bedroom- Any habitable space in a dwelling unit or accessory structure other than a kitchen or living room that is intended for or capable of being used for sleeping and is at least 70 square feet in area.

Best Fit – Means the most appropriate existing zone that would implement a General Plan land use classification for a specific development site, taking into consideration the permitted and conditionally permitted land uses and the allowable height, density/intensity, and other development standards established in the Zoning Ordinance. Applying the Best Fit does not mean that a particular piece of property will be rezoned; rather, it means that the applicable standards for a particular zone will apply to a project when the project is in an area where the zoning and General Plan are not in conformity with each other.

Block face- All property between two intersections that fronts upon a street or abuts a public right-of-way.

Block- Property bounded on all sides by a public right-of-way.

Buffer, Buffering- An area on a parcel that is designed to separate structures and uses from the general public and/ or adjacent properties to reduce negative impacts. It may include landscaping, fences, and walls.

Building Envelope- The aggregate of building mass and building bulk permitted on a parcel, which is defined by height regulations, setbacks, and other property development standards.

Building Face- The general outer surface of the structure or walls of a building. Where bay windows or pillars project beyond the walls, the outer surface of the windows or pillars shall be considered the face of the building.

Building Site- A parcel or parcel of land occupied, or to be occupied, by a main building and accessory buildings together with such open spaces as are required by the terms of this title and having its primary frontage on a street, road, highway, or waterway.

California Department of Alcoholic Beverage Control (ABC) - The California State agency that regulates the permitting of alcoholic beverage sales, including the sale of beer, wine, and distilled spirits.

California Environmental Quality Act (CEQA) - Public Resources Code Section 21000 et seq. or any successor statute and associated guidelines (California Code of Regulations Section 1500 et seq.) that require public agencies to document and consider the environmental effects of a proposed action before a decision.

California Model Water Efficient Landscape Ordinance- See California Code of Regulations, Title 23. Waters, Divisions 2. Department of Water Resources, Chapter 2.7 Model Water Efficient Landscape Ordinance.

Canopy- A roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground.

Carport- A permanently roofed structure-providing space for parking or temporary storage of vehicles enclosed on not more than two sides.

Change of Occupancy- A discontinuance of an existing building use and substitution of a new use that changes the Building Code occupancy group classification and requires a building permit and new Certificate of Occupancy as determined by the Building Official.

Change of Use- A discontinuance of an existing use and the substitution therefore of a use such that the new use represents a different use group or is otherwise differently regulated by the zoning code compared to the prior use. A change of ownership alone does not constitute a change of use.

Conditionally Permitted- Permitted subject to approval of a Conditional Use Permit.

Context-Sensitive Design- means that buildings, landscapes and other lot improvements should respond to their specific physical context in a manner that positively reinforces or helps transform and improve the long-term character of the surrounding buildings, blocks, streets, neighborhood or district.

Construction- Construction, erection, enlargement, alteration, conversion, or movement of any building, structures, or land together with any scientific surveys associated therewith.

Courtyard- An unroofed area that is completely or mostly enclosed by walls of a building.

Curb Cut- A break in a curb allowing vehicles access from the roadway to a legal parking area within the parcel.

Deck- A platform, either freestanding or attached to a building that is used for outdoor space. It typically extends from the façade of a building and is supported by pillars or posts but may be located on a flat portion of a building, such as a roof or setback. It is distinct from a Patio. See also Balcony.

Demolition- The destruction, dismantling, or removal of a building or structure, or substantial portion of a building or structure so that it constitutes demolition pursuant to the provisions of this Ordinance.

Development Agreement- An agreement between the city and any person having a legal or equitable interest in real property for the development of such property and that complies with the applicable provisions of the Government Code and local laws for such development agreements.

Development- Any manmade change to improved real estate, including, but not limited to, the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, expansion, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Discretionary Permit- A Zoning Administrator Permit, Variance, Temporary Use Permit, Planned Development Permit, or Conditional Use permit or any other appealable permit that requires findings be to be made.

Drive-In and Drive-Through Facilities- A facility designed to provide service to clients in a manner that does not require them to leave their vehicle.

Driveway- An access way that provides vehicular access between a street and the parking or loading facilities located on an adjacent property.

Drought Tolerant Plant- A plant that is adapted to arid or drought conditions. The use of drought-tolerant plants is essential to a successful xeriscape, which ideally requires no supplemental irrigation.

Easement- A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege, or interest which one party has in the land of another.

Eave – The projecting lower edges of a roof overhanging the wall of a building.

Effective Date- The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

Emergency- A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

Enclosed- surrounded by walls, including windows, doors, and similar opening or architectural features.

Entitlement- Formal permission from the Planning Division to use or develop land, including Zone Clearances, Development Permits, and Conditional Use Permits, but not including legislative actions such as Rezones and Plan Amendments. An individual entitlement may be sufficient for a project to proceed, or may need to be used in conjunction with another entitlement.

Entrance- An opening, such as door, passage, or gate, that allows access to a place.

Environmental Impact Report- (EIR) - An Environmental Impact Report as required under the California Environmental Quality Act.

Environmental Review- An evaluation process pursuant to CEQA to determine whether a proposed project may have a significant impact on the environment.

Erect- To build, construct, attach, hang, place, suspend, or affix to or upon any surface.

Excavation- The removal of soils or other materials below grade.

Existing Grade- The elevation of the ground at any point on a parcel as shown on the required survey submitted in conjunction with an application for a building permit or grading permit. Existing grade also may be referred to as natural grade.

Express Conflict – A situation where a proposed use or development proposal may be not be permitted or conditionally permitted in the Zoning Ordinance, but may be referenced in the General Plan, and/or consistent with policies contained in the General Plan, or the General Plan may be silent, each situation resulting in a conflict.

Façade- Exterior, outer being on the outer side, situated or being outside; the outer surface. The face of the exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

Façade, Street Facing- Any building façade whose exterior wall faces or is within 45 degrees of parallel to an adjacent street, right of way, or public park, plaza, or open space.

Feasible- Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Fee- A payment to the City for the processing of a permit, license, or appeal application by a City agency or department.

Fence- An artificially constructed barrier of any material or combination of materials erected to enclose or screen an area of land. Fences may also be walls, hedges, and screen planting.

Final Map- A map showing a subdivision of five or more lots, prepared for filing with the Yolo County Recorder in accordance with the provisions of the Subdivision Map Act and Part IV: Land Divisions, if deemed in substantial compliance with a previously approved tentative subdivision map and with any conditions to such approval.

Floor area, Net – The total of all floor areas of a building, excluding stair wells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

Floor area, Gross- the total gross horizontal area of all the floors below the roof and within the outer surface of the walls of a building or structure, including basements, mezzanines, interior balconies, and upper stories or levels in a multi-story building unless otherwise stipulated.

Floor Area Ratio (FAR) - means the ratio of the total gross floor area of all buildings on a lot to the lot area.

Footprint- The horizontal area, as seen in plain view, of a building or structure, measured from the outside of exterior walls, and supporting columns, and excluding eaves.

Frontage- That portion of a parcel of property that abuts on a public street.

Garage- A building or portion thereof, containing accessible and usable enclosed space designed, constructed and maintained for the parking or storage of one or more motor vehicles.

General Plan- The City of Woodland 2035 General Plan adopted by City Council by Resolution 6836 on May 16, 2017.

General Plan Land Use Designations and General Plan Land Use Diagram – the designation depicted on Figure 2-5 of the General Plan entitled “Land Use Diagram” and the Land Use Diagram itself.

Glare- The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort, or loss of visual performance and ability, and which may also cause damage to property.

Government Code- The Government Code of the State of California.

Grade- The location of the ground surface.

Graffiti- Marks, such as inscriptions, drawings, or design, which are placed, scratched, etched, painted, or sprayed on public or private property without owners consent.

Ground Floor Street Frontage- The first level of a building, other than a basement that borders a public street.

Ground Floor- The lowest floor of a building other than a basement that is closest to finished grade.

Habitable Space- As defined in Section 202 of the California Building Code.

Habitation- Regular and exclusive use of a space or structure for shelter and other residential purposes in a manner that is private and separate from another residence on the same parcel.

Hazardous Materials- Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health safety, property, or the environment when improperly treated, stored, transported, disposed of , or otherwise managed.

Hedge- Any group of shrubs planted in line or in groups so that the branches of any one plant are intermingled or form contract with the branches of any other plant in the line.

Height- The vertical distance from a point on the ground below a structure to a point directly above.

Household- One or more persons living together in a single dwelling unit, with common access to and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food; who share living expenses, including rent or mortgage payments, food costs and utilities; and who maintain a single mortgage, lease, or rental agreement for all members of the house hold.

Hydro zone- A portion of the landscaped area having plants with similar water needs.

Illegal Non-Conforming Use or Site Feature- A use, structure, site feature or lot shall be designated as having Illegal Non-Conforming status if it was not lawfully established under the regulations of the jurisdiction in which it was located

at the time of its establishment or has not continuously remained in compliance with all terms and conditions imposed upon the use, structure, or site feature upon its establishment or imposed upon it any time thereafter.

Intensity of Use- The extent to which a particular use or the use in combination with other uses affects the natural and built environment in which it is located, the demand for services, and persons who live, work, and visit the area. Measures of intensity include, but are not limited to, requirements for water, gas, electricity, or public services; number of automobile trips generated by a use; parking demand; number of employees on a site; hours of operation; the amount of noise, light, or glare generated; the number of persons attracted to the site, or, in eating establishments, the number of seats.

Interim Zones- Refers to the zoning designations established in this Interim Zoning Ordinance.

Interior- The inner or indoor part of something, especially a building; the inside; being within.

Junkyard – Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, or abandonment of wastepaper, rags, scrap metal, or other scrap or discarded goods, materials, machinery or two or more unregistered, inoperable motor vehicles or other type of junk.

Kitchen- A room or space within a building with appliances used for cooking or preparing food.

Landscaping- The planting, configuration, and maintenance of trees, ground cover, shrubbery, and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

Legal Non-Conforming Use, Structure, or Site Feature- A use, structure, or site feature shall be designated as having Legal Non-Conforming status if it was lawfully established under the regulations of the jurisdiction in which it was located at the time of its establishment, and has continuously remained in compliance with all terms and conditions imposed upon the use, structure, or site feature upon its establishment or imposed upon it any time thereafter, based on evidence provided by the property owner, tenant, or applicant. Legal Non-Conforming status shall also be assigned if non-conformities were created by a public improvements, such as a street widening project.

Light Fixture- The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirrors, and a refractor or lens.

Local-serving or neighborhood-serving- means having a market area generally not exceeding one mile in radius.

Lot Line Adjustment- A shift or rotation of an existing lot line or other adjustment where a greater or lesser number of parcels that originally existed is not created.

Maintenance and Repair- The repair or replacement of nonbearing walls, fixtures, wiring, roof, or plumbing that restores the character, scope, size, or design of a structure to its previously existing, authorized, and undamaged condition.

Merger- The joining of two or more contiguous parcels of land under one ownership into one parcel.

Mobile Vendor- Any person that sells, or causes or allows another, whether as an employee or as an independent contractor leasing or renting equipment, to sell any food, drinks, or merchandise by means of a motorized or non-motorized vehicle, such as a wagon, pushcart, handcart, bicycle, motorized cart, food truck, or other itinerant method.

Mulch- Any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

Non-Conforming Lot- A legally created lot of land having less area, frontage, or dimensions than the existing Code requires in the Zoning District in which it is located.

Occupancy Group- The Building Code use category for determining requirements for building construction elements and life safety system requirements.

Off-site use- An activity or accessory use that is related to a specific primary use, but is not located on the same lot as the primary use.

Onsite- Located on the lot that is the subject of discussion.

Open Space, Common- Any outdoor area, not dedicated for public use, which is designed and intended for the common use and enjoyment of the residents and guests of more than one dwelling unit.

Open Space, Private- Open areas for outdoor living and recreation that are adjacent and directly accessible to a single dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guest.

Open Space, Usable- Outdoor areas that provide outdoor living and/ or recreation for the use of residents.

Outdoor sales, Temporary and Seasonal- The sale or offering for sale to the general public of merchandise outside of a permanent structure on property owned or leased by the person, firm, or corporation. These sales are of a limited duration and conducted on an occasional basis, and are secondary or incidental to the principal permitted use or structure existing on the property.

Outdoor Storage- The keeping, in an unroofed area, of any goods, junk material, merchandise or vehicles in the same place for more than 72 hours except for the keeping of building materials reasonably required for construction work on the premises pursuant to a valid and current Building Permit issued by the City.

Overlay District- A zoning designation specifically delineated on the Zoning Map establishing land use requirements that govern in addition to the standards set forth in the underlying zoning district.

Parapet- A low wall or railing extending above the roof and along its perimeter.

Parcel- A single unit of land separated from other units of land by legal description, the boundaries of which are shown on a parcel map or final map, described in a deed, or for which a certificate of compliance has been issued pursuant to the Subdivision Map Act. [Parcel shall also include two or more parcels where the owner(s) have recorded a covenant with the office of the County Recorder that states the intention of the owner(s) to combine and use the parcels as a single unit of land in compliance with City regulations.] Also referred to as "lot."

Parcel Map- A map prepared in accordance with the provisions of this Subdivision Ordinance, designed to be placed on record in the office of Yolo County Recorder, and providing for the division of land, which meets the exceptions, set forth in Section 66426 of the Map Act.

Park Strip- the area of the public street located between the face of the curb and closest edge of the sidewalk.

Parking Facility- An area of a lot parcel, structure, or any other area, including driveways, which is designed for and the primary purpose of which is to provide for the temporary storage of operable motor vehicles.

Patio- An outdoor area, often paved, adjoining a building that is used for outdoor open space. It is not enclosed by walls and typically is located at grade or supported by minimal footings.

Paving- A type of material used over areas of a parcel such as driveways, parking spaces and areas, pathways, patios, and front setbacks used for access by vehicles and pedestrians.

Performance Standards – A set of criteria or limits relating to nuisance elements, which a particular use of process may not exceed.

Permit- Any Conditional Use Permit, Temporary Use Permit, Building Permit, license, certificate, approval, or other entitlement for development and/ or use of property as required by any public agency.

Permitted Use- Any use or structure that is allowed in a Zoning District without a requirement for approval of a Use Permit, but subject to any restrictions applicable to that Zoning District.

Person with Disabilities- Under the Americans with Disabilities Act, an individual with a disability is a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities; or (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Planning Commission- The Planning Commission of the City of Woodland.

Plaza- An outdoor space set aside for gathering or congregating and commercial activities, typically surrounded by building frontages.

Pocket Park- A park of one-half to two acres in size that intended to serve the needs of a smaller, specific neighborhood located within a half-mile radius of the pocket park.

Podium- A continuous raised platform supporting a building or a large block of two or three stories beneath a multi-story block of smaller area.

Porte Cochere- A roofed structure through which a vehicle can pass, extending from the entrance of a building over an adjacent driveway, the purpose of which is to shelter persons entering and exiting a building.

Pre Existing- In existence prior to the effective date of this Ordinance.

Project- Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure that is subject to the provisions of this ordinance. This term includes, but is not limited to, any action that qualifies as a “project” as defined by the California Environmental Quality Act.

Public Improvement- Street work, utilities, and other facilities proposed or required to be installed within the subdivision for the general use of all the subdivision lot owners and for local neighborhood or community needs.

Public Resource Code- The Public Resources Code of the State of California.

Qualified Applicant- the property owner, the owner’s agent, or any person or other legal entity that has a legal or equitable title to land that is the subject of a development proposal or is the holder of an option or contract to purchase such land or otherwise has enforceable proprietary interest in such land.

Ramp- An access driveway leading from one parking level to another, or an access driveway from an entrance leading to parking at a different level.

Remainder- That portion of an existing parcel, which is not designated on the required map as part of the subdivision. The remainder shall not be considered as part of the subdivision but shall be shown on the required map as part of the area surrounding the subdivision.

Restore- Return to a former condition, or renovate or as to return to its original state.

Review Authority- Body responsible for making decisions on zoning and related applications.

Right of Way- A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or other similar use.

Roof- That portion of a building or structure above walls or columns that shelters the floor area or the structure below.

Roofline- The top edge of a roof or building parapet, whoever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Runs with the Land – A covenant restriction to the use of land contained in a deed and binding on the present and all future owners of the property.

Screening- Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street or public views.

Setback- The distance between the parcel line and a building, not including permitted projections that must be kept clear or open.

Shielded Light Fixture- outdoor light fixtures shielded or constructed so that light rays emitted by the lamp are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.

Sidewalk- A paved, surfaced, or leveled area, parallel and usually separated from the street, used as a pedestrian walkway.

Sidewalk Café- Any outdoor dining area located in or adjacent to any public sidewalk or right of way that is associated with a restaurant or other eating and drinking establishment on a contiguous adjacent parcel.

Site- A parcel or group of contiguous parcels that is proposed for development in accordance with the provisions of this Ordinance and is in a single ownership or under unified control.

Standard Specifications- The Standard Specifications of the Department of Public Works of the City as may be amended from time to time.

Street Tree- A tree fronting private property within the street right of way.

Street Wall- A wall or portion of a wall of a building facing a street.

Story – That portion of a building included between the surface of any floor and the surface of any floor next above it, or if there is no floor above it, then the space between such floor and ceiling next above it.

Swimming Pool- A pool, pond, or open tank capable of containing a large and deep enough body of water for people to use to swim.

Temporary Use- A use that is intended to be of a limited duration of time and that will not permanently alter the character or physical facilities of the property where it occurs.

Tenant- A person who rents, leases, or subleases, through either a written or an oral agreement, real property from another.

Tentative Map- A map made for the purpose of showing the design and improvements of a proposed subdivision and the existing conditions in and around it.

Use Classification- A system of classifying uses into a limited number of use types based on common functional product, or compatibility characteristics. All use types are grouped into the following categories: residential, public and semi-public, commercial, industrial, transportation, communication, utilities, and agricultural and extractive.

Use Type- A category, which classifies similar uses based on common functional, product, or compatibility characteristics.

Utilities- Equipment and associated features related to the mechanical functions of a building(s) and services such as water, electrical, telecommunications, and waste.

Visible- Capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public road.

Walk up Facility- A facility designed to provide service to pedestrian clients, where clients typically are queued on the outside of the main structure or room. Typical facility types include, but are not limited to automatic teller machines (ATM'S) and food- service windows.

Wall- Any exterior surface of building or any part thereof, including windows.

Window- An opening in a wall of a building that is filled with glass in a frame. They typically allow light and air into the interior of a building, but also serve as mediums for viewing merchandise in commercial properties.

Zones- Refer to the zones that are included in the Zoning Ordinance and shown on Zoning Maps.

Zoning District- A specifically delineated area or district in the city within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

Zoning Map – A map or maps that were adopted to implement the Zoning Ordinance and delineate the boundaries of zones within the City.

Zoning Ordinance – the ordinance codified as Chapter 25 of the Municipal Code.

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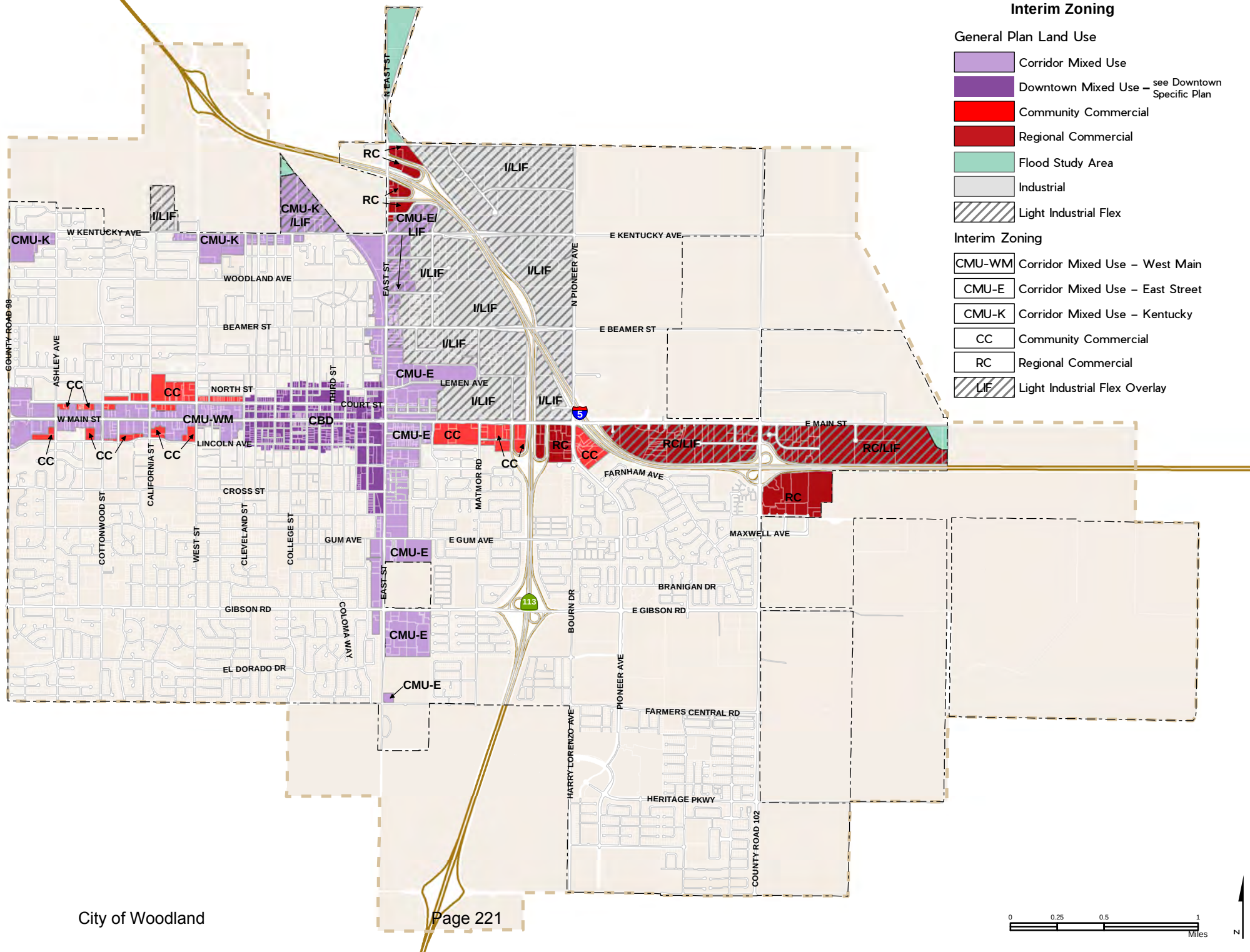
General Plan Land Use and Interim Zoning

General Plan Land Use

-  Corridor Mixed Use
-  Downtown Mixed Use – see Downtown Specific Plan
-  Community Commercial
-  Regional Commercial
-  Flood Study Area
-  Industrial
-  Light Industrial Flex

Interim Zoning

-  CMU-WM Corridor Mixed Use – West Main
-  CMU-E Corridor Mixed Use – East Street
-  CMU-K Corridor Mixed Use – Kentucky
-  CC Community Commercial
-  RC Regional Commercial
-  LIF Light Industrial Flex Overlay



Draft ~~—EXHIBIT B~~ ZONING SUMMARY OF ALLOWED LAND USES AND PERMIT REQUIREMENTS - Draft

DRAFT

	Zoning District									
LAND USE	Corridor Mix Use (CMU)				Commercial			Industrial		Comments
	CMU-East	CMU-Kentucky	CMU-West Main	CMU-Light Industrial Flex Overlay	Community Commercial	Regional Commercial	Regional Commercial Light Industrial Flex Overlay	Industrial Light Industrial Flex Overlay	Industrial	
	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	<i>P = Permitted A = Zoning Administrator Permit C = Conditional Use Permit “-“ = Not Permitted L = Special Criteria – Provides clarification whether a use is allowed, when and under what conditions. See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>
RESIDENTIAL										
Single Family										
Detached	L1	<u>L1-</u>	-	-	<u>L1-</u>	-	-	-	-	See Section 25-21-05 for second (accessory) dwelling units on lot; Section 25-21-55 for nonconforming use provisions
Attached	L1	<u>L1-</u>	-	-	<u>L1-</u>	-	-	-	-	
Duplex	L1	-	-	-	<u>L1-</u>	-	-	-	-	
Multi-Unit Dwelling (3 units and over)	P	P L2	P	P L2	-	-	-	-	-	
Adult Family Day Care										
Small (6 clients or less)	P	A	P	A	-	-	-	C	-	
Large (7-12 clients)	P	A	P	A	-	-	-	C	-	
Family Day Care										
Small (up to 8 children)	P	-	-	-	-	-	-	-	-	Subject to State review
Large (7-14 children)	C	C L2	C	-	-	-	-	-	-	Subject to State review
Residential Care Facility (24 Hour)										
General (6 or more clients)	C	C	C	C	-	-	-	-	-	Subject to State review
Limited (up to 6 clients)	P	P	P	C	-	-	-	-	-	Subject to State review
Supportive Housing (No limit on stay)	L30	L2 L30	L30	L2, L30	L 30	L 30	L 30	C L 30	-	
Transitional Housing (Temporary)	L30	L2 L30	L30	L2, L30	L 30	L 30	L 30	C L 30	-	
COMMERCIAL										
Adult Business	-	-	-	-	-	-	-	L7	-	See Section 25-21-75
Ambulance Service	P	P	P	P	P	P	P	P	-	
Animal Sales and Services										
Boarding Kennel	-	C	-	-	C	-	-	A	A	
Grooming	A	A	A	A	P	P	P	A	A	
Retail Sales (Pet Shop Supplies)	P	P	P	-	P	P	-	-	-	
Veterinary Services	A	A	A	A	P	P	P	A	-	
Automobile Sales and Services										
Alternative Fuels and Recharging Facility	A L28	A L28	A L28	-	A L28	A L28	A L28	A L28		
Automobile Rental Office	P L15	P L15	P L15	-	P L15	P L15	A L14	A L14	-	
Auto/Vehicle Sales & Leasing, New and Used, autos, RV, motorcycles	A L17, L17a	A L17	A L17, L17a	A L17	A L17 L17a	A L17 L17a	A L17	A L17	-	
Auto/Vehicle Sales Showroom (only)	P	A	P	A	P	P	P	A		No open lots and service areas must be fully enclosed
Automobile/Vehicle Repair, Minor	P <u>L 10</u> L14	P <u>L10</u> L14	P <u>L10</u> L14	P <u>L10</u> L14	A <u>L10</u> L14	C L14	A L14	P L14		No overnight parking of vehicles
Automobile/ Vehicle Repair, Major	C L14	C L14	-	C L14	-	-	C L14	C L14		Screening: <u>Minimize noise, light, vibration impacts if adjacent to residential</u>
Auto/Vehicle Washing (Full Service)	A L8 L11	-	-	-	C L8	C L8	C L8			Circulation, design, screening Circulation, screening, noise

	Zoning District									
LAND USE	Corridor Mix Use (CMU)				Commercial			Industrial		Comments
	CMU-East	CMU-Kentucky	CMU-West Main	CMU-Light Industrial Flex Overlay	Community Commercial	Regional Commercial	Regional Commercial Light Industrial Flex Overlay	Industrial Light Industrial Flex Overlay	Industrial	<i>P = Permitted</i> <i>A = Zoning Administrator Permit</i> <i>C = Conditional Use Permit</i> <i>“-“ = Not Permitted</i> <i>L = Special Criteria – Provides clarification whether a use is allowed, when and under what conditions.</i>
	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	<i>See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>
Auto/Vehicle Washing (Self Service)	-	A L8 L11	A L8 L11	A L8 L11	A L8 L11	A L8	A L8	P L8		
Service Stations	C	C	C	-	C	C	C	C		
Automobile Storage Lot	-	-	-	-	-	-	A L14	A L14		
Farm/Agricultural Equipment Sales, Service & Leasing	A L14	A L14	A L14	A L28	A L14	A L14	A L14	A L28		
Large Vehicle and Equipment Sales, Service and Rental	-	-	-	C L 28	-	-	C L 14	C		
Tire Retreading and Recapping	-	-	-	-	-	-	C L14	C L14		
Banks and Institutions	P	P	P	-	P	L12	L12	-		
With Drive-Through Service	C	C	C	-	C	C	-	-	-	
Check Cashing & Alternative Lenders	A L35	A L35	A L35	-	A L35	-	-	-	-	
Business and Communication Services	P	P	P	P	P	L12	-	L3		
Commercial Parking Facilities	C	C	C	C	C	C	C	A		Circulation, design, screening Circulation, screening, compatibility in Light Industrial Flex Overlay Zones
Commercial Entertainment and Recreation										
Hookah Bar/Smoking Lounge	-	-	C L32	-	-	C L32	C L32	-	-	
Small Scale Facility	A	A	A	A	A	A	A	C	-	Noise circulation, hours, security, compatibility Circulation, compatibility in Light Industrial Flex Overlay Zones
Large Scale Facility	C	C	C	C	C	C	C			Circulation, compatibility in Light Industrial Flex Overlay Zones
Eating & Drinking Establishments										
Bar/Night Club/ Lounge/	C L4	C L4	C L4	C L4	C L4	C L4	C L4	C L4	-	See Section 25-21-70 Alcoholic beverage establishments
Micro-brewery/Wine-bar/Brewpub	A	A	A	A	A	A	A	C	-	See Section 25-21-70 Alcoholic beverage establishments Odor, noise, transport traffic
Restaurant, Full Service	P	P	P	P	P	P	P	A	-	See Section 25-21-70 Alcoholic beverage establishments Circulation, access, compatibility in Light Industrial Flex Overlay Zones
Restaurant, Limited Counter Service/ Fast Food	A L18	P L 18	P L18	P	P L18	P	P	P	P	Circulation, access, compatibility in Light Industrial Flex Overlay Zones
Restaurant with Drive-Thru Service	-	-	-	-	-	C L21	C L21	-	-	Shall be considered only in limited circumstances with review of overconcentration, proximity to schools, housing, and impact on healthy lifestyle choices.
Tasting Room	A	A	A	A	A	A	A	A	C	
Food and Beverage Sales										
Convenience Market	P L9	P L9	P L9	P L9	P L9	P L9	P L9	L9	A L9	Section 25-21-70
Farmers Market	A	-	A	-	A	A	A	-		

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	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	<i>See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>
General Market	P	P	P	P L20	P	P	P L20	P L20	-	
Healthy Food Grocer	P	P	P	P L20	P	P	P	-	-	
Liquor Store	C	C	C	-	C	C	C	-	-	Section 25-21-70
Funeral Homes and Internment	P	P	-	P	P	-	A	A	-	
Crematorium	-	-C	-	-	-	-	C	C	C	
Live-Work	P	P	P	A L22	P	-	A L22	C		
Maintenance and Repair Services	P L28	P L28	P L 28	P L28	P L28	P L28	P L28	PL28		
Mixed-Use	P L33	P L33	P L33	P L33	P L33	P L33	P L33	P L33	C L33	Consistent with uses that are otherwise allowed in the District
Offices, Business and Professional										
Administrative and Professional Offices	P L5	P L5	P	P L5	P	P L12	P L5	P L3		
Medical/ Dental Offices	P	P	P	A	P	P L12	A	-		
Walk-in Clientele	P	P	P	P L20	P			P L20		
Personal Services										
Fortune Telling Service	P	P	P	P L20	P	P L12	P L20	L18		
General Personal Services	P	P	P	P L20	P	P L12	P L20	L18		
Instructional Services	P	P	P	P L20	P	P L12	P L20	L18		
Massage Establishment	L34	L34	L34	-	L34	L19 L34	-	-		Sections 13-1-14 & 13-6-1, considered same as a beauty salon with a license.
Health/Fitness Facility	P	P	P	A	P	P	C	C		
Beauty/Salon/Spa	P	P	P	P	P	P L12	P L3	-		
Tattoo or Body Modification Parlor	A	-	A	-	A	C	-	-		Section 25-21-45
Automobile Storage Parcel	-	-	-	-	-	-	C L14	C L14		
Regional Shopping Center	-	-	-	-	-	C	C	-		
Retail Sales										
Artisan Shop, with limited crafting	P L14	P	P	P	P	P	P			
Building Materials, Sales and Service	A L14	A L14	A L14	A L 14	A L14		A L14	A L14		
Consignment/Secondhand store	P	P	P	-	P	P	-	-		Chapter 16
Firearm Sales and Servicing	A L35	A L35	A L35	A L35	A L35	A L35	A L35	-		Must be accessory use to a larger sporting goods or similar type of retailer
Flea Market/Swap Meet	C						C	-		
General Drive-Thru Service	-	-	-	-	C	C	-	-		
General Retail Sales (small 25,000 sf or less)	P	P	P	P	P	P	P L20	P L18		
General Retail Sales(Large over 25,000 59,999 sf)	P	P	P	-	P	P	P	-		
Large Format Retail (over 60,000 sf)					A L11	P L11	A L11			
Nursery and Garden Center	A L14	A L 14	P L14	P L14	P L14	A L14	P L14	P L14		
Pawn Shop	A	A	A	A	-	-	-	-		Chapter 16
Smoke Shop			A L32		A L32	A L32	-	-		

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	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	<i>See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>
Visitor Accommodations										
Bed and Breakfast	A	-	A	-	-	-	-	-		
Homestay	C L19	C L19	-	-	-	-	-	-		
Hotel and Motel	A	-	A	-	A	A	A	-		
RV Park.	-	-	-	C	-	-	-	-		
Short-Term rental	C L19	-	C L 19	-	-	-	--	-		
INSTITUTIONAL, PUBLIC/SEMI-PUBLIC, AND COMMUNITY FACILITIES										
College and Trade School	P	P	P	A	P	P	-	-		
Community & Religious Assembly	A	A	A	A	A	A	-	-		
Community Garden	A	A	-	A	-	-	-	A		
Cultural Facility	P L3 <u>L10</u>	P L3 <u>L10</u>	P L3 <u>L10</u>	P L3 <u>L10</u>	P <u>L10</u>	P	P	A		
Day Care Center	C	C L2	A	C	A	A	C	C		
Emergency Shelter	C	C L2	-	-	-	-	A	C		See Chap. 25, Article 32
Government Buildings	P	P	P	-	P	P	<u>P-</u>	<u>P-</u>		
Civic Health Care Facility	-	C	-	C	C	C	C	C		
Hospitals	C	C L2	C	-	C	C	-	-		
Medical or Dental Clinics	A	A L2	A	C	A	A	A	-		
Skilled Nursing /Assisted Living	A	A L2	A	C	A	A	C	-		
Social Service Center	C	A L2	-	C	C	-	C	C		
INDUSTRIAL										
Artisan/Small-scale Manufacturing	P L3 L14	P L3 L14	-	P L14	-	-	P L14	P L14		
Agricultural Production, Light	-	-	-	A L14	-	A L14	A L14	A L14		
Artists Studio	P L14	P L14	P L14	P L14	P 14	-	P L14	P		
Brewery/Distillery	-	-	-	-	-	C	C	C		
Food Preparation/Commercial Kitchen	P L14	P L14	A L14	A L14	P L14	A L14	P L14	P L14		
Dry Cleaning/Laundry bulk scale (not personal)	-	-	-	-	-	-	A	P		
Heavy Industrial	-	-	-	-	-	-	-	-	A	
Light Industrial	A L14	A L 14	-	P L14	-	P L28	P L28	P		
With limited outdoor processing or storage of materials	-	A L14 L11	-	A L14	-	-	A L14 L11	A L14 L11		
Medium Industrial	-	-	-	-	-	-	A L14 L11	A L14 L11		
With limited outdoor processing or storage of materials	-	-	-	-	-	-	A L14 L11	A L14 L11		
Recycling Facilities										
Collection Facilities	-	-	-	L6	L6	L6	L6	L6		Must be fully screened, subject to Fire and Building Safety Codes
Processing Facilities	-	-	-	-	-	-	-	C		
Research and Development	A L3	P L3	P L3	P	L3	-	A L14	P, L14	P	
Salvage, Wrecking and Tow Yard	-	-	-	-	-	-	-	-	C	See the Industrial Use Table

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	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	<i>See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>
Specialty Food Processing	-	-	-	P L29	A L14, L 29	A, L14, L29	P, L14, L29	P, L14,L29	P L29	
Storage Yard	-	-	-	A L14	-	-	A, L14	A, L14	A L14	<u>Considered a storage yard if that is the primary use of the parcel</u>
Warehouse, Storage and Distribution										
Indoor Warehousing and Storage, Limited (< 5,000 SF)	A L14 L25	A L14 L25	-	P L14 L25	A L14 L25	-	P L14	P L14	P L14	
Indoor Warehousing and Storage, General (> 5,000 SF)	-	-	-	A L14 L25	-	-	P L14	P L14		
Personal/Self Storage (Mini-storage)	-		-	-	C L13	-	-	- <u>L27</u>		
Personal Self Storage (Warehouse)	-	-	-	-	C-L13,L14	-	C-L13	<u>L 27</u>		
Chemical Mineral Storage	-	-	-	-	-	-	-	-	C	
Wholesale Nursery and Garden Center	-	A	-	A	-	-	P	P		
TRANSPORTATION, COMMUNICATIONS, AND UTILITIES										
Communication Facilities										
Antennas and Transmission Towers	L16	L16	L16	L16	L16	L16	L16	L16		See Sections 25-21-80, Wireless Facilities Ordinance
Equipment within Buildings	L16	L16	L16	L16	L16	L16	L16	L16		
Transportation Facilities										
Transportation Passenger Facility	C	C	-	-	-	-	C	C		
Park-and-ride facility	-	A	-	P	P	P	P	P		
Utilities, Minor	P	P	P	-	P	P	-	-		
TEMPORARY OR OTHER USES										
Ancillary Uses	Permitted if principal use is permitted; requires a use permit if principal use requires a use permit									See Section 25-21-10
Temporary Uses	Requires Zoning Administrator approval									See Section 25-13-30 and Article
COMMERCIAL CANNABIS USES										
Manufacturing: both volatile and non-volatile (limited to manufacturing for wholesale, distribution for resale); Retail (on-site) sales prohibited	-	-	-	-	-	-	-	C	C	See Article 21.6 of Chapter 25 and Chapter 13A
Testing, Research and Development: Retail (on-site) sales prohibited.	-	-	-	-	-	-	-	C	C	See Article 21.6 of Chapter 25 and Chapter 13A
Distribution: Retail (on-site) sales prohibited	-	-	-	-	-	-	-	C	C	See Article 21.6 of Chapter 25 and Chapter 13A
Retailers: (Dispensaries): prohibited	-	-	-	-	-	-	-	-	-	See Article 21.6 of Chapter 25 and Chapter 13A
Indoor Commercial Cultivation: prohibited	-	-	-	-	-	-	-	-	-	See Article 21.6 of Chapter 25 and Chapter 13A
Outdoor Cultivation: prohibited	-	-	-	-	-	-	-	-	-	See Article 21.6 of Chapter 25 and Chapter 13A
Indoor Personal Cultivation	L31	L31	L31	L31	-	-	-	-	-	See Article 21.5 of Chapter 25

SPECIAL LIMITATIONS:

- L1 May be allowed with a Zoning Administrator use permit ~~in the Armfield District.~~
- L2 Residential or other similar sensitive uses may be considered on the south side of Kentucky Avenue, but on the north side these uses may only be allowed with an approved Specific Plan.
- L3 A Zoning Administrator Permit is required for more than 2,000 sq. ft.
- L4 Cannot be located within 500 feet of a school or park.
- L5 Over 10,000 square feet, may be approved with a Zoning Administrator Permit.
- L6 Allowed on a shopping center site as an accessory use within an enclosed structure, which may be portable.
- L7 Only allowed on the rear half of a lot and not within 500 feet of a school or public park, must be located more than 750 feet from any following zones: OS, R-1, R-2, NP, or RM, must be more than 1,000 feet from any other adult book store or adult motion picture theater, and a conditional use permit is required. Refer to Section 25-21-75
- L8 Only allowed as an accessory use to a gas station or car dealership, typically on the same parcel. Drive through lane and wash stall area shall be screened from public view.
- L9 Requires a conditional use permit if over 3,000 square feet in size and/or if associated with a service station, and/or includes alcohol sales, and/or is open between 10:00PM and 6:00 AM.
- L10 ~~Shall be designed to minimize noise, light, glare, vibration, and other nuisance concerns. Where adjacent to a residential district shall require a Zoning Administrator Permit. (Reserved)~~
- L11 A conditional use permit required if site is abutting a residential zone.
- L12 – Up to 10% of the total square footage of shops within a regional commercial center may consist of ancillary office spaces that support other uses. Limit does not apply to stand alone, professional office buildings.
- L13 – Requires a master plan in which 50% ~~of the site~~ shall be commercial or uses other than mini-storage and all necessary access and utility easements and improvements are identified and installed as necessary to ensure adequate service to the site and master plan areas; mini-storage portions shall be set back from a street frontage and no closer than 300- feet from an arterial ~~or freeway~~, buildings shall be a minimum of two stories where adjacent to freeway or major arterial to screen views; ~~buildings~~ shall ~~exhibit~~~~provide~~ exemplary architectural design, and facilitate a lively and vibrant street/active street frontage. ~~The project shall~~ incorporate conservation and sustainability features to achieve net zero energy use, ~~shall~~ ~~provide~~~~include~~ a lighting and security plan, ~~and shall~~ demonstrate measurable community benefit in a manner agreed upon by the City and memorialized in a documented agreement.
- L14 - All materials stored outside must be fully screened from view from any rights of way and below fence height. If outdoor storage of materials or equipment is adjacent to a residential district a conditional use permit is required. Any work bay area shall be screened from public view.
- L15 – On-site rental car parking is limited to the minimum needed for immediate customer pick up only, no on site storage of cars.
- L16 - Subject to Section 25-21-80, Wireless Facilities Ordinance
- L17 – Auto sales in an open lot may be considered with a Zoning Administrator permit as an accessory use to a retail showroom and service area, or as part of a complete dealership complex. Site access, internal vehicle circulation, auto-display, and landscaping are subject to review. . No surface parking lot or outdoor display area solely intended for the sale of new or used cars and not accessory to an indoor showroom is allowed as a primary use on a site
- L17a- Used car sales must be associated with a new car dealership, except for large format used car dealerships (as example Carmax)
- L18 – In the Industrial areas small-scale establishments serving local businesses are allowed. The proximity of fast food uses within 1/2 mile of schools, youth facilities or residential uses shall be evaluated for overconcentration. The General Plan emphasized “dining” and “slow food: establishments.
- L19 - For homestay or short term rental, no signage or exterior evidence of the use may be visible, owner shall maintain liability insurance on the property which covers the homestay and guests, the owner shall pay any applicable taxes including occupancy and sales taxes, shall obtain a business license, the property and home shall be maintained in good condition, including regular trash pickup and on-site parking for guests, no noise or nuisance impacts shall be detectable to adjacent properties.
- L20 - Zoning Administrator permit is required for more than 3,000 sq. ft.
- L21 - Drive through fast food may not be allowed within 1/2 mile of a school, evaluate the extent of overconcentration of existing or proposed fast food restaurants and drive through fast food within 1,000 feet of the proposed location, minimize the siting of unhealthy land uses
- L22 - Only allowed as a secondary use occupying less than one-third of the floor area in a multi-tenant building.
- L23 - Allowed within a shopping center on in an Industrial zone on the site of a recycling processing facility and must be within an enclosed structure, which may be portable.
- L24 - Only allowed as an accessory use with a service station with a Zoning Administrator permit.
- L25 - Only allowed on the rear half of a lot in order to ensure that the street frontage is activated.
- L26 ~~–(Reserved) Requires a master plan in which 50% of the site shall be industrial or uses other than mini-storage and all necessary access and utility easements and improvements are identified and installed as necessary to ensure adequate service to the site and future master plan areas; mini-storage buildings shall be a minimum of three stories in height; project shall provide exemplary architecture design and facilitate an active street front; proves conservation and sustainability features to realize net zero energy use; proves for security and lighting plan; provides demonstrated community benefit in a manner agreed upon by the City.~~
- L27 ~~(Reserved) New mini-storage is not permitted, except the expansion, remodel or reconstruction of a previously approved and constructed mini-storage facility subject to a Conditional Use Permit. The new buildings shall be a minimum of two-stories in height. The project shall incorporate conservation and sustainability features to achieve net zero energy use; shall provide a security and lighting plan; and shall demonstrate measurable community benefit in a manner agreed upon by the City and memorialized in a documented agreement.~~
- L28 - Outdoor storage may be allowed as an ancillary use on the same parcel as the primary business with a Zoning Administrator Permit. All outdoor storage must be fully screened from view from any public rights-of-way and below fence height. All work areas, work bays shall be screened from public view.
- L29 Agricultural Production may be allowed as an accessory or ancillary use to a primary use, as example, for research, testing or demonstration purposes with a Zoning Administrator Permit
- L 30 Transitional and supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.
- L31 provides that any person within the City of Woodland may cultivate cannabis inside of any residence or enclosed and secure secondary structure that meets certain requirements specified in the ordinance, consistent with state law that permits indoor cultivation of cannabis for medical and non-medical purposes
- L32 Smoke shops, tobacco stores, hooka/smoking lounge shall not be located within 1000 feet, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.
- L33 – Mixed uses are allowed, consistent with the manner in which the individual uses are otherwise allowed in the District. The review required will be dependent upon the most restricted use intended for the development.
- L34 - Permitted with a license per Municipal Code Section 13-6-1 or with a Conditional Use Permit
- L35 – May not be located within 500 feet of a school, shall hold and maintain all applicable licenses and permits with the State Department of Justice, exterior areas shall be well lit and include video surveillance. Advertising and signage on clear windows and doors shall be placed so that law enforcement have personnel have a clear and unobstructed view of the interior.

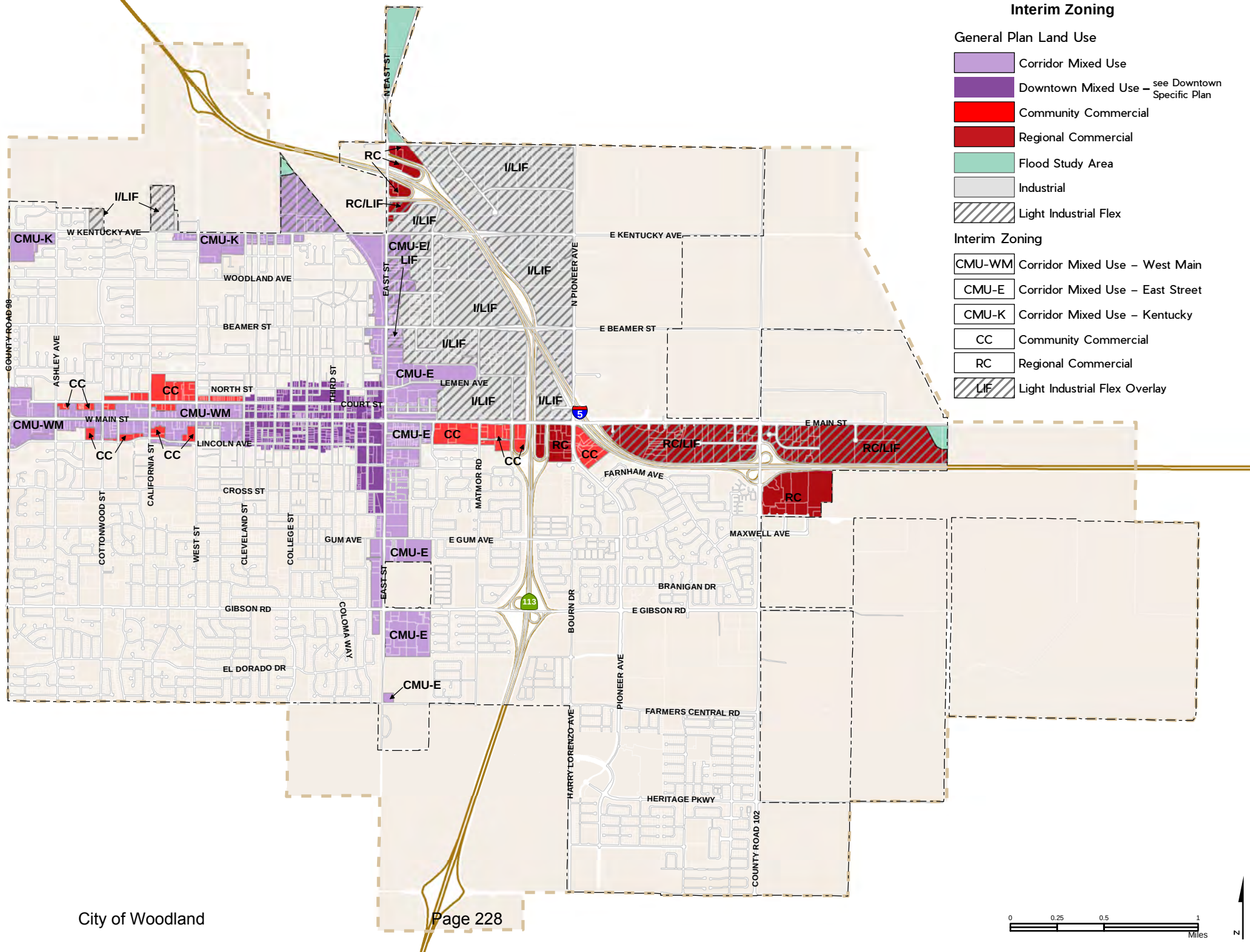
General Plan Land Use and Interim Zoning

General Plan Land Use

-  Corridor Mixed Use
-  Downtown Mixed Use – see Downtown Specific Plan
-  Community Commercial
-  Regional Commercial
-  Flood Study Area
-  Industrial
-  Light Industrial Flex

Interim Zoning

-  CMU-WM Corridor Mixed Use – West Main
-  CMU-E Corridor Mixed Use – East Street
-  CMU-K Corridor Mixed Use – Kentucky
-  CC Community Commercial
-  RC Regional Commercial
-  LIF Light Industrial Flex Overlay





TO: MEMBERS OF THE PLANNING COMMISSION
DATE: April 5, 2018
ITEM #: 1.
SUBJECT: Interim Zoning Ordinance - Continued Public Hearing

Recommendation for Action:

Staff recommends that the Planning Commission take action on the following:

1. Receive a staff report;
2. Continue the public hearing; and
3. Adopt Resolution NO. PC18-0 recommending that the City Council:
 - a. Find that the Implementation of the Interim Zoning Ordinance was adequately addressed in program level EIR prepared for the 2035 General Plan certified by the City Council on May 16, 2017 by Resolution No. 6835;
 - b. Adopt a stand alone Interim Zoning Ordinance to provide a clear legal basis for zoning and development review to ensure consistency with the 2035 General Plan; and
 - c. Accept appropriate modification to the Interim Zoning Map to ensure consistency with a proposed General Plan Amendment to correct technical errors in the 2035 General Plan Map.

Staff Contact:

Cindy A. Norris, Principal Planner, (530) 661-5911, cindy.norris@cityofwoodland.org

Report in Brief:

The purpose of this action is to recommend adoption of a Phase I zoning update consisting of an Interim Zoning Ordinance. The Interim Ordinance will provide a set of standards and procedures to ensure consistency with the recently adopted 2035 General Plan. The Phase II zoning update will consist of a comprehensive update to the Zoning Ordinance, but may take another year to complete. It is critical during the interim that the City have clear legal basis for the development review process, for guidance on possible allowed uses or new development proposals, and if needed, to enable the city to modify or deny projects that do not conform to the new General Plan.

The Planning Commission's review of the Interim Zoning will occur over two meetings. At the March 15, 2018 meeting, staff provided a comprehensive overview. The Commission provided questions and comments and continued the public hearing to April 5, 2018. The purpose of the second meeting will be for the Planning Commission to make a recommendation to the City Council regarding action on the Interim Zoning Ordinance.

Background:

The City of Woodland reached a significant milestone in approving the 2035 General Plan Update on May 16, 2017. With the update, a number of land use designations, standards, policies and implementation measures were added or changed. In several instances, these changes are inconsistent with the existing Zoning Ordinance and Specific Plans. As example, there is no corresponding zoning district for the new General Plan land use designations Corridor Mixed Use, Light Industrial Flex and Regional Commercial with Light Industrial Flex Overlay (CMU, LIF, RC/LIF). Ultimately, the City intends to prepare a comprehensive update to the Zoning Ordinance, but that effort may take an

additional year or more to complete. Therefore, it is critical during the interim period to provide City staff with a legal basis to conduct regulatory review concerning development, assessment of allowed uses, and if needed, to enable the city to modify or deny projects that do not conform to the new General Plan.

The proposed interim zoning ordinance will constitute the initial Phase I of a zoning update effort, followed by preparation of a comprehensive final zoning update as Phase II. Phase I will be a stand-alone, uncodified ordinance that will include text and regulations as well as updated zoning district boundaries, uses, map, graphics, and exhibits as needed in place until the final comprehensive zoning is enacted.

The City has the authority under California Government Code 65858 to adopt “interim zoning”. The purpose of an interim zoning ordinance is to immediately allow for the prohibition of certain uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that is being considered or studied. If the City Council adopts the Interim Zoning Ordinance, it would do so as an urgency ordinance, and the ordinance could remain in effect for no longer than two years. Interim zoning will not only ensure that new development is consistent with the General Plan, but it will also provide predictability and certainty for property owners and developers during the “transition” period until the final comprehensive zoning is complete.

On March 15, 2018, the Planning Commission held a public hearing to consider the Interim Zoning. The Commission received a report from Staff, accepted comments from one member of the public, requested clarification from staff on several items, and continued the public hearing to April 5, 2018. Since that meeting staff has made edits to the Interim Zoning text shown in as track changes in Attachment 2.

Discussion:

Not all land use areas were changed with the new General Plan. The existing Zoning Map and Zoning Ordinance will remain in effect over those parcels (R-1, R-2, R-M, I). For those areas that do have new land use designations, the Interim Ordinance will repeal specific Articles in the existing zoning, which will be superseded by the Interim Zoning. The replaced zones will no longer apply, (C-2, C-3, CH, EOZ-I, EOZ-CH and East Street Specific Plan). The interim map and new interim zones will apply on affected properties. The primary affected land areas are located along the major corridors, Main Street (not including the Downtown), East Street, and Kentucky as well as a portion of the Industrial area west of Pioneer Avenue.

The following criteria were used in development of the Interim Zoning Ordinance, based upon the 2035 General Plan:

- Make zoning easier to understand and use
- Streamline development review and approval
- Provide greater certainty for future development through application of specific design standards that are form based
- Provide administrative review and relief options
- Encourage and facilitate infill development
- Encourage healthy lifestyle choices and ensure walkability
- Provide flexibility to allow adaptation to market conditions
- Incentivize job generating uses
- Achieve high quality urban design
- Emphasize sustainability principles and compliance with the CAP
- Develop performance standards for commercial and industrial uses to minimize incompatibilities with surrounding properties
- Update the non-conforming use standards (separate update to the zoning code), recognize benign non-conforming uses as compared with those that are inconsistent with the General Plan.

Key Provisions in the Interim Zoning Ordinance

New Zoning Districts with Corresponding Use Table and Definitions

Eight new zoning districts are proposed as shown in the Interim Zoning Map in Attachment 3:

- Corridor Mixed Use (CMU)
 - o CMU-E (East Street);
 - o CMU-WM (West Main Street);
 - o CMU-K (Kentucky Avenue), and
 - o CMU/LIF (Corridor Mixed Use with Light Industrial Flex Overlay)
- Community Commercial
 - o CC (Community Commercial)
- Regional Commercial
 - o RC (Regional Commercial)
 - o RC/LIF (Regional Commercial with Light Industrial Flex Overlay)
- Industrial with a Light Industrial Flex Overlay
 - o I/LIF (Industrial with Light Industrial Flex Overlay)

The proposed new use table (as provided in Attachment 4) has been tailored to be reflective of the character or intent for each zoning district. The use table provides grouped categorization of uses that are Permitted “P”, allowed with a Zoning Administrator permit “A”, or conditionally permitted “C”. The use table also clearly specifies those uses that are be prohibited “-”. In order to provide greater understanding in evaluating uses, comprehensive definitions of the listed uses accompany the use table. Because it is not possible to list all possible uses that may occur, the intent is to rely upon the use definitions to describe the general characteristics of identified uses, which will then help in making best fit interpretations for new and proposed uses.

New Development and Urban Form Design Standards and Guidelines

The new development standards generally rely on form-based and physical design concepts. The intent is to create human-scale building and landscape forms, particularly along streets and other public rights-of-way, to foster denser, walkable, transit oriented urban design, characterized by buildings whose form and placement help “frame” the street, with reduced parking provided to the rear or side of each site, visible and accessible entries, and pedestrian friendly design. Building front setbacks from the street are reduced, compared to current zoning standards, and greater intensity of development is encouraged. The focus is on the street front and building exteriors with the goal to activate street frontages and corridors.

Urban form standards and guidelines describe expectations with regard to architectural form, pedestrian oriented design features, site circulation, treatment of outdoor spaces, and landscaping emphasizing high-quality street-frontage design and walkability. Those projects that meet the specified site development standards and design criteria should move through the review process quickly.

New Performance Standards and Findings

The Interim Ordinance provides measurable performance standards to which all development shall be subject. These will be in addition to performance standards provided in the current Zoning Ordinance. Performance standards help to ensure compatibility and limit nuisance or hazardous effects from adjacent properties and uses.

Updated Review Process and an Emphasis on Administrative Review

With the goal of providing greater certainty and reducing review requirements and timelines, the Interim Zoning

Ordinance allows a larger number of uses that are permitted, or that may be considered through a staff level zoning administrator review. This is possible because the Interim Ordinance provides specific direction to applicants, owners, and residents through the inclusion of specific site development criteria, special regulations, urban form standards and guidelines, as well as specific performance standards. A proposed project that has a complete application and meets these zoning provisions should be able to move through the process in a more efficient manner. Further, the Ordinance provides the ability to address and review conflicts or uncertainties that may arise between the General Plan and Zoning.

-
Potential Zoning Map update consistent with General Plan Amendment

Concurrent with review of the Interim Zoning Ordinance, the City is also conducting a technical clean up to the 2035 General Plan land use map. There are eight (8) locations where proposed General Plan land use changes are recommended to the Land Use Map. If approved, the Interim Zoning Map will also be amended consistent with those changes. A draft amended Interim Zoning Map is included as Attachment 5 to illustrate the changes that will be made concurrently if the General Plan Amendment is approved.

Meetings and Subcommittee Review:

During the development of the General Plan, the City held numerous public workshops and community sessions seeking comments and participation in review of the goals, policies and implementation programs. Many comments received and adopted policies and programs identify the need to modify zoning. The Planning Commission Subcommittee has met twice to regarding the Interim Zoning Ordinance, on September 15, 2017 and again on February 21, 2018. In addition, staff presented the zoning update to the Chamber of Commerce on February 21, 2018.

On March 15, 2018, the Planning Commission held a duly noticed public hearing. The Planning Commission received an in depth report from staff, followed by questions and public comment. One member of the public was in attendance. In response to questions and comments offered, staff has made additional edits to the draft Interim Zoning Text. These edits are shown in track changes in Attachment 2. There were no substantive changes or edits recommended at the March 15, 2018 meeting.

Public Notification:

The Public Hearing Notice for the Planning Commission hearing was published in a one-eighth page notice in the Daily Democrat newspaper on March 4, 2018.

Copies of all referenced documents can be ordered through the City or accessed online at the City of Woodland web site: <http://cityofwoodland.org/gov/meetings.asp>.

Environmental Determination:

The intent of the Interim Zoning Ordinance is to bring conformity between the zoning and the General Plan. The proposed Interim Zoning Ordinance relies on the previously certified Final Environmental Impact Report for the 2035 General Plan and Climate Action Plan (EIR). As stated on page IA 1-20 of the General Plan Update 2035, "For the period immediately following the adoption of the General Plan, the City will establish a stand-alone Interim Zoning Ordinance in accordance with Government code Section 65858, which would apply until a comprehensive update of the Zoning Ordinance is completed."

Additionally, on page 1-2 of the Draft Environmental Impact Report for the 2035 General Plan and Climate Action Plan it is explained that the City elected to include an enhanced level of analysis for the General Plan Update EIR. It further states that, "The 2035 General Plan EIR uses detailed, parcel-level land use programming for the basis of analysis, with

a focus on vacant and underutilized properties that would be appropriate for development between the present and 2035. This EIR includes a comprehensive analysis of land use changes anticipated under the 2035 General Plan, with additional detail in the areas, such as transportation, air quality, greenhouse gas emissions, noise and other topics, based on reasonable assumptions as to the amount, type, and character of land use changes under the 2035 General Plan.” Therefore, the Interim Zoning Ordinance is within the Findings of Fact regarding Impacts and Mitigation Measures (CEQA Guidelines Section 15168 (c)(2)) and provisions of the California Environmental Quality Act (CEQA) have been satisfied.

Conclusion:

Staff recommends adoption of the Interim Zoning Ordinance, the Interim Zoning Map and other tables or graphics. Adoption of the Interim Zoning Ordinance will provide a legal bridge while the comprehensive code update is being prepared and its use will help inform future standards and most importantly will facilitate the review of project proposals located in the affected areas.

- Staff recommends that the Planning Commission take action on the following:

That the Planning Commission make the following motion:

Motion: Adopt Resolution NO. PC18-0 recommending that the City Council:

1. Find that the Implementation of the Interim Zoning Ordinance was adequately addressed in program level EIR prepared for the 2035 General Plan certified by the City Council on May 16, 2017 by Resolution No. 6835;
1. Adopt a stand alone Interim Zoning Ordinance to provide a clear legal basis for zoning and development review to ensure consistency with the 2035 General Plan; and

Accept appropriate modification to the Interim Zoning Map to ensure consistency with a proposed General Plan Amendment to correct technical errors in the 2035 General Plan Map.

Prepared By: Cindy A. Norris, Principal Planner

ATTACHMENTS:

Description	Upload Date	Type
ATT 1 - Planning Commission Resolution	3/28/2018	Resolution
ATT 2 - Interim Zoning Ordinance (Attachment A to the PC Resolution)	3/28/2018	Ordinance
ATT 3 - Interim Zoning Map (Exhibit A to the Interim Zoning Ord and Attachment B to the PC Reso)	3/28/2018	Map
ATT 4 - Comprehensive Use Table (Exhibit B to the Interim Zoning Ordinance and Attachment C to the PC Resolution)	3/28/2018	Backup Material
ATT 5 - Recommended Amendments to the Interim Zoning Map Should Proposed General Plan Corrections be Approved.	3/28/2018	Backup Material

**PLANNING COMMISSION
RESOLUTION NO. PC 18- 0__**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WOODLAND RECOMMENDING THE CITY COUNCIL OF THE CITY OF
WOODLAND ADOPT A PHASE I/INTERIM ZONING ORDINANCE THEREBY
ENSURING CONFORMANCE WITH THE 2035 GENERAL PLAN AND 2035
CLIMATE ACTION PLAN**

WHEREAS, on May 16, 2017, the City Council of the City of Woodland adopted the 2035 General Plan and the 2035 Climate Action Plan; and

WHEREAS, the City of Woodland conducted numerous public workshops and community sessions seeking comments and participation on the 2035 General Plan update, including review of goals, policies, and implementation programs, many of which spoke to the need to modify zoning provisions; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), on May 16, 2017, the City Council certified the Final Environmental Impact Report (FEIR) for the 2035 General Plan and 2035 Climate Action Plan, documents in which the need for an Interim Zoning Update was identified; and

WHEREAS, further, the 2035 General Plan EIR uses detailed land use programming for the basis of analysis, with a focus on vacant and underutilized properties that would be appropriate for development between the present and 2035. The EIR includes a comprehensive analysis of land use changes anticipated under the 2035 General Plan, with additional detail in the areas, such as transportation, air quality, greenhouse gas emissions, noise and other topics, based on reasonable assumptions as to the amount, type, and character of land use changes under the 2035 General Plan. Therefore, the Interim Zoning Ordinance is within the Findings of Fact regarding Impacts and Mitigation Measures (CEQA Guidelines Section 15168 (c)(2)) and provisions of the California Environmental Quality Act (CEQA) have been satisfied; and

WHEREAS, the City of Woodland intends, within a reasonable time after adopting the 2035 General Plan, to comprehensively update the Zoning Ordinance, Zoning Map, and affected Specific Plans, to ensure consistency with the new General Plan, but believes that it will take up to an additional year for City Staff to complete the comprehensive update; and

WHEREAS, during this interim period between the adoption of the 2035 General Plan and approval of a comprehensive update to the Zoning Ordinance, Zoning Map, and affected Specific Plans, the City has found inconsistencies between the 2035 General Plan and Zoning Ordinance and Specific Plans; and

WHEREAS, the City intends to establish an Interim Zoning Ordinance in accordance with Government Code Section 65858, which would apply until a comprehensive update of the Zoning Ordinance is completed. The Phase I/Interim Zoning Ordinance will be a stand-alone, uncodified ordinance with an associated zoning map; and

WHEREAS, the City reviewed the proposed Interim Ordinance with representative groups including the City of Woodland Chamber of Commerce policy group and the Planning Commission Zoning Subcommittee; and

WHEREAS, a public notice describing the proposed amendments to the Municipal Code was published in the Daily Democrat, a newspaper of general circulation, in accordance with Government Code section 60661; and

WHEREAS, on March 15, 2018 the Planning Commission held a duly noticed public hearing, which was continued to April 5, 2018, to review the proposed Phase I/Interim Zoning Ordinance, to consider evidence and testimony presented by City Staff and other interested parties and voted _____ to _____ recommend approval to the City Council; and

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Woodland, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby make the above findings, determinations, and recommendations with respect to the proposed Ordinance and recommends to City Council approval of the proposed Ordinance, as revised by the Planning Commission and attached hereto.

PASSED AND ADOPTED by the Planning Commission this 5th day of April 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marco Lizzaraga Chairperson

ATTEST:

Stephen Coyle, Deputy Director Community Development

Attachment A:	Interim Zoning Ordinance
Attachment B:	Interim Zoning Map - Exhibit A to the Ordinance
Attachment C:	Comprehensive Use Table – Exhibit B to the Ordinance



April 4, 2018

Mr. Marco C. Lazarraga Chairman
City of Woodland Planning Commission
300 First Street
Woodland CA 95695

Re: Interim Zoning Ordinance

Mr. Chairman and members of the Commission,

We are the owners of AAA Self Storage located at 226 Doctor Claassen Way in Woodland. We originally built Doctor Claassen Way in the 80s and developed AAA Self Storage. You can see from the attached photograph we have the only remaining parcel of undeveloped land on Doctor Claassen Way with the exception of the parcel owned by Caltrans. This property was developed with the intension that it be built out with Mini Storage and RV parking and has been expanded in multiple phases to its current operation.

In review of the Interim Zoning Ordinance, I see that Mini Storage would not be an allowable use under any conditions on our property. This is a cause of concern for two reasons. First, as stated above, we have plans to continue with the expansion of the existing storage business and second this would put the existing business as a non-conforming use. This puts in question our ability to rebuild should there be a fire or other disaster causing damage to one or more existing buildings.

Further as the storage market evolves we may want to remodel or replace existing buildings. Will permits be available still for a non-conforming use? Will financing be available to us under these conditions?

**9970 Hadleigh Drive
Granite Bay, CA 95746
916-791-7200 Fax: 916-791-3508**

Looking at the Map and the associated Tables it looks like Mini Storage would no longer be allowed in an Industrial Zone where it is most compatible with its neighbors.

My first request would be to leave our property zoned Industrial but that would, under the new Ordinance, leave us a non-conforming use. Because of that we would request that within the category of Warehouse, Storage and Distribution under Personal/Self Storage (Mini-Storage) that in the Industrial/ Light Industrial Flex Overlay zone, you add a provision for Mini Storage to be Permitted use. I have discussed this with Staff and was told that they could see this for our property.

I would be happy to meet with any members of the Commission at your offices or AAA Self Storage and share with you our vision for our business.

Thank you for your time and consideration.



Jeffrey Moss
Project Manager.

**9970 Hadleigh Drive
Granite Bay, CA 95746
916-791-7200 Fax: 916-791-3508**





TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 16.
SUBJECT: Consideration of a General Plan Amendment to Correct Errors in the Recently Adopted 2035 General Plan Land Use Map

Recommendation for Action:

Staff recommends that the City Council:

1. Conduct a public hearing; and
2. Adopt Resolution No. _____, approving the proposed General Plan Amendment.

Staff Contact:

Cindy A. Norris, Principal Planner, (530) 661-5911, cindy.norris@cityofwoodland.org

Fiscal Impact:

The cost of drafting and processing this Resolution, including noticing, have been absorbed by the existing General Fund budget. No additional costs are anticipated.

Report in Brief:

This report presents the proposed General Plan Amendment to the Woodland General Plan Land Use Map adopted on May 16, 2017. The proposed amendment includes five changes to the General Plan Land Use Map to correct errors in the General Plan Land Use Map. The proposed changes include:

- (1) Change the land use designation for the property at 420 Grand Avenue from Medium Density Residential (8.1 to 19.9 units per acre) to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, in order to reflect the existing land use and zoning (APN 006-023-001); and
- (2) Change the land use designation for the properties at 25-31, 49, 59, 77 and 95 W. Lincoln Avenue from Public/Quasi Public to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, to reflect existing land uses and zoning (APNs 065-250-043, 065-250-020, 065-250-021, 065-250-046, 065-250-030); and
- (3) Change the land use designation for the properties at 802, and 850 W Lincoln Avenue and 403 Ashley Avenue from Community Commercial to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, to reflect existing land uses and zoning (APNs 065-340-026 and 065-010-032); and
- (4) Change the land use designation for the property at 217 W. Kentucky Avenue from Low Density Residential (1.0 to 8.0 units/acre) to Industrial with the Light Industrial Flex Overlay, to reflect existing site improvements (APN 027-065-037); and
- (5) Change the land use designation for the properties along East Harter Avenue and East Kentucky Avenue from Regional Commercial to Regional Commercial with Light Industrial Flex and Corridor Mixed Use with Light Industrial Flex Overlay to Industrial with the Light Industrial Flex Overlay, to reflect existing land uses and development (APNs 027-420-028, 027-420-015, 027-420-021, 027-420-019, and 027-420-010, 027-420-030, 027-420-031, 027-420-032, 027-420-004, 027-420-025, 027-420-003, 027-

420-002); and

(6) Change the land use designation for the properties at the North West corner of Lincoln Avenue and Cleveland Street, 430–460 Cleveland Street and 177-181 Lincoln Avenue, from Low Density Residential (1-8 units/acre) to Corridor Mixed use, to reflect previous zoning (APN 006-025-018, 006-025-019, 006-025-011, 006-025-016); and

(7) Change the land use designation for Fire Station No 1 at 101 Court Street from Community Commercial to Public /Quasi-Public, (APN 055-554-013); and

(8) Change the land use designation for Fire Station No 2, at 1619 West Street from Low Density Residential to Public/Quasi-Public (APN 039-101-012).

Background:

Since the May 16, 2017 adoption of the General Plan Update, staff has discovered or it has been brought to their attention several locations where the updated General Plan Map does not represent the existing land uses or site improvements that exist on the property or the existing zoning. These are locations where it makes sense to correct the Land Use Map. The current and proposed land use designations are illustrated in Attachment B which are Map Exhibits. APNs and Property Owners are provided in Attachment “C” to this report.

The subject properties and existing and proposed modifications are summarized in the table below:

ADDRESS	2002 GENERAL PLAN	EXISTING ZONING	2035 GENERAL PLAN	PROPOSED GENERAL PLAN AMENDMENT	EXISTING LAND USE/IMPROVEMENTS
1. 420 Grand Avenue					
420 Grand Avenue	Med. Density Residential	General Commercial	Medium Density Residential	Corridor Mixed Use- West Main	Commercial/Office
2. 25 - 95 W. Lincoln Avenue					
25-31 W. Lincoln Ave	Public/Quasi- Public	Multiple Family	Public/Quasi- Public	Corridor Mixed Use- West Main	Stella Senior Apartments at a density of 36 du/ac
49 W. Lincoln	Public/Quasi- Public	Multiple Family	Public/Quasi- Public	Corridor Mixed Use- West Main	Four-plex
59 W. Lincoln	Public/Quasi- Public	Multiple Family	Public/Quasi- Public	Corridor Mixed Use- West Main	Colonia Terrace Senior Apartments at 38 du/ac
77 W. Lincoln	Public/Quasi- Public	Multiple Family	Public/Quasi- Public	Corridor Mixed Use- West Main	Yolo Co. PARMA Office
95 W. Lincoln	Public/Quasi- Public	Multiple Family	Public/Quasi- Public	Corridor Mixed Use- West Main	AAA Office
3. 802-850 Lincoln Ave and 440 Ashley Avenue					
802-850 W. Lincoln Ave	General Commercial	Multiple Family	Community Commercial	Corridor Mixed Use- West Main	Senior Apartments – Lincoln Gardens I
440 Ashley Avenue	General Commercial	Multiple Family	Community Commercial	Corridor Mixed Use – West Main	Senior Apartments Lincoln Gardens II
4. 217 W. Kentucky					
217 W. Kentucky	Low Density Residential	Industrial- Planned Development	Industrial	Industrial-Planned Development	Industrial building and vacant agricultural use- Irrigation Supply Co
5. Harter Avenue, East Street and E. Kentucky Avenue					
538 East, 1215 Harter 1202 East 0 East	Commercial Service and Highway Commercial	Service Commercial and Highway Commercial	Regional Commercial	Regional Commercial with Light Industrial Flex	Industrial/Commercial Building; Vacant land- Agriform Parts
1214-1228 Harter 1230 Harter 1250 Harter 460 Harter 1207 E. Kentucky 1219 E. Kentucky 1225-1229 E. Kentucky 1249 E. Kentucky	Industrial	Industrial	Corridor Mixed Use with Light Industrial Flex	Industrial with Light Industrial Flex	Mix of multi-tenant, light industrial buildings and yards such as: Stabler Appliance Platt Electric Precision Canning Equipment J Garcia Staffing Sina Bakery Farmer Bros Co Z Specialty North Coast Energy Lyle's Marine Monley Hamlin Inc Woodland Draper Mamf Wilkinson's International Valley Hydraulics and Machine
6. Northeast Corner of Lincoln Avenue and Cleveland Street					
430-460 Cleveland 177-181 Lincoln	General Commercial	General Commercial C- 2	Low Density Residential	Corridor Mixed Use- West Main	
7. 101 Court Street – Fire Station No 1					
101 Court Street	General Commercial	General Commercial C- 2	Community Commercial	Public / Quasi Public	Fire Station No. 1
8. 1619 West Street – Fire Station No					
1619 West Street	Low Density Residential	Single Family (R-1)	Low Density Residential	Public / Quasi Public	Fire Station No. 2

Discussion:

Each of the locations is discussed separately below.

1. 420 Grand Avenue. The subject property is a 9,130 sq. ft. parcel located on west side of Grand Avenue on the south side of Memorial Lane. The property was previously occupied by a carpet company and is now listed for sale. The property was designated as Medium Density Residential in the 2002 General Plan; however, it is developed with a commercial building and commercial uses exist to the north and west. The existing zoning is C-2 General Commercial as are the properties to the east, north and west. The properties to the south are currently zoned Multiple Family with a Transition Overlay, which allows for commercial uses.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Commercial	General Commercial (C-2)	Medium Density Residential	Corridor Mixed Use
North	Commercial and Multi-family	General Commercial (C-2)	Corridor Mixed Use (CMU)	
South	Multiple Family	Multiple Family (R-M) and Transition Lots (T)	Medium Density Residential	
East	Vacant parcel	General Commercial (C-2)	Corridor Mixed Use	
West	Vacant parcel	General Commercial (C-2)	Corridor Mixed Use	

The updated General Plan designates the site as Medium Density Residential (8.1 to 19.9 units/acre). The recommended action is to amend the General Plan Land Use Map to change the designation for the subject property from Medium Density Residential (8.1 to 19.9 units/acre) to Corridor Mixed Use, consistent with the existing site development and the properties to the east, north and west.

2. 25-31, 49, 59, 77, and 95 W. Lincoln. These five parcels are located on the south side of W. Lincoln Avenue. Two of the parcels, 25-31 and 59 W. Lincoln Avenue, are developed with senior apartment: Stella Senior Apartments (24 units, with a senior citizen agreement with the City that expires 1/29/19) and Colonial Terrace Senior Apartments (47 units), respectively. There is a fourplex at 49 W. Lincoln Avenue. The Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA) is located at 77 W. Kentucky and an AAA office is on the southeast corner of California and W. Kentucky at 95 W. Kentucky. The properties were designated as Public Service in the former General Plan, but at one time were designated as Medium Density Multi-Family. The AAA Office was approved with a conditional use permit in 1978. All five parcels are currently zoned R-M Multiple Family Residential.

Sites/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Multi-Family, Quasi-Public, Office	Multiple Family (R-M)	Public / Quasi-Public	Corridor Mixed Use
North	Commercial	General Commercial (C-2)	Corridor Mixed Use (CMU)	
South	Catholic School/Public Middle School	Single Family Residential (R-1)	Public / Quasi-Public	
East	(West Street) Single family	Neighborhood Preservation	Low Density Residential (LD)	
West	Multiple family development	Multiple Family (R-M)	Medium Density Residential	

The updated General Plan designates all five properties as Public/Quasi-Public. The proposed action is to amend the General Plan Land Use Map to change the designation from Public/Quasi-Public to Corridor Mixed Use (20-40 dwelling units/acre), consistent with existing land uses.

The re-designation is an improvement. The complex at 25-31 W. Lincoln Avenue would become a legal conforming use and would be within the allowed density range at 36 dwelling units/acre. The project has a senior citizen agreement with the City that expires 1/29/19 and received a density bonus at the time of approval. The four-plex at 49 West Lincoln would also become a legal, conforming use.

As the Corridor Mixed Use designation in the updated General Plan allows for medical and professional offices it would allow for the YCPARMIA and AAA offices, at 77 and 95 West Lincoln to be legal, conforming uses. The apartment complex at 59 West Lincoln would be somewhat improved with the re-designation since it would now be a legal use, but it is densely developed at 58 dwelling units per acre and would not conform to the density range. It would, however, become a grandfathered use (i.e., legal at the time of approval).

3. 802-850 Lincoln Ave and 440 Ashley Avenue. The subject property is an existing Senior Housing project located north of Lincoln Avenue and west of Ashley Avenue. The property on Lincoln Avenue is owned by Senior

Housing Associates and the property on Ashley Avenue is owned by Lincoln Gardens II. The properties were previously designated as General Commercial in the prior General Plan, which allowed public/quasi-public uses, and had a Residential Multi-Family zoning designation. The land use was changed to Community Commercial in the 2035 General Plan, however this designation does not provide for multiple family uses. The density of the existing development 29 du/ac. Both the High Density Residential and Corridor Mixed use zones allow multi-family densities from 20-40 du/ac. Staff recommends applying a Corridor Mixed Use designation consistent with the surrounding properties.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Multi-Family, Senior Housing	Multiple Family (R-M)	Community Commercial	Corridor Mixed Use
North	Commercial Center	General Commercial (C-2)	Corridor Mixed Use (CMU)	
South	Single Family	Single Family Residential (R-1/PD)	Low Density Residential (LD)	
East	Multiple Family	Multiple Family (R-M)	Low Density Residential (LD)	
West	Commercial Center	General Commercial (C-2)	Corridor Mixed Use (CMU)	

4. 217 W. Kentucky. The subject five (5.37) acre property is located at the northwest corner of Kentucky Avenue and Cottonwood Street. The property was, at one time, occupied by Blickle Canvas and Gregory Farms and more recently by an irrigation company. The irrigation company, however, has moved down the street and the property is currently for sale.

The property was mistakenly labeled as single family residential in the newly adopted General Plan. The proposed action is to amend the General Plan Land Use Map to change the General Plan designation for the subject property from Low Density Residential (1.0 to 8.0 units/acre) to Industrial with a Light Industrial Overlay. About a quarter of the site at the northern end is shown as Farmland of Local Potential on the General Plan Farmland Map. The Farmland designation refers to land that contains prime or statewide soils that are not presently irrigated or cultivated. The property is not included in the City's Housing Element as a potential housing site.

Approximately one-quarter of the site is developed with an office/warehouse building, parking, and a fenced storage area adjacent to the east side of the building. There is a block and wood fence on the west side separating the property from adjacent single-family residential back yards. There is landscaping around part of the building, along the street frontage in front of the building, and along the west side where the developed parking area abuts existing residential. There are no improvements or landscaping on the northern three quarters of the property, which appears to have been used for agricultural. The property is currently accessed from Kentucky Avenue and can be developed with access off Cottonwood Street. The site is currently served by city services including water, sewer, and electrical.

Site/Adjacent Land Uses & Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Office/Vacant Ag-Industrial	Industrial (I)	Low Density Residential (LD)	Industrial/ Light Industrial Flex Overlay
North	Agriculture (County)	Agricultural (County)	Industrial/ Light Industrial Flex Overlay	
South	Multi-family and single family	Single Family Residential (R-1/PD)	Medium Density and Low Density Residential (MD and LD)	
East	Industrial	Heavy Industrial (County)	Industrial/ Light Industrial Flex Overlay	
West	Single Family Residential, greenbelt park	Single Family Residential (R-1)	Low Density Residential (LD)	

As indicated in the table above, single-family homes abut the property on the west side and multiple family housing is to the south across Kentucky Avenue, industrial uses exist to the east and agricultural uses to the north. This is a property that could go either way in terms of industrial or residential development.

Staff is recommending that the property be designated industrial for a number of reasons. First, the site has historically been developed with industrial and agricultural and is currently developed with an industrial building. Second, the site abuts a County designated Heavy Industrial property to the east. Lastly, with the Planned Development Zoning and the performance standards proposed in the Interim Zoning Ordinance provides the City a means to regulate the development of the property and mitigate potential impacts on the neighboring residential areas. Development of any proposed outdoor uses would require a conditional use permit adjacent to residential. If the property were to be developed with residential, the new residential would abut a heavy industrial designated property in the County where the City does not have regulatory powers. There is only a driveway access separating the two properties.

5. East Street, Harter Avenue and East Kentucky. The subject 12 parcels are located east of East Street, north of East Kentucky Avenue and south of I-5 on ramp.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Mix of multi-tenant buildings, Industrial, Vacant, Commercial	Commercial Highway (CH), Commercial Service (C-3) and Industrial (I)	Regional Commercial and Corridor Mixed Use with Light Industrial Overlay	Regional Commercial with Light Industrial Flex Overlay and Industrial/ Light Industrial Flex Overlay
North	Hotel, Retail uses	Commercial Highway (CH)	Regional Commercial	
South	Existing multi-tenant and Industrial Uses	Industrial (I)	Corridor Mixed Use with Light Industrial Overlay and Industrial with Light Industrial Flex Overlay	
East	Industrial	Industrial (I)	Industrial/ Light Industrial Flex Overlay	
West	Industrial, Vacant	Industrial (County) Industrial (I) (City)	Corridor Mixed Use and Industrial with Light Industrial Flex Overlay	

Area on the north side of Harter Avenue and one parcel south of Harter Avenue on the east side of East Street.

The area to the north of Harter Avenue has an existing structure and a 2.76 vacant parcel. The parcel on East Street South of Harter, is vacant. The two parcels located north of Harter Avenue and one parcel located south of Harter on East Street were designated Service Commercial and Highway Commercial in the 2002 General Plan. The 2035 General Plan update resulted in a Regional Commercial Designation being applied to all three. Staff recommends that the Regional Commercial designation remain but that the Light Industrial Flex Overlay be applied in recognition that they both commercial and light industrial uses are appropriate in this location.

Area south of Harter and on the North side of Kentucky Avenue and east of East Street.

The properties located at 460, 1230 and 1250 Harter Avenue were previously owned by Panattoni, and Oates and Massi. A Conditional Use Permit was approved in 1983 and subsequently amended in 1984 to allow a Mixed Use Office/retail/Industrial development in the Industrial Zone. The Conditional Use Permit entitlement runs with the land and will remain regardless of the land use change. These parcels were designated as Corridor Mixed Use with a Light Industrial Flex Overlay in the 2035 General Plan. Staff is recommending that these parcels be designated as Industrial with Light Industrial Flex Overlay.

The remaining four parcels front on to East Kentucky Avenue and have a mix of Industrial uses and development. The parcels were designated as Industrial in the 2002 General Plan and Corridor Mixed Use/Light Industrial Flex in the 2035 General Plan update. Staff is recommending that these parcels, with the exception of the parcel at the northeast corner of East Street and Kentucky Avenue, be designated Industrial with Light Industrial Flex Overlay to more accurately reflect current and likely uses.

6. 430-460 Cleveland Street and 177-181 Lincoln Avenue. The subject parcels are located on the Northeast

corner of Lincoln Avenue and Cleveland Street and are developed with existing single family homes, one or more of which may have been converted to office at one time. The area surrounding the parcel has a mix of uses, and is designated in the 2035 General Plan as Corridor Mixed use to the West, Downtown Specific Plan Area C to the East and Residential Low Density to the South. The area south is within the Neighborhood Preservation Zoning District. It appears that this parcel was originally designated as General Commercial in the 2002 General Plan and as such, it is recommended that the designation be changed from Low Density Residential to Corridor Mixed Use.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Single Family	General Commercial (C-2)	Low Density	Corridor Mixed Use
North	Mixed commercial, office	General Commercial (C-2)	Corridor Mixed Use	
South	Non-conforming multi-family and single family	Neighborhood Preservation	Low Density Residential	
East	Mix of commercial, office	Downtown Specific Plan Area C	Downtown Mixed Use	
West	Commercial Center and Single family	General Commercial (C-2)	Corridor Mixed Use	

7. 101 Court Street – Fire Station No. 1. The subject site is located on the northeast corner of Grant Avenue and Court Street and is developed with the City of Woodland Fire Station No. 1. The area surrounding and including this property is designated as Community Commercial in the 2035 General Plan. However, the General Plan has included a land use designation of Public /Quasi Public (PQ). This designation provides for public and quasi-public facilities and including fire and police stations, libraries, government offices and wastewater treatment. Therefore, the correct designation for Fire Station No. 1 is Public/Quasi-Public.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Fire Station No. 1	General Commercial (C-2)	Community Commercial	Public/Quasi-Public (PQ)
North	Single Family	Single Family (R-1)	Low Density	
South	Commercial (Purity Plaza)	General Commercial (C-2)	Corridor Mixed Use	
East	Mix of single family, offices	General Commercial (C-2)	Community Commercial	
West	Mix of single family and offices	General Commercial (C-2)	Community Commercial	

8. 1619 West Street – Fire Station No. 2. The subject site is located on the northeast corner of West Street and El Dorado Drive and is developed with the City of Woodland Fire Station No. 2. The area surrounding and including this property is designated Low Density Residential in the 2035 General Plan. However, the General Plan has included a land use designation of Public /Quasi Public (PQ). This designation provides for public and quasi-public facilities and including fire and police stations, libraries, government offices and wastewater treatment. Therefore, the correct designation for Fire Station No. 2 is Public/Quasi-Public.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Fire Station No. 2	Single Family (R-1)	Low Density	Public/Quasi-Public (PQ)
North	Single Family	Single Family (R-1)	Low Density	
South	Single Family	Single Family (R-1)	Low Density	
East	Single Family	Single Family (R-1)	Low Density	
West	Church, Single family	Single Family (R-1)	Low Density	

ENVIRONMENTAL DETERMINATION

The proposed amendments recognize existing zoning designation and site conditions and will not result in any significant changes to the character or use of properties in the City and is not a project with the potential for causing a significant effect on the environment requiring California Environmental Quality Act (CEQA) analysis. The proposed amendment is statutorily exempt from the requirements of CEQA pursuant regulation 15061(b)(3), the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment and is categorically exempt. Further, the Environmental Impact Report (EIR) for the 2035 General Plan Update, certified on May 16, 2017 by Resolution No. 6835, was reviewed and it was found that the EIR adequately addresses the potential impacts of the proposed amendment.

FINDINGS

Staff recommends the following findings:

- The proposed General Plan amendment is internally consistent with the rest of the General Plan.
- The proposed Amendment does not otherwise change the goals or programs of the General Plan.
- The future development of the subject sites can be more appropriately guided by the Amendment to the General Plan as outlined below and would not be detrimental to the public health, safety, or welfare.
- The General Plan Amendment has been considered during a duly noticed public hearing held on April 5, 2018 to receive and consider public testimony regarding the General Plan Amendment and has been processed in accordance with the applicable provisions of the California Government Code.

PUBLIC NOTICING

The Public Hearing Notice for the Planning Commission hearing was mailed to the subject property owners and to property owners located within 300-feet of the subject properties and placed in a newspaper of general circulation, The Daily Democrat, on March 26, 2018 and on April 21, 2018. Further, a full-page article regarding the Interim Zoning Ordinance was published in the Daily Democrat on April 17, 2018.

Commission/Committee Recommendation:

On April 5, 2018 the Planning Commission held a duly noticed public hearing. The Planning Commission received an in-depth report from staff, followed by questions. No members of the public were present to speak to the item. Planning Commission voted unanimously (6 Ayes, 0 Noes, 1 Absent) to recommend approval of the General Plan Amendment to the City Council. During discussion, the Planning Commission encouraged staff to provide additional public notification of the Interim Zoning Ordinance update. As a result, staff in coordination with the Daily Democrat, provided a full-page article regarding the update on April 17, 2018.

Conclusion:

Staff recommends that the City Council:

1. Conduct a public hearing; and
2. Adopt Resolution No. _____, approving the proposed General Plan Amendment.

Prepared By: Cindy A. Norris, Principal Planner

Reviewed By: Ken Hiatt, Assistant City Manager and Community and Economic Development Director



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
ATT A - City Council Resolution	4/20/2018	Resolution
ATT B - Map Exhibits - Attachment 1 to the CC Resolution	4/20/2018	Exhibit
ATT C - APNs and Property Owner and Address	4/20/2018	Backup Material
ATT D - Planning Commission Report Cover 4.5.18	4/20/2018	Report

**CITY COUNCIL
RESOLUTION NO. 18-__**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING A
GENERAL PLAN AMENDMENT TO CORRECT ERRORS IN THE MAY 16, 2017
WOODLAND GENERAL PLAN UPDATE 2035 LAND USE MAP**

WHEREAS, on May 16, 2017, the City Council of the City of Woodland also approved Resolution No. 6835 certifying the Woodland General Plan EIR; and

WHEREAS, on May 16, 2017, the City Council of the City of Woodland approved Resolution No. 6836 adopting the Woodland General Plan Update 2035; and

WHEREAS, in the process of the implementing the Woodland General Plan Update 2035, staff has discovered or have otherwise been made aware of several locations within the City where the updated General Plan Map does not represent the existing land uses or site improvements that exist on the property or the existing zoning; and

WHEREAS, on April 5, 2018, the Planning Commission of the City of Woodland considered the proposed General Plan Amendment during a duly noticed public hearing and found the Amendment to be internally consistent with the General Plan Update 2035; and

WHEREAS, the Planning Commission, upon hearing and considering all oral and written testimony and arguments of all persons desiring to be heard, considered the proposed General Plan Amendment in the context of the General Plan Update 2035 Environmental Impact Report (EIR), found that the General Plan Update 2035 EIR adequately addresses the potential impacts of the proposed Amendment, and recommended to the City Council that it approve the Amendment; and

WHEREAS, the City Council, during a duly noticed public hearing held on May 1, 2018, received and considered public testimony regarding the General Plan Amendment and reviewed and considered all oral and written testimony and arguments of all persons desiring to be heard at the meeting.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Woodland does hereby:

Section 1. Approve the General Plan Amendment, attached hereto as Attachment 1, to correct technical errors in the 2035 General Plan Land Use map, adopted on May 16, 2017, as described below:

- (1) Change the land use designation for the property at 420 Grand Avenue from Medium Density Residential (8.1 to 19.9 units per acre) to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, in order to reflect the existing land use and development (APN 006-023-001); and
- (2) Change the land use designation for the properties at 25-31, 49, 59, 77 and 95 W. Lincoln Avenue from Public/Quasi Public to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, to reflect existing land uses and development (APNs 065-250-043, 065-250-020, 065-250-021, 065-250-046, 065-250-030); and

- (3) Change the land use designation for the properties at 802, and 850 W Lincoln Avenue and 403 Ashley Avenue from Community Commercial to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, to reflect existing land uses and development (APNs 065-340-026 and 065-010-032); and
- (4) Change the land use designation for the property at 217 W. Kentucky Avenue from Low Density Residential (1.0 to 8.0 units/acre) to Industrial with the Light Industrial Flex Overlay, to reflect existing site improvements (APN 027-065-037); and
- (5) Change the land use designation for the properties along East Harter Avenue and East Kentucky Avenue from Regional Commercial to Regional Commercial Light Industrial Flex Overlay and Corridor Mixed Use with Light Industrial Flex Overlay to Industrial with the Light Industrial Flex Overlay, to reflect existing land uses and development (APNs 027-420-028, 027-420-015, 027-420-021, 027-420-019, and 027-420-010, 027-420-030, 027-420-031, 027-420-032, 027-420-004, 027-420-025, 027-420-003, 027-420-002, 027-420-017); and
- (6) Change the land use designation for the properties at the North West corner of Lincoln Avenue and Cleveland Street, 430–460 Cleveland Street and 177-181 Lincoln Avenue, from Low Density Residential (1-8 units/acre) to Corridor Mixed use, to reflect previous zoning (APN 006-025-018, 006-025-019, 006-025-011, 006-025-016); and
- (7) Change the land use designation for Fire Station No 1 at 101 Court Street from Community Commercial to Public /Quasi-Public, (APN 055-554-013); and
- (8) Change the land use designation for Fire Station No 2, at 1619 West Street from Low Density Residential to Public/Quasi-Public (APN 039-101-012).

Section 2. Findings

The City Council concurs with the Planning Commission’s findings, specifically that:

- A. The General Plan Amendment is internally consistent with the General Plan Update 2035; and
- B. The Amendment does not otherwise change the goals or programs of the General Plan Update 2035, and no other text in the General Plan will be, or needs to be, changed as a result of the Amendment; and
- C. The future development of the subject sites, if any, will be more appropriately guided by the Amendment to the General Plan, and the Amendment would not be detrimental to the public health, safety, or welfare; and
- D. The General Plan Amendment has been considered during a duly noticed public hearing held on April 5, 2018 by the Planning Commission and on April 17, 2018 by the City Council; and
- E. This is the first amendment to the General Plan in 2018; and

F. City staff is directed to take all necessary steps, in compliance with the Government Code, to process the General Plan Amendment and update the General Plan Update 2035.

Section 3. Environmental Clearance.

- a. The Woodland General Plan Update 2035 Environmental Impact Report was certified by the City Council on May 16, 2017.
- b. The proposed amendments recognize existing zoning designation and site conditions and will not result in any significant changes to the character or use of properties in the City and is not a project with the potential for causing a significant effect on the environment requiring California Environmental Quality Act (CEQA) analysis. The proposed amendment is statutorily exempt from the requirements of CEQA pursuant regulation 15061(b)(3), the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment and is categorically exempt. Further, the Environmental Impact Report (EIR) for the 2035 General Plan Update, certified on May 16, 2017 by Resolution No. 6835, was reviewed and it was found that the EIR adequately addresses the potential impacts of the proposed amendment

Section 4. Effective Date. The amendments to the 2035 General Plan Land Use map shall take effect immediately upon approval of the City Council of the City of Woodland.

PASSED AND ADOPTED by the City Council this 1st day of May 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

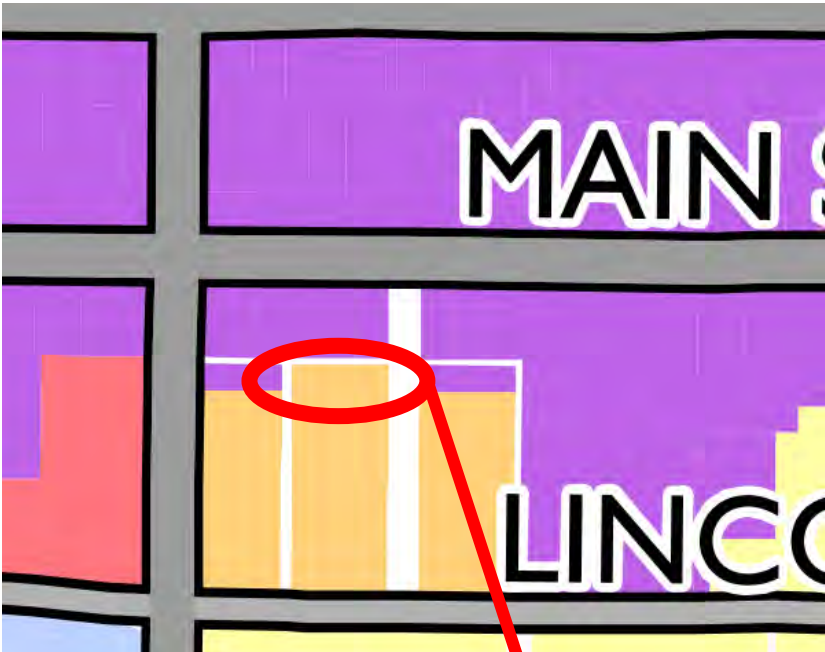
APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

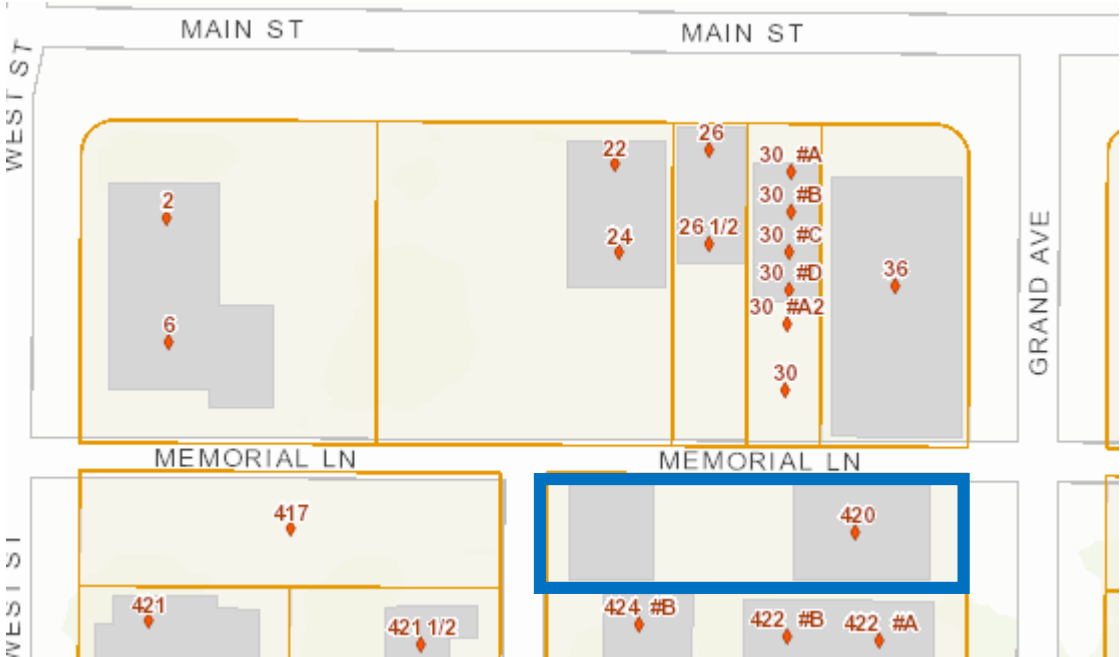
Kara K. Ueda, City Attorney

Exhibit 1: General Plan Update 2035 Map Exhibit

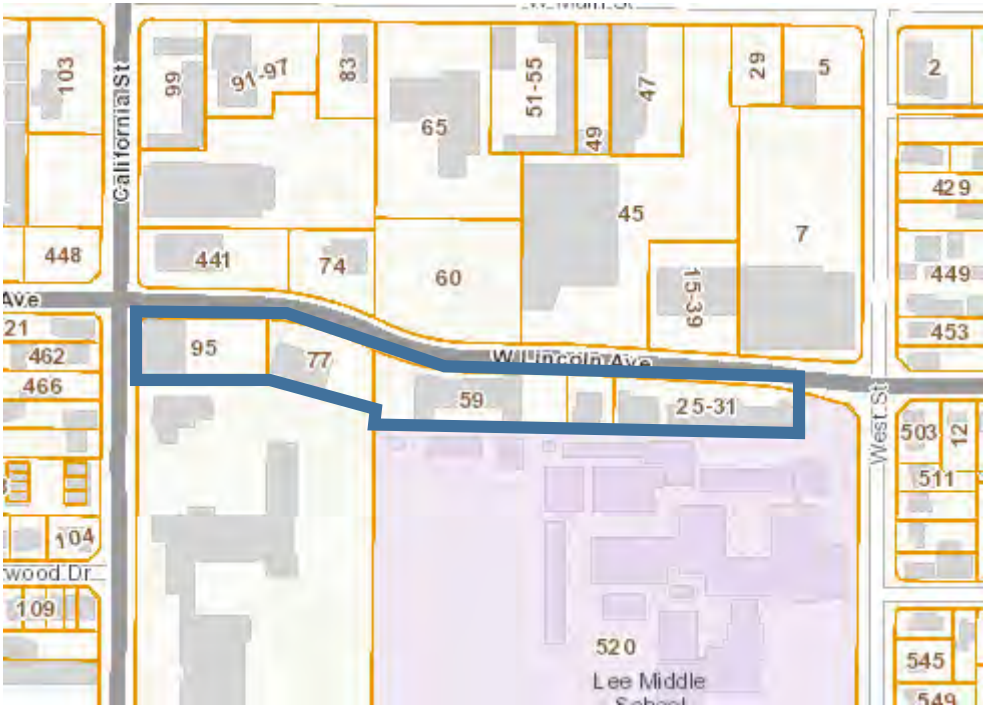
No.1 - 420 Grand Avenue



Recommended change from Medium Density Residential (MD) to Corridor Mixed Use – West Main (CMU-WM)

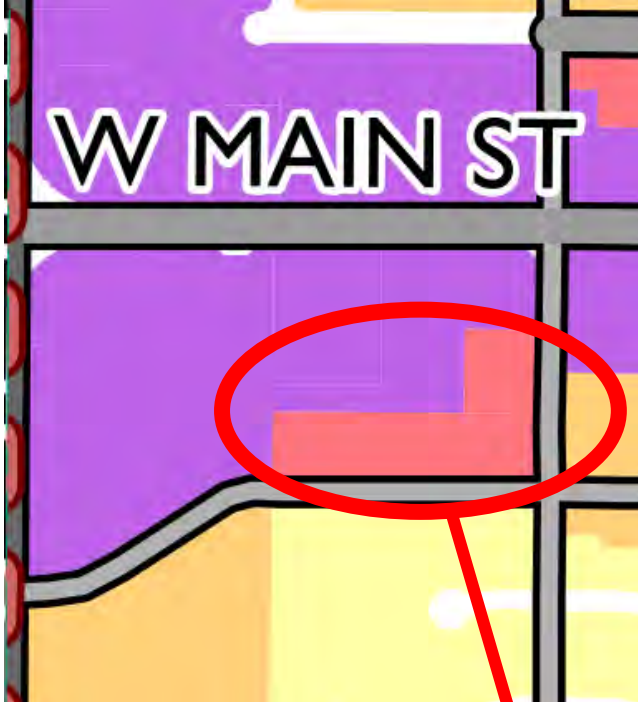


No 2. - 25- 95 West Lincoln Avenue

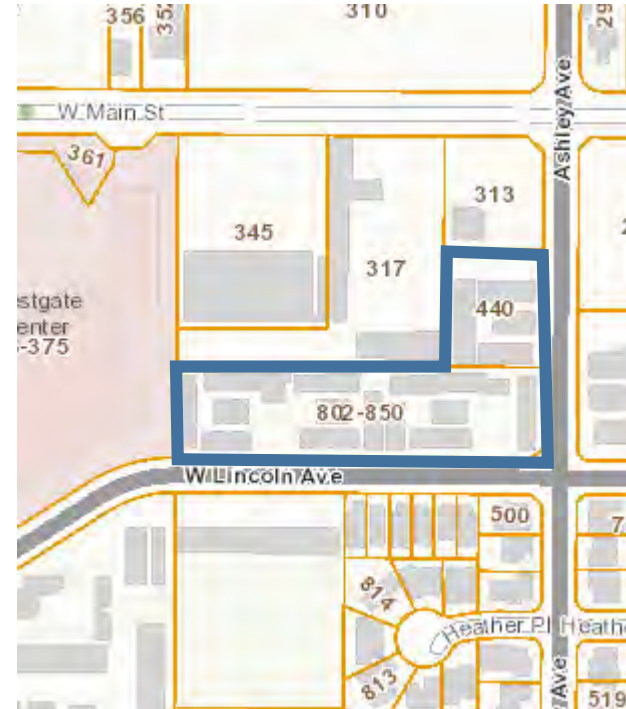


Recommended change from Public/ Quasi-Public (P/QP) to
Corridor Mixed Use – West Main (CMU-WM)

No. 3 - 802-850 West Lincoln and 440 Ashley Avenue



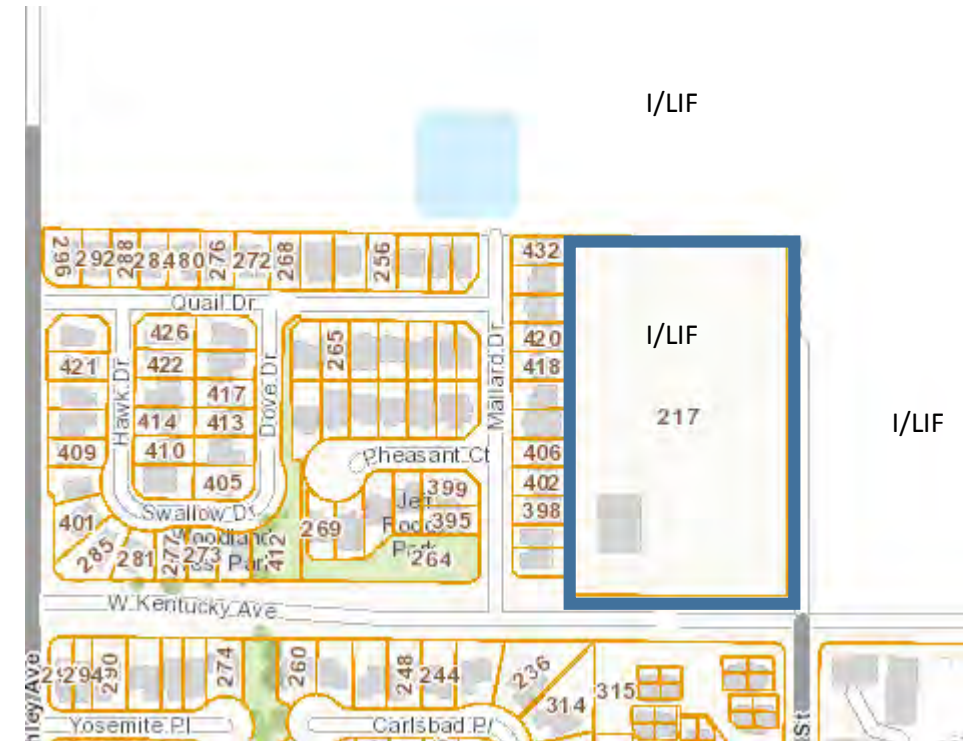
Recommended change from Community
Commercial (CC) to
Corridor Mixed Use – West Main (CMU-WM)



No 4. - 217 West Kentucky Avenue

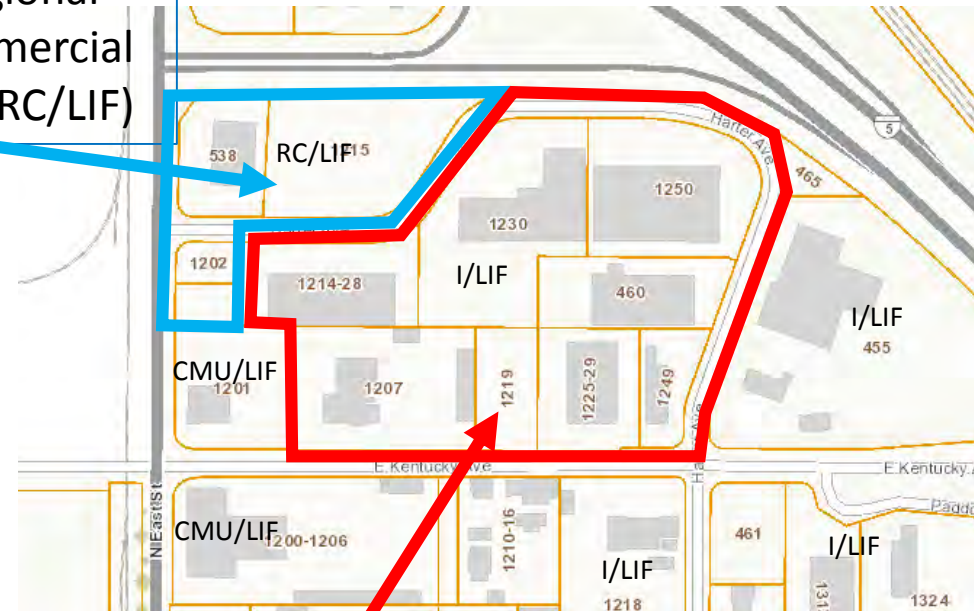
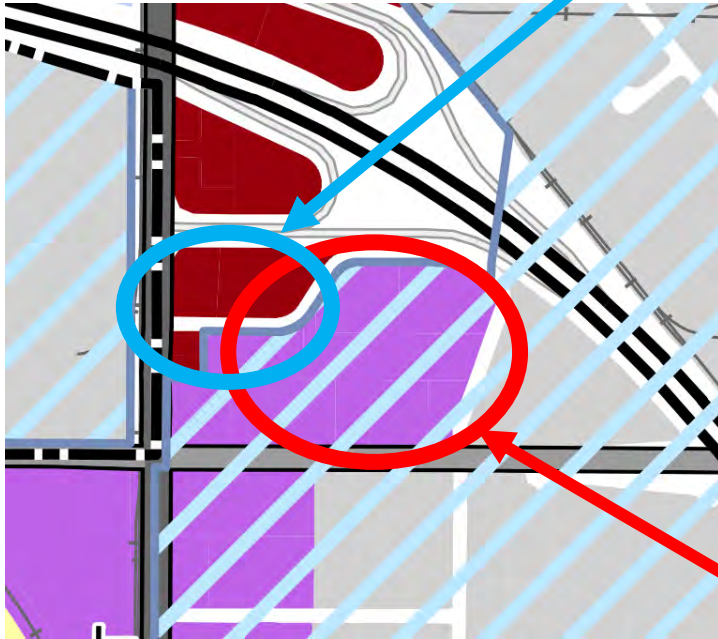


Recommended change from Low Density Residential (LD) to Industrial with Light Industrial Flex (I/LIF)



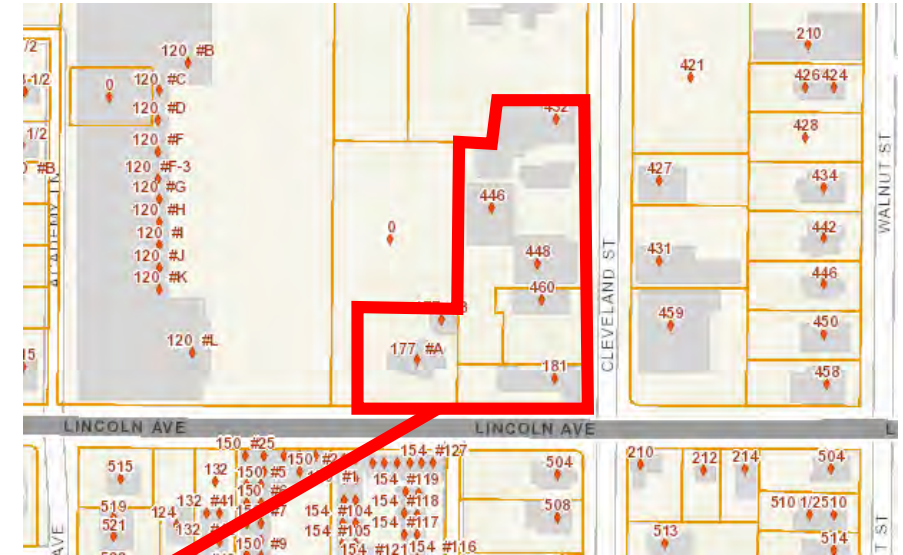
No 5 - East Street, Harter Avenue, and East Kentucky

Recommended change from Regional Commercial (RC) to Regional Commercial with Light Industrial Flex Overlay (RC/LIF)



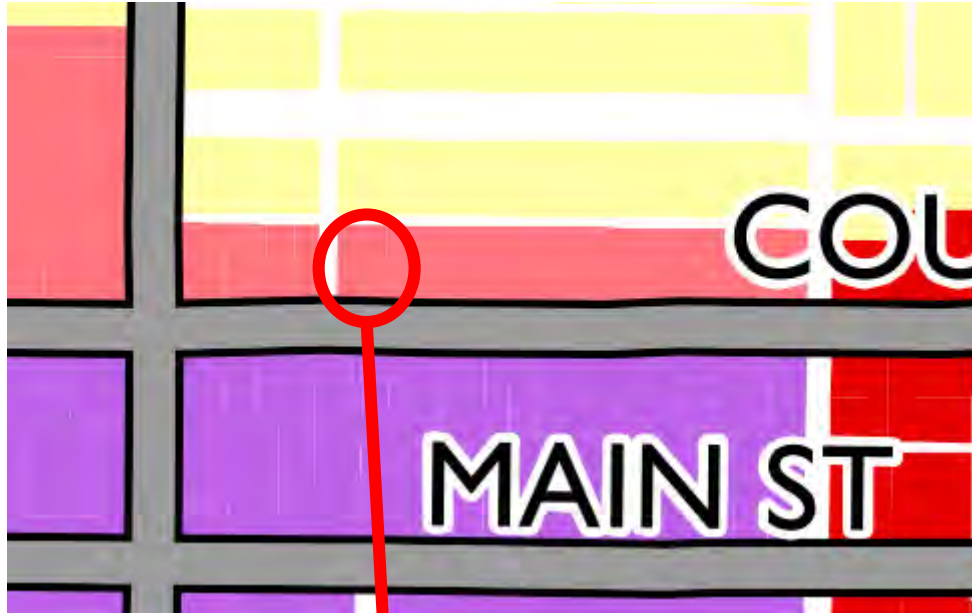
Recommended change from Corridor Mixed Use with Light Industrial Flex Overlay (CMU/LIF) to Industrial with Light Industrial Flex Overlay (I/LIF)

No. 6 - Northeast Corner of Lincoln Ave and Cleveland Street

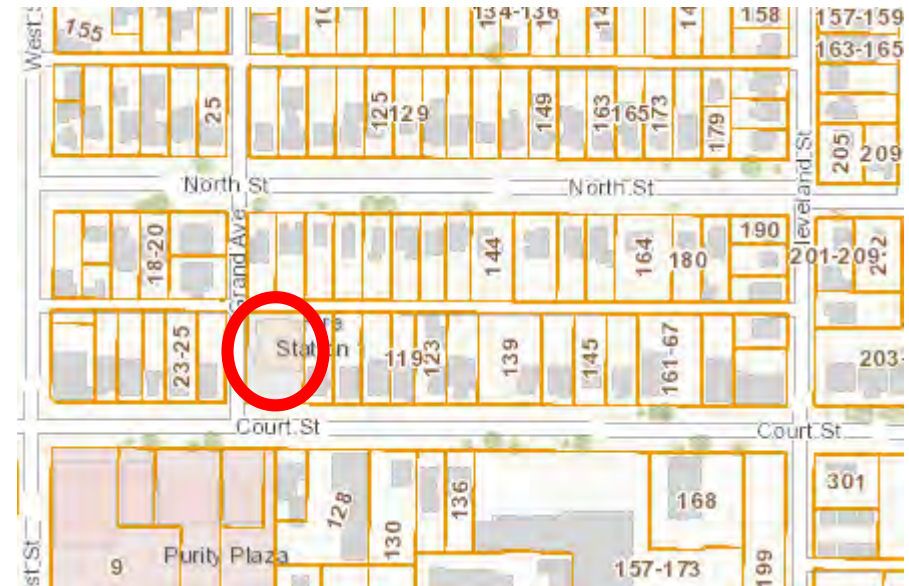


Recommended change from Low Density
Residential (LD) to Corridor Mixed Use (CMU)

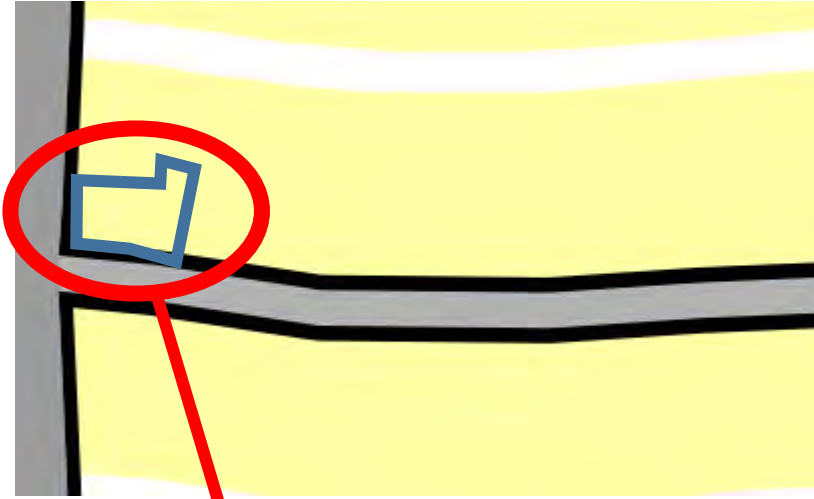
No. 7- 101 Court Street, Fire Station No 1



Recommended change from Community
Commercial (CC) to
Public/Quasi-Public (PQ)



No. 8 - 1619 West Street – Fire Station No 2



Recommended change from Low Density
Residential (LD) to
Public/Quasi-Public (P/QP)



Attachment C
List of Affected Properties and Assessors Parcel Numbers

Property Location	APNs	Owners
Amendment #1		
420 Grand Avenue	006-023-001	Paula & Carla Ramstad & Ramstad Rev Liv Trust
Amendment #2		
25-31 W. Lincoln Avenue	065-250-043	LD Enterprises LLC
49 W. Lincoln Avenue	065-250-020	Keys Trust
59 W. Lincoln Avenue	065-250-021	WYDA Park Investors & Colonial Terrace Senior Apts
77 Lincoln Avenue	065-250-046	County of Yolo
78 Lincoln Avenue	065-250-030	Foster Neal
Amendment #3		
802 -850 Lincoln Avenue	065-340-026	Senior Housing Associates, IV, LP
440 Ashley Avenue	065-010-032	Lincoln Gardens II
Amendment #4		
217 W. Kentucky Avenue	027-560-037	Jerrold & Maryann Bickle
Amendment #5		
538 N East Street	027-420-028	Ochoa Susan Trust
1215 Harter Avenue	027-420-015	Barajas Federico ETAL (vacant)
1202 Harter Avenue	027-420-021	Sran Bikramujit Singh (vacant)
0 N. East	027-420-019	Sran Bikramjit Singh
1214-1228 Harter Avenue	027-420-010	Janine Eaton Investments LP
1230 Harter Avenue	027-420-030	Ethan Conrad
1250 Harter Avenue	027-420-031	Ethan Conrad
460 Harter Avenue	027-420-032	460 Harter Avenue LLC
1249 E. Kentucky Avenue	027-420-004	Dahl Trust
1225-1229 E. Kentucky Avenue	027-420-025	Currie Family Rev Trust
1219 E Kentucky Avenue	027-420-003	Thomson Trust ETAL
1207 E. Kentucky Avenue	027-420-002	Thomson Trust
Amendment #6		
430-446 Cleveland Street	006-025-018	St Johns United Church of Christ
460 Cleveland Street	006-025-019	St Johns United Church of Christ
181 Lincoln Avenue	006-025-011	Stefan Cheng
177 Lincoln Avenue	006-025-016	Towse Rev Trust
Amendment #7		
101 Court Street	005-554-013	City of Woodland
Amendment #8		
1619 West Street	039-101-012	City of Woodland



City of Woodland
Meeting Agenda
Planning Commission

City of Woodland
Planning Commission
c/o
Community Development
Department
300 First Street
Woodland, CA 95695

530-661-5820

Thursday, April 5, 2018

6:30 PM

Council Chambers

Please Note: The numerical order of items on this agenda is for the convenience of reference; items may be taken out of order. No new items shall begin after 10:30 pm unless unanimous consent exists to continue.

- A. Call to Order**
- B. Roll Call**
- C. Pledge of Allegiance**
- D. Staff and Commissioner Comments**

This is an opportunity for the Planning Commission members and staff to make comments and announcements to express concerns, or to request Commission's consideration of any items a Commission member would like to have discussed at a future Commission meeting.

- E. Subcommittee Reports**
- F. Communications from the Public**

This is an opportunity for the public to speak to the Commission on any item other than those listed for public hearing on the agenda. Speakers are requested to use the microphone in front of the Commission and to begin by stating their name, whether they reside in Woodland and the name of the organization they represent if any. The Commission may impose a time limit on any speaker depending on the number of people wanting to speak and time available for the rest of the agenda. In the event comments are related to an item scheduled on the agenda, speakers may be required to wait to make their comments until that item is considered.

- G. Approval of Minutes**
- H. Public Hearing**
 - 1. Interim Zoning Ordinance - Continued Public Hearing
 - 2. Consideration of a General Plan Amendment to Correct Errors in the Recently Adopted 2035 General Plan Land Use Map
- I. Business Items**
- J. Staff or Commissioner Comments**
- K. Adjournment**

The Planning Commission of the City of Woodland encourages all parties interested in a matter scheduled to be reviewed, discussed and acted on at a meeting, to participate in the public discourse, which may include the submission of written comments and materials. The Planning Commission notifies the public that those materials received less than 24 hours before a meeting date and time may not be able to be considered completely. Further, the Planning Commission encourages interested parties to attend the meeting to discuss any matter of concern and to explain their comments more fully.



TO: MEMBERS OF THE PLANNING COMMISSION
DATE: April 5, 2018
ITEM #: 1.
SUBJECT: Interim Zoning Ordinance - Continued Public Hearing

Recommendation for Action:

Staff recommends that the Planning Commission take action on the following:

1. Receive a staff report;
2. Continue the public hearing; and
3. Adopt Resolution NO. PC18-0 recommending that the City Council:
 - a. Find that the Implementation of the Interim Zoning Ordinance was adequately addressed in program level EIR prepared for the 2035 General Plan certified by the City Council on May 16, 2017 by Resolution No. 6835;
 - b. Adopt a stand alone Interim Zoning Ordinance to provide a clear legal basis for zoning and development review to ensure consistency with the 2035 General Plan; and
 - c. Accept appropriate modification to the Interim Zoning Map to ensure consistency with a proposed General Plan Amendment to correct technical errors in the 2035 General Plan Map.

Staff Contact:

Cindy A. Norris, Principal Planner, (530) 661-5911, cindy.norris@cityofwoodland.org

Report in Brief:

The purpose of this action is to recommend adoption of a Phase I zoning update consisting of an Interim Zoning Ordinance. The Interim Ordinance will provide a set of standards and procedures to ensure consistency with the recently adopted 2035 General Plan. The Phase II zoning update will consist of a comprehensive update to the Zoning Ordinance, but may take another year to complete. It is critical during the interim that the City have clear legal basis for the development review process, for guidance on possible allowed uses or new development proposals, and if needed, to enable the city to modify or deny projects that do not conform to the new General Plan.

The Planning Commission's review of the Interim Zoning will occur over two meetings. At the March 15, 2018 meeting, staff provided a comprehensive overview. The Commission provided questions and comments and continued the public hearing to April 5, 2018. The purpose of the second meeting will be for the Planning Commission to make a recommendation to the City Council regarding action on the Interim Zoning Ordinance.

Background:

The City of Woodland reached a significant milestone in approving the 2035 General Plan Update on May 16, 2017. With the update, a number of land use designations, standards, policies and implementation measures were added or changed. In several instances, these changes are inconsistent with the existing Zoning Ordinance and Specific Plans. As example, there is no corresponding zoning district for the new General Plan land use designations Corridor Mixed Use, Light Industrial Flex and Regional Commercial with Light Industrial Flex Overlay (CMU, LIF, RC/LIF). Ultimately, the City intends to prepare a comprehensive update to the Zoning Ordinance, but that effort may take an

additional year or more to complete. Therefore, it is critical during the interim period to provide City staff with a legal basis to conduct regulatory review concerning development, assessment of allowed uses, and if needed, to enable the city to modify or deny projects that do not conform to the new General Plan.

The proposed interim zoning ordinance will constitute the initial Phase I of a zoning update effort, followed by preparation of a comprehensive final zoning update as Phase II. Phase I will be a stand-alone, uncodified ordinance that will include text and regulations as well as updated zoning district boundaries, uses, map, graphics, and exhibits as needed in place until the final comprehensive zoning is enacted.

The City has the authority under California Government Code 65858 to adopt “interim zoning”. The purpose of an interim zoning ordinance is to immediately allow for the prohibition of certain uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that is being considered or studied. If the City Council adopts the Interim Zoning Ordinance, it would do so as an urgency ordinance, and the ordinance could remain in effect for no longer than two years. Interim zoning will not only ensure that new development is consistent with the General Plan, but it will also provide predictability and certainty for property owners and developers during the “transition” period until the final comprehensive zoning is complete.

On March 15, 2018, the Planning Commission held a public hearing to consider the Interim Zoning. The Commission received a report from Staff, accepted comments from one member of the public, requested clarification from staff on several items, and continued the public hearing to April 5, 2018. Since that meeting staff has made edits to the Interim Zoning text shown in as track changes in Attachment 2.

Discussion:

Not all land use areas were changed with the new General Plan. The existing Zoning Map and Zoning Ordinance will remain in effect over those parcels (R-1, R-2, R-M, I). For those areas that do have new land use designations, the Interim Ordinance will repeal specific Articles in the existing zoning, which will be superseded by the Interim Zoning. The replaced zones will no longer apply, (C-2, C-3, CH, EOZ-I, EOZ-CH and East Street Specific Plan). The interim map and new interim zones will apply on affected properties. The primary affected land areas are located along the major corridors, Main Street (not including the Downtown), East Street, and Kentucky as well as a portion of the Industrial area west of Pioneer Avenue.

The following criteria were used in development of the Interim Zoning Ordinance, based upon the 2035 General Plan:

- Make zoning easier to understand and use
- Streamline development review and approval
- Provide greater certainty for future development through application of specific design standards that are form based
- Provide administrative review and relief options
- Encourage and facilitate infill development
- Encourage healthy lifestyle choices and ensure walkability
- Provide flexibility to allow adaptation to market conditions
- Incentivize job generating uses
- Achieve high quality urban design
- Emphasize sustainability principles and compliance with the CAP
- Develop performance standards for commercial and industrial uses to minimize incompatibilities with surrounding properties
- Update the non-conforming use standards (separate update to the zoning code), recognize benign non-conforming uses as compared with those that are inconsistent with the General Plan.

Key Provisions in the Interim Zoning Ordinance

- New Zoning Districts with Corresponding Use Table and Definitions

Eight new zoning districts are proposed as shown in the Interim Zoning Map in Attachment 3:

- Corridor Mixed Use (CMU)
 - o CMU-E (East Street);
 - o CMU-WM (West Main Street);
 - o CMU-K (Kentucky Avenue), and
 - o CMU/LIF (Corridor Mixed Use with Light Industrial Flex Overlay)
- Community Commercial
 - o CC (Community Commercial)
- Regional Commercial
 - o RC (Regional Commercial)
 - o RC/LIF (Regional Commercial with Light Industrial Flex Overlay)
- Industrial with a Light Industrial Flex Overlay
 - o I/LIF (Industrial with Light Industrial Flex Overlay)

The proposed new use table (as provided in Attachment 4) has been tailored to be reflective of the character or intent for each zoning district. The use table provides grouped categorization of uses that are Permitted “P”, allowed with a Zoning Administrator permit “A”, or conditionally permitted “C”. The use table also clearly specifies those uses that are be prohibited “-“. In order to provide greater understanding in evaluating uses, comprehensive definitions of the listed uses accompany the use table. Because it is not possible to list all possible uses that may occur, the intent is to rely upon the use definitions to describe the general characteristics of identified uses, which will then help in making best fit interpretations for new and proposed uses.

New Development and Urban Form Design Standards and Guidelines

The new development standards generally rely on form-based and physical design concepts. The intent is to create human-scale building and landscape forms, particularly along streets and other public rights-of-way, to foster denser, walkable, transit oriented urban design, characterized by buildings whose form and placement help “frame” the street, with reduced parking provided to the rear or side of each site, visible and accessible entries, and pedestrian friendly design. Building front setbacks from the street are reduced, compared to current zoning standards, and greater intensity of development is encouraged. The focus is on the street front and building exteriors with the goal to activate street frontages and corridors.

Urban form standards and guidelines describe expectations with regard to architectural form, pedestrian oriented design features, site circulation, treatment of outdoor spaces, and landscaping emphasizing high-quality street-frontage design and walkability. Those projects that meet the specified site development standards and design criteria should move through the review process quickly.

New Performance Standards and Findings

The Interim Ordinance provides measurable performance standards to which all development shall be subject. These will be in addition to performance standards provided in the current Zoning Ordinance. Performance standards help to ensure compatibility and limit nuisance or hazardous effects from adjacent properties and uses.

Updated Review Process and an Emphasis on Administrative Review

With the goal of providing greater certainty and reducing review requirements and timelines, the Interim Zoning

Ordinance allows a larger number of uses that are permitted, or that may be considered through a staff level zoning administrator review. This is possible because the Interim Ordinance provides specific direction to applicants, owners, and residents through the inclusion of specific site development criteria, special regulations, urban form standards and guidelines, as well as specific performance standards. A proposed project that has a complete application and meets these zoning provisions should be able to move through the process in a more efficient manner. Further, the Ordinance provides the ability to address and review conflicts or uncertainties that may arise between the General Plan and Zoning.

-
Potential Zoning Map update consistent with General Plan Amendment

Concurrent with review of the Interim Zoning Ordinance, the City is also conducting a technical clean up to the 2035 General Plan land use map. There are eight (8) locations where proposed General Plan land use changes are recommended to the Land Use Map. If approved, the Interim Zoning Map will also be amended consistent with those changes. A draft amended Interim Zoning Map is included as Attachment 5 to illustrate the changes that will be made concurrently if the General Plan Amendment is approved.

Meetings and Subcommittee Review:

During the development of the General Plan, the City held numerous public workshops and community sessions seeking comments and participation in review of the goals, policies and implementation programs. Many comments received and adopted policies and programs identify the need to modify zoning. The Planning Commission Subcommittee has met twice to regarding the Interim Zoning Ordinance, on September 15, 2017 and again on February 21, 2018. In addition, staff presented the zoning update to the Chamber of Commerce on February 21, 2018.

On March 15, 2018, the Planning Commission held a duly noticed public hearing. The Planning Commission received an in depth report from staff, followed by questions and public comment. One member of the public was in attendance. In response to questions and comments offered, staff has made additional edits to the draft Interim Zoning Text. These edits are shown in track changes in Attachment 2. There were no substantive changes or edits recommended at the March 15, 2018 meeting.

Public Notification:

The Public Hearing Notice for the Planning Commission hearing was published in a one-eighth page notice in the Daily Democrat newspaper on March 4, 2018.

Copies of all referenced documents can be ordered through the City or accessed online at the City of Woodland web site: <http://cityofwoodland.org/gov/meetings.asp>.

Environmental Determination:

The intent of the Interim Zoning Ordinance is to bring conformity between the zoning and the General Plan. The proposed Interim Zoning Ordinance relies on the previously certified Final Environmental Impact Report for the 2035 General Plan and Climate Action Plan (EIR). As stated on page IA 1-20 of the General Plan Update 2035, "For the period immediately following the adoption of the General Plan, the City will establish a stand-alone Interim Zoning Ordinance in accordance with Government code Section 65858, which would apply until a comprehensive update of the Zoning Ordinance is completed."

Additionally, on page 1-2 of the Draft Environmental Impact Report for the 2035 General Plan and Climate Action Plan it is explained that the City elected to include an enhanced level of analysis for the General Plan Update EIR. It further states that, "The 2035 General Plan EIR uses detailed, parcel-level land use programming for the basis of analysis, with

a focus on vacant and underutilized properties that would be appropriate for development between the present and 2035. This EIR includes a comprehensive analysis of land use changes anticipated under the 2035 General Plan, with additional detail in the areas, such as transportation, air quality, greenhouse gas emissions, noise and other topics, based on reasonable assumptions as to the amount, type, and character of land use changes under the 2035 General Plan.” Therefore, the Interim Zoning Ordinance is within the Findings of Fact regarding Impacts and Mitigation Measures (CEQA Guidelines Section 15168 (c)(2)) and provisions of the California Environmental Quality Act (CEQA) have been satisfied.

Conclusion:

Staff recommends adoption of the Interim Zoning Ordinance, the Interim Zoning Map and other tables or graphics. Adoption of the Interim Zoning Ordinance will provide a legal bridge while the comprehensive code update is being prepared and its use will help inform future standards and most importantly will facilitate the review of project proposals located in the affected areas.

- Staff recommends that the Planning Commission take action on the following:

That the Planning Commission make the following motion:

Motion: Adopt Resolution NO. PC18-0 recommending that the City Council:

1. Find that the Implementation of the Interim Zoning Ordinance was adequately addressed in program level EIR prepared for the 2035 General Plan certified by the City Council on May 16, 2017 by Resolution No. 6835;
1. Adopt a stand alone Interim Zoning Ordinance to provide a clear legal basis for zoning and development review to ensure consistency with the 2035 General Plan; and

Accept appropriate modification to the Interim Zoning Map to ensure consistency with a proposed General Plan Amendment to correct technical errors in the 2035 General Plan Map.

Prepared By: Cindy A. Norris, Principal Planner

ATTACHMENTS:

Description	Upload Date	Type
ATT 1 - Planning Commission Resolution	3/28/2018	Resolution
ATT 2 - Interim Zoning Ordinance (Attachment A to the PC Resolution)	3/28/2018	Ordinance
ATT 3 - Interim Zoning Map (Exhibit A to the Interim Zoning Ord and Attachment B to the PC Reso)	3/28/2018	Map
ATT 4 - Comprehensive Use Table (Exhibit B to the Interim Zoning Ordinance and Attachment C to the PC Resolution)	3/28/2018	Backup Material
ATT 5 - Recommended Amendments to the Interim Zoning Map Should Proposed General Plan Corrections be Approved.	3/28/2018	Backup Material

**PLANNING COMMISSION
RESOLUTION NO. PC 18- 0__**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WOODLAND RECOMMENDING THE CITY COUNCIL OF THE CITY OF
WOODLAND ADOPT A PHASE I/INTERIM ZONING ORDINANCE THEREBY
ENSURING CONFORMANCE WITH THE 2035 GENERAL PLAN AND 2035
CLIMATE ACTION PLAN**

WHEREAS, on May 16, 2017, the City Council of the City of Woodland adopted the 2035 General Plan and the 2035 Climate Action Plan; and

WHEREAS, the City of Woodland conducted numerous public workshops and community sessions seeking comments and participation on the 2035 General Plan update, including review of goals, policies, and implementation programs, many of which spoke to the need to modify zoning provisions; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), on May 16, 2017, the City Council certified the Final Environmental Impact Report (FEIR) for the 2035 General Plan and 2035 Climate Action Plan, documents in which the need for an Interim Zoning Update was identified; and

WHEREAS, further, the 2035 General Plan EIR uses detailed land use programming for the basis of analysis, with a focus on vacant and underutilized properties that would be appropriate for development between the present and 2035. The EIR includes a comprehensive analysis of land use changes anticipated under the 2035 General Plan, with additional detail in the areas, such as transportation, air quality, greenhouse gas emissions, noise and other topics, based on reasonable assumptions as to the amount, type, and character of land use changes under the 2035 General Plan. Therefore, the Interim Zoning Ordinance is within the Findings of Fact regarding Impacts and Mitigation Measures (CEQA Guidelines Section 15168 (c)(2)) and provisions of the California Environmental Quality Act (CEQA) have been satisfied; and

WHEREAS, the City of Woodland intends, within a reasonable time after adopting the 2035 General Plan, to comprehensively update the Zoning Ordinance, Zoning Map, and affected Specific Plans, to ensure consistency with the new General Plan, but believes that it will take up to an additional year for City Staff to complete the comprehensive update; and

WHEREAS, during this interim period between the adoption of the 2035 General Plan and approval of a comprehensive update to the Zoning Ordinance, Zoning Map, and affected Specific Plans, the City has found inconsistencies between the 2035 General Plan and Zoning Ordinance and Specific Plans; and

WHEREAS, the City intends to establish an Interim Zoning Ordinance in accordance with Government Code Section 65858, which would apply until a comprehensive update of the Zoning Ordinance is completed. The Phase I/Interim Zoning Ordinance will be a stand-alone, uncodified ordinance with an associated zoning map; and

WHEREAS, the City reviewed the proposed Interim Ordinance with representative groups including the City of Woodland Chamber of Commerce policy group and the Planning Commission Zoning Subcommittee; and

WHEREAS, a public notice describing the proposed amendments to the Municipal Code was published in the Daily Democrat, a newspaper of general circulation, in accordance with Government Code section 60661; and

WHEREAS, on March 15, 2018 the Planning Commission held a duly noticed public hearing, which was continued to April 5, 2018, to review the proposed Phase I/Interim Zoning Ordinance, to consider evidence and testimony presented by City Staff and other interested parties and voted _____ to _____ recommend approval to the City Council; and

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Woodland, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby make the above findings, determinations, and recommendations with respect to the proposed Ordinance and recommends to City Council approval of the proposed Ordinance, as revised by the Planning Commission and attached hereto.

PASSED AND ADOPTED by the Planning Commission this 5th day of April 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marco Lizzaraga Chairperson

ATTEST:

Stephen Coyle, Deputy Director Community Development

Attachment A:	Interim Zoning Ordinance
Attachment B:	Interim Zoning Map - Exhibit A to the Ordinance
Attachment C:	Comprehensive Use Table – Exhibit B to the Ordinance

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND ADOPTING A PHASE I/INTERIM ZONING ORDINANCE, THEREBY ENSURING CONFORMANCE WITH THE 2035 GENERAL PLAN AND 2035 CLIMATE ACTION PLAN

WHEREAS, on May 16, 2017, the City Council of the Woodland adopted the 2035 General Plan and the 2035 Climate Action Plan; and

WHEREAS, the City of Woodland conducted numerous public workshops and community sessions seeking comments and participation on the 2035 General Plan update, including review of goals, policies, and implementation programs, many of which spoke to the need to modify zoning provisions; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), on May 16, 2017, the City Council certified the Final Environmental Impact Report (FEIR) for the 2035 General Plan and 2035 Climate Action Plan, documents in which the need for an Interim Zoning Update was identified; and

WHEREAS, further, the 2035 General Plan EIR uses detailed land use programming for the basis of analysis, with a focus on vacant and underutilized properties that would be appropriate for development between the present and 2035. The EIR includes a comprehensive analysis of land use changes anticipated under the 2035 General Plan, with additional detail in the areas, such as transportation, air quality, greenhouse gas emissions, noise and other topics, based on reasonable assumptions as to the amount, type, and character of land use changes under the 2035 General Plan. Therefore, the Interim Zoning Ordinance is within the Findings of Fact regarding Impacts and Mitigation Measures (CEQA Guidelines Section 15168 (c)(2)) and provisions of the California Environmental Quality Act (CEQA) have been satisfied; and

WHEREAS, the City of Woodland intends, within a reasonable time after adopting the 2035 General Plan, to update the Zoning Ordinance, Zoning Map, and affected Specific Plans, to ensure consistency with the new General Plan, but believes that it will take up to an additional year for City Staff to complete the comprehensive update; and

WHEREAS, during this interim period between the adoption of the 2035 General Plan and approval of a comprehensive update to the Zoning Ordinance, Zoning Map, and affected Specific Plans, the City has discovered inconsistencies between the 2035 General Plan and Zoning Ordinance and Specific Plans, including new land use designations that do not have corresponding zoning districts, creating a lack of clarity on the part of project applicants and City staff processing applications; and

WHEREAS, due to the need to have interim guidance following adoption of the 2035 General Plan and adoption of the new Zoning Ordinance that is consistent with the General Plan, the City Council finds that this urgency ordinance is in the best interests of the public health, safety, and welfare as it will provide much needed direction and clarity to both the City and project applicants regarding applicable zoning standards relating to allowed, conditionally allowed or prohibited uses and site development requirements; and

WHEREAS, this Ordinance is being adopted pursuant to Government Code Section 65858, which would apply for an initial period of 45 days and may be further extended for a maximum total period of two years provided certain findings have been satisfied, or until a comprehensive update of the Zoning Ordinance is completed. The Phase I/Interim Zoning Ordinance will be a stand alone, uncodified ordinance with an associated zoning map; and

WHEREAS, the City reviewed the proposed Interim Ordinance with representative groups including the City of Woodland Chamber of Commerce policy group and the Planning Commission Zoning Subcommittee; and

WHEREAS, a public notice describing the proposed amendments to the Municipal Code was published in the Daily Democrat, a newspaper of general circulation, in accordance with Government Code section 60661; and

WHEREAS, on March 15, 2018 the Planning Commission opened a duly noticed public hearing, which was continued to April 5, 2018, to review the proposed Phase I/Interim Zoning Ordinance, to consider evidence and testimony presented by City Staff and other interested parties and voted to recommending approval to the City Council; and

WHEREAS, the City of Woodland City Council considered this Ordinance during a duly noticed public hearing on , 2018, pursuant to Government Code Section 65858(b).

NOW, THEREFORE, the City Council of the City of Woodland does hereby ordain as follows:

Section 1. **Establish Interim Zoning Ordinance.** The City Council hereby adopts the Interim Zoning Ordinance, attached hereto as **Attachment 1**, to ensure consistency with the 2035 General Plan pursuant to the authority for adopting interim zoning regulations set forth in Government Code section 65858.

Section 2. **Supersede.** The Interim Zoning Ordinance in some places conflicts with Chapter 25 of the Municipal Code, the City of Woodland Zoning Ordinance. In those instances of a conflict, in particular in Articles 3, 13, 15, 16, 17, 17.5, 18, and 31 of Chapter 25 of the City of Woodland Municipal Code, the provisions of the Interim Zoning Ordinance shall apply and supersede all applicable provisions of Chapter 25, the City of Woodland Zoning Ordinance.

Section 3. **Establish Interim Zones.** The City Council hereby adopts Interim Zoning Districts, as shown on a map attached hereto as **Attachment 2**, and also referred to in the Interim Zoning Ordinance as *Exhibit A - Interim Zoning Map*.

Section 4. **CEQA.** The City Council hereby finds that this Ordinance

Section 5. **Effective Date.** This Ordinance shall take effect immediately upon approval of the City of Woodland City Council.

PASSED AND ADOPTED by the City Council of the City of Woodland on this _____ day of _____, 2018, by at least a 4/5 vote, as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

Ana B. Gonzalez, City Clerk

Attachment 1 – Interim Zoning Ordinance

Attachment 2 – ~~Exhibit A~~ Interim Zoning Map ([Exhibit A to the Interim Zoning Ordinance](#))

[Attachment 3 – Comprehensive Use Table \(Exhibit B to the Interim Zoning Ordinance\)](#)

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ARTICLE 1 General Provisions

1.01 Title

This ordinance shall be known and cited as the “Interim Zoning Ordinance”.

1.02 Purpose and Authority

The purpose of this Interim Zoning Ordinance is to establish zoning standards consistent with the 2035 Woodland General Plan, adopted by the City Council by Resolution 6836 on May 16, 2017, and to apply such interim standards until such time as the City Council adopts a new more comprehensive Zoning Ordinance that is consistent with the 2035 General Plan. These regulations are enacted pursuant to the Authority for adopting interim zoning regulations established in Government Code Section 65858.

1.03 Definitions and Key Terms of Reference

Definitions in Article 3 of the Zoning Ordinance in Chapter 25 of the Municipal Code are incorporated by reference. Additional definitions ~~for key terms and groupings~~ of land use (called “use groups”) are presented in Article 6 of this Ordinance Section 6.02, with Definitions of Terms provided in Section 6.03.-

As used in this Ordinance, the following terms have the following meanings:

- ~~A. “General Plan” means the 2035 Woodland General Plan adopted by the City Council by Resolution 6836 on May 16, 2017.~~
- ~~B. “General Plan Land Use Designations” and “General Plan Land Use Diagram” means the designation depicted on Figure 2-5 of the General Plan entitled “Land Use Diagram and the Land Use Diagram” itself.~~
- ~~C. “Zoning Ordinance” means the ordinance codified as Chapter 25 of the Municipal Code.~~
- ~~D. “Zoning Map” means a map or maps that were adopted to implement the Zoning Ordinance and delineate the boundaries of zones within the city.~~
- ~~E. “Zones” refer to the zones that are included in the Zoning Ordinance and shown on the Zoning Maps.~~
- ~~F. “Interim Zones” or “Zoning Districts” refer to the zoning designations established in this Ordinance.~~
- ~~G. “Best Fit” means the most appropriate existing zone that would implement a General Plan land use classification for a specific development site, taking into consideration the permitted and conditionally permitted land uses and the allowable height, density/intensity, and other development standards established in the Zoning Ordinance. Applying the “Best Fit” does not mean that a particular piece of property will rezoned; rather, it means that the applicable standards for a particular zone will apply to a project when the project is in an area where the zoning and General Plan are not in conformity with each other.~~

H.A. Sections beginning with “25” refer to sections of the Zoning Ordinance.

I.B. Sections beginning with “1” refer to sections of this ordinance.

1.04 Permit Procedures and Variances

All development subject to this Ordinance shall follow the procedures for site plan review and obtaining permits and other approvals as specified in the Zoning Ordinance and Community Design Standards. In addition, this Ordinance and the 2035 General Plan establish identical residential density and maximum floor area ratios (FARs). Any proposed deviation from a prescribed residential density or floor area ratio shall require a General Plan Amendment, unless the General Plan specifically provides for such deviations.

1.05 General Plan Conformity Review

This Interim Zoning Ordinance establishes “interim zones” consistent with the General Plan. This Ordinance, shall govern the City’s determinations of whether development applications conform to the General Plan until the City Council adopts a permanent and comprehensive Zoning Ordinance. The current Zoning Ordinance shall continue to apply to any property for which this Interim Zoning Ordinance does not apply.

- A. **Applicability: Exemptions.** Every project located in the City must conform to the City’s General Plan. Discretionary review under this section does not apply to projects with approved conditional use permits, approved minor conditional use permits, approved tentative subdivision maps, valid building permits, and similar entitlements.
- B. **Process for Conformity Determinations; Director’s Decision and Appeals.**
 - 1. The Community Development Director shall have the authority to determine whether any development application conforms to the General Plan according to the criteria for General Plan conformity determinations established in this Article 1, and issue a written decision.
 - 2. The Director’s decision may be appealed to the Planning Commission consistent with the provisions contained in Section 25-31-40. The Commission shall act on the appeal after a duly-noticed public hearing. The Commission’s decision may be appealed to the City Council. In considering an appeal at a duly-noticed public hearing, the appeal body shall determine whether the application conforms to the General Plan and may affirm, overturn, or modify the proposed determination. The decision of the appeal body shall be made by resolution.
- C. **Criteria for Determining General Plan Conformity**

This section specifies the process for processing development applications depending on whether the application conforms to the General Plan.

- 1. Applications in conformance with the General Plan:

- a. ***If allowed by the Interim Zoning Ordinance or Zoning Ordinance (no “express conflict”).*** The permitting process for the proposal shall be consistent with requirements and entitlement process as set forth in the Interim Zoning Ordinance or the Zoning Ordinance.
 - b. ***If not permitted by the Zoning Ordinance (“express conflict”).*** An application that is determined to conform to the General Plan, but is not permitted or conditionally permitted by the Zoning Ordinance and Interim Zoning Ordinance may be approved upon the granting of a conditional use permit, if it is determined that the application conforms to the findings set forth in Article 27 and to each of the following additional findings:
 - i. The application will be physically compatible with the neighborhood context, development patterns and building form, and scale will be clearly appropriate for the surrounding area;
 - ii. The proposed application, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
 - iii. The application is clearly consistent with the purposes of the district in which the site is located;
 - iv. The application is clearly consistent with the intent and desired character of the relevant land use classification or the General Plan and any associated General Plan policies; and
 - v. The application will clearly promote implementation of the General Plan.
 - c. ***Optional Rezoning in Lieu of Conditional Use Permit (“Express Conflict”).*** At the applicant’s option, in lieu of the conditional use permit provided above, the applicant may apply for a rezoning any such rezoning shall be for a “best fit district” corresponding to the general plan land use designation in which the proposal is located. If such a rezoning is recommended by the Planning Commission and approved by the City Council, the proposal shall then be subject to all of the provisions of the zoning district.
2. Applications for which the General Plan is silent or not precise on conformance:
- a. ***If permitted or conditionally permitted by Zoning Ordinance or Interim Zoning Ordinance (no “express conflict”).*** An application for which the General Plan is silent or does not provide precise policy direction as regards to conformity and which is permitted or conditionally permitted by the Zoning Ordinance or Interim Zoning Ordinance shall be required to make consistency findings provided in Section 1.05(C)(1)(b), and shall be processed in accordance with the entitlement review specified in the Zoning Ordinance or Interim Zoning Ordinance.

- b. ***If not permitted by Zoning Ordinance or Interim Zoning Ordinance (“express conflict”).*** Any application for which the General Plan is silent or does not provide precise policy direction as regards to conformity and which is not permitted by the Zoning Ordinance or Interim Zoning Ordinance shall be denied. At the applicant’s option, the applicant may modify the proposed application to conform to the Zoning Ordinance or the Interim Zoning Ordinance or may apply for a rezoning. Any such rezoning shall be to the Best Fit zoning district or other zoning district that is consistent with the General Plan land use classification in which the proposed use is located and shall be required to make consistency findings provided in Section 1.05(C)(1)(b). If the City Council approves such a rezoning, the use shall then be subject to all of the provisions of the new zoning district.
3. **Applications determined not to conform to the General Plan.** Any application for a proposed use that does not conform to the General Plan shall not be accepted or approved, except as provided for below.
 - a. At the applicant’s option, the applicant may modify the project to conform to the General Plan or may apply for a General Plan Amendment and related Zoning Ordinance Amendment.

ARTICLE 2 Interim Zones

2.01 Purpose

The purpose of this Article 2 is to establish “interim zones” consistent with the General Plan, which shall govern determinations for conformity with the General Plan and decisions on development projects until such time as the City Council adopts a new comprehensive Zoning Ordinance consistent with the 2035 General Plan. If this Interim Zoning Ordinance does not change the zoning for a particular area, the existing Zoning Ordinance shall apply unless otherwise modified by this Interim Zoning Ordinance (see Article 3).

2.02 Zoning Ordinance Provisions Superseded

This Article shall temporarily supersede and take precedence over Articles 13, 14, 15, 15.5, 16, 17, and 17.5 of Chapter 25 of the Zoning Ordinance with respect to the Interim Zones shown in Exhibit A of this Ordinance. Article 14.5, CBD Central Business District, remains in force and effect until such time as the City Council adopts a new Downtown Specific Plan.

2.03 Interim Zones

Exhibit A, Interim Zoning Map, shows interim zones that are consistent with the General Plan. Specific uses permitted, conditionally permitted, or prohibited are set forth in Article 3 of this Ordinance. The interim zones are as follows:

- A. **CMUWM (Corridor Mixed Use West Main) Zone.** West of Downtown, the CMUWM Zone is a mixed-use corridor intended to accommodate significant residential infill and neighborhood-serving retail. Higher-density and intensity development is allowed to give the corridor a more urban character. Residential,

retail, commercial service, and office uses are permitted in a horizontal or vertical mixed-use setting, subject to appropriate development and design standards to enhance the streetscape.

- B. **CMUE (Corridor Mixed Use East Street) Zone.** The CMUE Zone is an auto-oriented corridor with a mix of uses. The use regulations and standards are intended to facilitate revitalization with design flexibility, while also improving urban character. Residential, retail, commercial service, office, and light industrial uses are permitted in a horizontal or vertical mixed-use setting, subject to appropriate development and design standards to enhance the streetscape. Neighborhood revitalization is facilitated along North East Street and the transition zone to the industrial area. Regulations that apply to South East Street support the potential for multi-story, mixed-use development.
- C. **CMUK (Corridor Mixed Use Kentucky Avenue) Zone.** The CMUK Zone accommodates a mix of mostly service and industrial uses. The district regulations are intended to allow this area to continue to function as an agriculture-industrial corridor while sensitively integrating newer, higher-intensity mixed-use development that activates specific sections of the corridor. Between Cottonwood Street and the west railroad boundary, a range of uses are allowed, including commercial service, light industrial, and agricultural industrial. New residential mixed use development on the north side of the corridor shall be allowed only if a Specific Plan is adopted for the entire area shown as SP-3A on the General Plan Land Use Diagram.
- D. **CC (Community Commercial) Zone.** The CC Zone is intended to provide for commercial development that serves local neighborhoods as well as the rest of the City but does not regularly attract regional, visitor, or pass-through traffic. Allowable uses include retail, services, grocery stores, restaurants, professional offices, and similar commercial uses. Hotels are also permitted. Entertainment uses and specialty retail are not permitted so as not to compete with these types of commercial uses in the Central Business District (Downtown).
- E. **RC (Regional Commercial) Zone.** The RC Zone is intended to accommodate retail establishments that serve residents and visitors of the region at large. Shopping malls and large format “big-box” retail are allowed, as are supporting uses such as gas stations and hotels. Up to 10 percent of the total square footage of a regional shopping center may consist of ancillary office spaces that support commercial uses and/or stand-alone, professional office buildings. Expansion of complementary clusters of larger-format or unique retail, healthcare, commercial, recreational and institutional uses that reinforce and support each other also are permitted. Entertainment uses are not permitted so as to not compete with these types of commercial uses in the Central Business District (Downtown).
- F. **LIF (Light Industrial Flex Overlay) Zone.** The LIF Zone is applied to areas where light industrial or service commercial uses are appropriate and additional use limitations are needed to implement the General Plan. The type and character of allowable uses varies, depending on the base zone. Such uses include but are not limited to auto sales and repair, storage facilities, equipment rental, wholesale businesses, nurseries, contractors’ facilities, and retail not typically located in shopping centers. Ancillary office spaces that support such commercial uses are also permitted. General industrial uses, or uses with outdoor activities and visible outdoor storage are not allowed. The more specific purposes of each combination of an LIF overlay with a base zoning district are as follows.

1. **LIF on Corridor Mixed Use.** The Light Industrial Flex overlay in a Corridor Mixed Use zoning district would ~~to~~ create a transition between industrial and residential mixed-use areas. Smaller scale custom, light industrial and ~~artisan~~**creative** manufacturing uses that contribute to the vitality ~~and creative identity~~ of the corridor are specifically allowed, subject to appropriate review.
 2. **LIF on Regional Commercial.** The Light Industrial Flex overlay on the Regional Commercial Zone district would provide for a transition from industrial to retail for the area south of East Main Street and north of Interstate (I-5). In addition to uses permitted by the Regional Commercial Zone, custom to light industrial uses, new auto and recreation vehicle (RV) sales and service, limited contractor facilities, and other retail not typically found in retail centers are allowed, subject to appropriate review.
 3. **LIF on Industrial.** The Light Industrial Flex overlay in an Industrial zoning district would create a transition from more intensive industrial uses to the east with the intent of minimizing conflicts to other sensitive uses. The LIF overlay provides for a mix of limited and artisan/small-scale manufacturing uses, including multi-tenant spaces with offices, contractor's storage, agricultural processing, food producers, industrial technology, and other sensitive processing uses that require performance standards. Larger and more intensive uses that may create odors, particulates, dust, vibration, etc. are restricted and, in the case of general industrial uses with outdoor facilities, are not allowed. Outdoor storage must be screened or covered, as appropriate.
- G. **FSA (Flood Study Area) Zone.** The Flood Study Area zone is applied to areas restricted from urban development due to health and safety concerns related to flood risk, or because the property falls within a likely future flood project improvement area. Allowed uses include open space, as well as low-intensity agriculture or recreational uses. Generally, land uses that require extensive capital improvements or permanent infrastructure improvements shall be prohibited, with the exception of improvements related to flood protection and control. Existing structures and business operations in areas designated as Flood Study Area Zone may remain, but may not expand.

2.04 Interim Zoning Map

Exhibit A, the Interim Zoning Map shows the interim zones established by Section 2.03. Any land not subject to an Interim Zone designation shall continue to be subject to the Zoning Ordinance. Certain minor adjustments to the boundaries of existing Zones also are delineated in **Exhibit A**; these changes modify existing Zoning Maps.

ARTICLE 3 Zoning District Regulations

3.01 Purpose

The purpose of this Article 3 is to establish land use, development and design regulations for the Interim Zones and to modify the residential density standard in the R-M (Residential Multiple Family Residential Zone) to be consistent with the General Plan.

3.02 Zoning Ordinance Provisions Superseded

The provisions of this Article temporarily supersede and take precedence over Articles 13, 14, 15, 15.5, 16, and 17 of the Zoning Ordinance for the land subject to the Interim Zones and the provisions of Article 11 related to residential density.

3.03 Uses Permitted, Conditionally Permitted, and Prohibited

Uses, as classified in Article 6 of this Ordinance, are permitted, conditionally permitted, allowed with administrative review, or prohibited in base and overlay zones as indicated in Exhibit B Table 3.03. Permitted uses are indicated by a "P", conditionally permitted uses are indicated by a "C", those requiring administrative review are indicated by an "A", and prohibited uses are indicated by an "-". An "L" designation followed by a number refers to a numbered list of specific criteria or permit requirements listed at the end of the table.

A use requiring administrative review shall be reviewed by the Zoning Administrator but may be forwarded to the Planning Commission at the discretion of the Zoning Administrator. Conditionally permitted uses are permitted upon the granting of a conditional use permit pursuant to Article 27 of Chapter 25 of the Woodland Municipal Code. ~~and u~~Uses requiring a Zoning Administrator permit (also known as a minor conditional use permit) are allowed upon the granting of a Conditional Use Permit or Zoning Administrator permit pursuant to Article 27 of Chapter 25 of the Woodland Municipal Code and the Zoning Ordinance, as amended in this interim ordinance (Section 3.04 below). Conditional Use Permits and Zoning Administrator Permits are also subject to including any additional findings that may be required by this Ordinance

3.04 Zoning Administrator Review Minor/Major

Zoning Administrator Review is required for uses that possess locational, use, structural, traffic, or operating characteristics requiring special consideration in order to be compatible with neighboring properties.

- A. **(Tier I) Minor** – Includes review of uses, minor additions or modifications, or it is anticipated that the application will typically have less impact on adjacent properties. A public hearing notice will be provided to properties and tenants within a 300-foot radius and a 10-day comment period will be provided. If no comments, concerns, or issues are received, the application will~~may~~ be acted upon without holding an administrative public hearing. The applicant shall be responsible for posting the site consistent with a format provided by the City, and shall provide verification of such posting. ~~site shall be posted to include information concerning the type of application. Fee for the Tier 1/Minor Zoning Administrator Permit to be set by Resolution of the City Council (?)~~
- B. **(Tier II) Major** – Includes significant alteration, modification, or new construction, or it is anticipated that the application could have an impact on adjacent properties or may be controversial. A public hearing notice will be provided to all properties and tenants within a 300- foot radius and a 10-day comment period will be provided. The site shall be posted to include notice informing the public of the type of application, date, time and location of the administrative hearing. The applicant shall be responsible for posting the site consistent with a format provided by the City, and shall provide verification of such posting. An administrative public hearing will be scheduled prior to final action on the application. ~~Fee~~

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~~for the Tier II/Major Zoning Administrator Permit to be set by Resolution of the City Council (Advanced funding agreement?)~~

The Zoning Administrator may only approve a zoning administrator permit subject to the following additional findings:

1. The proposed use is allowed within the applicable zoning district and complies with all other provisions of the Zoning Ordinance or Interim Zoning Ordinance.
2. The proposed use is consistent with the General Plan.
3. The design, location, size and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.
4. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints.
5. Granting the permit would not constitute a nuisance or be injurious to detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Further, all development projects must comply with the City of Woodland Community Design Standards (Resolution 4527, adopted on April 6, 2004), if applicable, and any other discretionary review required by specific plan requirements that may also apply.

3.05 Special Regulations in the Corridor Mixed Use Zones

A. Considerations for Identified Neighborhood or Special Use Areas.

1. Reuse or retrofit of the County Fair Mall site shall be reviewed as a separate plan-area.
- ~~2. Development within the Armfield neighborhood shall respect the tradition and legacy dating back to the 1920's of small scale, family homes and businesses within close proximity with a horizontal and vertical mix of building uses.~~
- 3.2. New residential or mixed use development on the north side of Kentucky Avenue shall only be allowed in the context of an adopted sspecific plan for the area labeled SP-3A on the General Plan Land Use Diagram.

B. Commercial and Residential Development. Commercial-only or Residential –only development on a single parcel is allowed, subject to Exhibit B~~Table 3.02~~, and d~~D~~esign and site plan review in accordance with the City of Woodland Community Design Standards.

- C. **Public Open Space.** Well-designed, privately-owned and publicly-accessible open space shall be included in all non-residential, residential, and mixed use development plans, where feasible and appropriate. For commercial and mixed use buildings of 25,000 square feet or more, or four or more retail stores or offices for walk-in clientele, a plaza, courtyard, square or green shall be provided for visitors and customers that is at least five square feet in size for each 1,000 square feet of floor area, up to a maximum of 1,500 square feet. Amenities shall be included within the plaza, such as benches or other seating, shade trees, drinking fountains, water features, public art, or performance areas.
- D. **Location of Off-Street Parking.** Parking shall be located along the side or rear of buildings. Alternate parking arrangement may be considered through site plan and design review with approval by the Zoning Administrator or Planning Commission as appropriate to the proposed use. Parking shall comply with provision of Article 23, Chapter 25 of the Woodland Municipal Code related to Off Street Parking and Loading.
- E. **Trees.** Planting of canopy trees in front and street side setback areas and in parking areas must be sufficient to provide shade along walkways and enhance character and identity. Landscaping shall be provided consistent with the requirements provided in Article 22, Chapter 25 of the Woodland Municipal Code related to Landscaping, including Section 25-22-20(b)(4) requiring minimum parking lot shading. Solar panels over parking spaces may substitute for up to 60 percent of the required number of trees in a parking lot.
- F. **Business Uses, Activities and Storage.** All permitted uses, activities or storage of related equipment and materials shall be conducted or contained wholly within completely enclosed buildings. Auto service stations, temporary outdoor uses, vehicle leasing, sales and services may in the opinion of the Zoning Administrator, be allowed when and where the use activity or storage are incidental to a principal use on the premises and in character and harmony with the surrounding area as provided for in Exhibit B, Table 3.02.
- G. Design Guidelines and Standards for Desired Urban Form for Corridor Mixed Use
1. *Building Frontage.* Building frontages should help visually frame the facing sidewalk and street. On corner lots, the building shall help visually anchor the intersection through its height and mass. The primary façade of the building shall face the primary street.
 - a. *Pedestrian Entries.* Building entrances shall face the street with prominent and inviting architectural details.
 - b. *Vehicle Entries.* To maintain a continuous building frontage, wherever feasible, vehicle access to and from off-street parking should be off a side street or single access point at one end of the parcel.
 2. *Building Transparency: Required Opening for Non-Residential Uses.* Provide a visual connection between the street and the interior building spaces. Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings. In addition, all of the following requirements shall apply:

- a. No building wall may extend in a continuous plane for more than 25 feet without a window, door or storefront opening.
 - b. Street facing facades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing.
 - c. For ground floor street facing facades occupied by commercial uses, exterior walls facing a front or street side lot line shall include windows, doors, storefront or other openings with transparent glazing for at least 50 percent of the building wall located between 2.5 and 7 feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas.
3. *Architectural Design.* Building architectural design shall be ~~pleasing to the eye and~~ appropriate to the locational context in terms of scale, massing and shape. Buildings shall present an attractive appearance to public streets, be aesthetically and functionally compatible to the nearby development context, demonstrate a high level of quality, and support the growth in value of surrounding properties. Design features and elements may include articulated facades, projections, and recessed entryways. The street-facing façade shall promote visual interest appropriate to and consistent with the building's architectural style.
- a. The design of buildings and landscapes shall physically define the streets and public spaces as places of shared use.
 - b. Architecture and landscape design should grow from local climate, topography, history, and building practice and provide their inhabitants with a clear sense of location, weather, and time.
 - c. Buildings and landscapes should emphasize beauty, aesthetics, human comfort, and the creation of a sense of place for people.
 - d. Public and publicly-accessible spaces shall consist of sidewalks, plazas, squares, greens and other spaces that host daily interaction and public life.
 - e. Wall projections or recesses for buildings greater than 50-feet in width and less than 100-feet in width shall be no less than 12 inches in depth; or wall projections or recesses for buildings 100-feet or wider shall be no less than 24 inches in depth. The frequency and scale of the projection or recess shall be proportionate to the overall mass and scale of the building.
 - f. To maintain a human scale for multi-story buildings, the height of facades shall be divided into smaller increments.
 - i. Generally, each street-facing building facade shall be composed of a clearly visible base, middle, and top. Non-traditional designs may incorporate other means of façade composition.

- ii. The horizontal articulation of the three building elements may consist of a substantial-appearing base a roof cornice line, or an eave and gable overhang or a similar architectural element appropriate to the style that frames the middle section.
- iii. Buildings or portions of buildings that are over four-stories shall also provide articulation for the top story of the building. This may be accomplished through color change, material change, a cornice/belt course at the bottom of the uppermost floor, by stepping the top story back, or similar measures.
- g. Windows shall create visual interest and shadow lines in each wall opening with the appearance of depth. Examples of means to achieve this guideline include the following:
 - i. Trim that is substantial, visible, and at least 1-inch in depth around all upper-story windows and non-commercial ground floor buildings;
 - ii. Recesses that are at least two-inches deep from the plane of the surrounding exterior wall; or
 - iii. Providing prominent surface relief and articulation to a façade using awnings, canopies, balconies, porches, stoops, arcades, forecourts, or massing changes.
- h. Materials shall present a durable and attractive appearance through high quality materials, finishes, and workmanship defined as:
 - i. At least two cladding materials (excluding roof and foundation); and
 - ii. At least three exterior colors, (each cladding material shall count as a color, and trim/accent colors shall each count as a color, and visually significant colors for doors, balconies, and similar elements may count as a color).
 - iii. Buildings ~~that which~~ accurately adhere to a recognized architectural style, which is appropriately expressed through one cladding material or one color, may be accepted.
- 4. **Pedestrian Access.** New development must orient the primary building and entry to the street or public right-of-way.
 - a. Commercial sidewalk connections. Create an interface between the building and public sidewalk ~~that which~~ results in a high level of activity at the street. Direct entrances into ground-floor commercial establishments, which are adjacent to streets at a rate of no less than one per 100 feet of linear street frontage.
 - b. Residential sidewalk connections. Provide building entrances for individual ground-floor dwelling units adjacent to streets at no less than one per 100 feet of linear street frontage.

- c. Common area sidewalk connection. When common entrances provide access into a multifamily unit, such entrances shall be clearly distinguished from entrances into individual dwellings or fronts.
 - d. Entrances shall be weather protected by a portico, canopy, or alcove of no less than four feet in depth.
5. *Connectivity.* To the extent possible, new development with adjoining lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems. Easements shall be used to assist in defining maintenance and utility responsibilities.
- a. A conceptual master plan that outlines circulation, access, shared parking, maintenance, and utility easements shall be required where a parcel proposed for development has adjacent properties that are undeveloped and/or that allow for possible connection points, to assist in achieving all of the following:
 - i. Providing a clearly defined pedestrian route between parking areas and the primary pedestrian entrance (s) to the building and shared parking arrangements are encouraged.
 - ii. Minimizing the number of curb-cuts and potential conflicts between bike/pedestrian and auto movements.
 - iii. Enhancing opportunities to encourage walking and biking to nearby amenities, services, and transit facilities.
 - iv. **Providing a concept plan that may be used to encourage or facilitate appropriate future uses that best achieve the goals of the district and General Plan.**
6. *Transitions in Scale, Density and Use Adjacent to Neighborhoods.* New development shall be designed to harmonize with the surrounding physical context. Appropriate transitions in height and mass may be required as conditions of approval in design and site plan review where higher intensity development is adjacent to lower-intensity residential zones. Techniques for improving transitional compatibility include the following treatments:
- a. Transitions in scale, density, and uses should occur along alleys or mid-block rather than across streets;
 - b. Placing the least intensive part of a development along the adjoining perimeter of a lower intensity development;
 - c. Incorporating height step-backs where different building heights adjoin, or across streets, adding compatible elements such as porches and balconies, and separating outdoor activity areas from existing homes;

- d. Providing additional screening for parking and mechanical equipment; and placing additional controls on lighting such as full cutoff shielding; and/or
 - e. Ensuring careful placement of windows, glazing, and utilizing landscaping to help buffer lower intensity uses.
7. *Exceptions.* Exceptions to these requirements in the Design Guidelines and Standards may be approved through design and site plan review with approval by the Zoning Administrator or Planning Commission as appropriate to the uses, and for review and approval of unique uses and conditions.

3.06 Special Regulations in the Community Commercial Zone

- A. **Building Size Limitations.** No single use may have a single floorplate that exceeds 60,000 square feet in order to maintain a neighborhood and community scale.
- B. **Drive-through Limitations.** Drive-through windows and establishments are not desired and, more specifically, fast food drive-throughs are prohibited within one-half mile of a school.
- C. **Business Uses, Activities and Storage.** All permitted uses, activities or storage of related equipment and materials shall be conducted or contained wholly within completely enclosed buildings. Auto service stations, temporary outdoor uses, vehicle leasing, sales and services may be allowed by in the opinion ~~of the Zoning Administrator, be allowed~~ when and where the use activity or storage is ~~are~~ incidental to a principal use on the premises and in character and harmony with the surrounding area as provided for in Table 3.02 of these standards.
- D. Design Guidelines and Standards for Desired Urban Form – Community Commercial Zone
 - 1. *Building Frontage.* Building frontages should help visually frame the facing sidewalk and street. On corner lots, the building shall help visually anchor the intersection through its height and mass. The primary façade of the building shall face the primary street.
 - 2. *Pedestrian Entries.* Building entrances shall face the street with prominent and inviting architectural details.
 - 3. *Vehicle Entries.* To maintain a continuous building frontage, wherever feasible, vehicle access to and from off-street parking should be off a side street or single access point at one end of the parcel.
 - 4. *Architectural Design.* Building architectural design shall be ~~pleasing to the eye and~~ appropriate to the locational context in terms of scale, massing and shape. Buildings shall ~~present an attractive appearance to public streets, be aesthetically and functionally be~~ compatible ~~with~~ to the nearby development context, demonstrate a high level of quality, and support the growth in value of surrounding properties. Design features and elements may include articulated facades,

projections, and recessed entryways. The street-facing façade shall promote visual interest appropriate to and consistent with the building's architectural style.

a. The design of buildings and landscapes shall physically define the streets and public spaces.

~~b. Architecture and landscape design should grow from local climate, topography, history, and building practice and provide their inhabitants with a clear sense of location, weather and time.~~

~~e.b.~~ Buildings and landscapes should emphasize beauty, aesthetics, human comfort, and the creation of a sense of place for people.

~~d.c.~~ Public and publicly-accessible spaces shall consist of sidewalks, plazas, squares, greens and other spaces that host daily interaction and public life.

~~e.d.~~ Wall projections or recesses for buildings greater than 50-feet in width and less than 100-feet in width shall be no less than 12 inches in depth; or wall projections or recesses for buildings 10 feet or wider shall be no less than 24 inches in depth. The frequency and scale of the projection or recess shall be proportionate to the overall mass and scale of the building.

~~f.e.~~ To maintain a human scale for multi-story buildings, the height of facades shall be divided into smaller increments.

i. Generally, each street-facing building facade shall be composed of a clearly visible base, middle, and top. Non-traditional designs may incorporate other means of façade composition

ii. The horizontal articulation of the three building elements may consist of a substantial-appearing base a roof cornice line or an eave and gable overhang or a similar architectural element appropriate to the style that frames the middle section.

iii. Buildings or portions of buildings that are over four-stories shall also provide articulation for the top story of the building. This may be accomplished through color change, material change, a cornice/belt course at the bottom of the uppermost floor, by stepping the top story back, or similar measures.

~~g.f.~~ Windows shall create visual interest and shadow lines in each wall opening with the appearance of depth. Examples of means to achieve this guideline include the following:

i. Trim that is substantial, visible, and at least 1-inch in depth around all upper-story windows and non-commercial ground floor buildings;

- ii. Recesses that are at least two-inches deep from the plane of the surrounding exterior wall; or
- iii. Providing prominent surface relief and articulation to a façade using awnings, canopies, balconies, porches, stoops, arcades, forecourts, or massing changes.

h.g. Materials shall present a durable and attractive appearance through high quality materials, finishes, and workmanship defined as:

- i. At least two cladding materials (excluding roof and foundation); and
- ii. At least three exterior colors, (each cladding material shall count as a color, and trim/accent colors shall each count as a color, and visually significant colors for doors, balconies, and similar elements may count as a color).
- iii. Buildings that-which accurately adhere to a recognized architectural style, which may be appropriately expressed through one cladding material or one color, may be accepted.

5. *Building Transparency: Required Opening for Non-Residential Uses.* Provide a visual connection between the street and the interior building spaces. Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings. In addition, the following requirements shall apply:

- a. No building wall may extend in a continuous plane for more than 25 feet without a window, door or storefront opening.
- b. Street facing facades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing.
- c. For ground floor street facing facades occupied by commercial uses, exterior walls facing a front or street side lot line shall include windows, doors, storefront or other openings with transparent glazing for at least 50 percent of the building wall located between 2.5 and 7 feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas.

6. *Variation in Massing and Form.* Street-facing façades in long buildings must be visually “broken up” or separated vertically by: variations in roof forms and parapet heights; pronounced (at least one-foot-deep) recesses and/or projections in the wall plane; pilasters that are at least eight inches deep and at least eight inches wide; projected bays, recesses and entries; vertical accents or focal points; cornices; and distinct changes in texture and/or wall color.

7. *Connectivity.* To the extent possible, new development with adjoining lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems. Easements shall be used to assist in defining maintenance and utility responsibilities.

- a. A conceptual master plan that outlines circulation, access, shared parking, maintenance and utility easements shall be required where a parcel proposed for development has adjacent properties that are undeveloped and/or that allow for possible connection points, to assist in achieving all of the following
 - i. Providing a clearly defined pedestrian route between parking areas and the primary pedestrian entrance (s) to the building and shared parking arrangements are encouraged.
 - ii. Minimizing the number of curb-cuts and potential conflict between bike/pedestrian and auto movements.
 - iii. Enhancing opportunities to encourage walking and biking to nearby amenities, services, and transit facilities.
 - iv. Providing a concept plan that may be used to encourage or facilitate appropriate future uses that best achieve the goals of the district and General Plan.
8. *Pedestrian Access.* Shaded walkways shall be provided between the principal building entries and parking areas. A clearly defined pedestrian route between the street-adjacent sidewalk, parking areas, and the primary pedestrian entrance (s) to the building shall be provided.
9. *Parking Lot Circulation.* Convenient pedestrian connections shall be provided from adjoining neighborhoods and transit-served streets. To the extent possible, new development with adjoining lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems as well as defining maintenance and utility responsibilities. Shared parking arrangements are encouraged.
10. *Parking Lot Landscaping.* Attractive landscaping in and around parking areas shall be included to provide shade and enhance community center character and identity. Landscaping shall be provided consistent with the requirements provided in Article 22 of Chapter 25 of the Woodland Municipal Code related to, Landscaping, including Section 25-22-20(b)(4) requiring minimum parking lot shading.
11. *Outdoor Spaces.* Outdoor patios/plazas shall be provided in new and upgraded shopping centers and be designed as focal gathering points. These spaces shall be at least five square feet in size for each 1,000 square feet of floor area, up to a maximum of 1,500 square feet. Amenities shall be included within the plaza, such as benches or other seating, shade trees, drinking fountains water features, public art, or performance areas.

3.07 Special Regulations in the Regional Commercial Zone

- A. **Limitations on Certain Commercial Uses.** Certain Business Services and Office uses listed in Table 3.02 are conditionally permitted only if it can be demonstrated to the satisfaction of the Planning Commission that the uses are compatible with and support a regional commercial center and will not adversely affect adjacent uses. Ground level office uses shall not exceed 10 percent of the total floor area in a regional center, but upper-story office uses are exempt from this limitation.
- B. **Plaza and Outdoor Patio Areas.** Plazas and outdoor patio areas with pedestrian amenities and public art are required within new and upgraded shopping centers to create focal points. These spaces shall be at least five square feet in size for each 1,000 square feet of floor area, up to a maximum of 1,500 square feet. Amenities shall be included within the plaza, such as benches or other seating, shade trees, drinking fountains, water features, public art, or performance areas.
- C. **Outdoor Storage.** All uses or activities shall be conducted wholly within completely enclosed buildings, except auto service stations, temporary outdoor uses, vehicle leasing, sales and services, or where in the opinion of the Zoning Administrator the use is incidental to a principal use on the premises and the proposed outdoor use is in character and harmony with the surrounding area as provided for in [Exhibit BTable 3.02](#).
- D. Design Standards for Desired Urban Form – Regional Commercial Zone
1. *High Quality Design.* A regional center shall provide a consistent level of high quality architecture and landscape design throughout. The result should be a memorable and desirable destination that enriches the community and the region at large.
 2. *High Quality Materials and Sustainability.* Employ high quality, durable materials and best practices in sustainability in the center design.
 3. *Parking Lot Circulation.* Convenient pedestrian and bicycle connections shall be provided within the project and to adjacent neighborhoods and transit-served streets. To the extent possible, new development with adjoining lots shall be designed to allow cross-access for internal pedestrian, bicycle, and vehicular circulation systems as well as defining maintenance and utility responsibilities. Shared parking arrangements are encouraged.
 4. *Pedestrian Access.* Shaded walkways shall be provided between the principal building entries and parking areas. A clearly defined pedestrian route between parking areas and the primary pedestrian entrance(s) to the building shall be provided. Shaded pathways providing a minimum five-foot clear pedestrian passage shall be provided. Interest and variability shall be achieved through [the](#) use of [a](#) variety of pathway materials. Features such as landscaping, seating, fountains, low walls, patio seating, and other architectural features shall be provided to enhance the pedestrian experience.
 5. *Gateway or Entry Features and Public Art.* The design shall include a clear sense of arrival and departure through a distinctive gateway or entry features that enhance the quality and character of Woodland. A public art program is required for the center.

6. *Landscaping.* Landscaping shall include shade trees in and around parking areas to enhance regional center character and identity. Landscaping shall be provided consistent with the requirements provided in Article 22 of Chapter 25 of the Woodland Municipal Code related to, Landscaping, including Section 25-22-20(b)(4) requiring minimum parking lot shading. Solar panels over parking spaces may substitute for up to 60 percent of the required number of trees.
7. *Reference to Other Criteria.* The Design Standards and Urban Form Characteristics provided in Section 3.06 D, Community Commercial Zone, shall be utilized in evaluating Regional Commercial Development.

3.08 Special Regulations in the Light Industrial Flex Overlay Zone

- A. **Limitations on Certain Commercial Uses.** Service commercial and light industrial uses ~~are allowed~~ that are not typically located in shopping centers are permitted provided that ~~but they are must be~~ in developments that are visually complementary to adjacent development.
- B. **Limitations on Office Uses.** Ancillary office spaces that support such uses are also permitted, but they shall not be the primary use.
- C. **Limitations on Outdoor Activities and Facilities.** No outdoor storage shall be allowed between the primary building and the sidewalk or street. Outdoor storage must be screened. Outdoor activities are not allowed, except for incidental loading, nurseries and garden centers, and community gardens, temporary outdoor uses, or when ~~re in the opinion of the Zoning Administrator determines that~~, the use is incidental to a principal use on the site and the proposed outside use is in character and harmony with the surrounding area.
- D. **Design Standards for Desired Urban Form – Light Industrial Flex.** Within the LIF Overlay Zone, building design may vary, ~~but but the designed urban form shall~~ generally follow that specified for the base zone and more specifically reflect the following principles and requirements.
 1. *Context Sensitive Design.* Context sensitive design of industrial and commercial uses is desired, including screening, buffer landscaping, and upper story setbacks when located adjacent to lower intensity and residential uses. When an LIF Overlay Zone abuts a residential zone, the maximum building height is 30 feet within 40 feet of the residential zone boundaries, and buildings setbacks shall be 15 feet for interior side yards and 50 feet for interior rear yards adjacent to residential zones.
 2. *Screening/Fencing.* Appropriate screening shall be provided through a combination of fencing, landscape hedges, and building placement. Walls or fences in public view should be built with attractive, durable materials. New or used materials in good condition, and designs appropriate to the street context shall be utilized. Chain link or chain link with slats is not an acceptable fencing material in the front setback or along an arterial or collector. Concrete, wood, and metal, may be used in combination with each other. Wood fencing that is appropriately designed for an industrial area (not dog eared) with a cap or other finish may be considered. All wood or metal fencing must be stained or otherwise treated to provide a finished look and prevent

deterioration. Blackened tubular steel fencing may be used in combination with appropriate landscaping. Landscaping and irrigation shall be provided in the planter area between the fencing and sidewalk. Bare dirt is not appropriate. Barbed wire or “razor-wire” may be considered only where it is demonstrated to be necessary for security purposes, and in no case shall it be publicly visible.

3. *Streetscape.* Streetscape design shall promote an uncluttered street appearance with appropriate fencing, landscaping, and screening.
4. *Architectural Design.* The street-facing façade shall include applied surface ornamentation or decorative detailing to promote visual interest. This may include, but not be limited to, moldings/trim, brackets, niches, and decorative entrances.
5. *Parking.* Parking shall be located at the side or rear of buildings, wherever possible, with only customer parking located in front of buildings. Throughout the LIF Overlay Zone, where parking is located in front of buildings, a 10-foot landscaped area must be provided between the parking area and the adjacent right-of-way, which may consist of permeable paving and a continuous canopy of trees.
6. *Compatibility and Performance Standards.* LIF Overlay areas within Corridor Mixed Use and Regional Commercial zones are subject to performance standards and design criteria that ensure development is attractive and visually complementary to adjacent development.
7. *Existing Development.* The intent for the LIF Overlay areas within the Industrial Zone is for them to exhibit a higher quality visually than is typical for industrial areas without this overlay. Therefore, where the existing development does not comply with new design criteria, requirements may be placed on existing development through conditions of approval to foster the desired visual transition envisioned by the General Plan. This may include upgrades or improvements to the site where publicly visible, including landscaping, fencing, lighting, surfacing, signage, as well as potential building improvements to enhance the visual attractiveness from the street.

3.09 Residential Density in the R-~~HM~~ Residential High Multiple Family Zone

The required lot area per dwelling unit shall be a minimum of 850 square feet and a maximum of 1,700 square feet, which corresponds to the General Plan density range of 20 to 40 units per gross acre.

3.10 Flood Study Area Zone

Uses that may be considered, subject to Planning Commission review and approval, in the Flood Study Zone are open space, low-intensity agriculture, or recreational uses. Existing structures and business operations may remain but may not expand.

3.11 Use Regulations and Standards in All or Several Zones

The use and design regulations provided below shall apply to all zones. All applicable sections of the Zoning Ordinance standards and regulations shall apply in addition to the specific standards and guidelines provided in the Interim Zoning Ordinance. Further, all development projects must comply with the City of Woodland Community Design Standards (Resolution 4527, adopted on April 6, 2004), if applicable, and any other discretionary review required by specific plan requirements that may also apply. Applicability shall be determined by “best fit” analysis.

A. **Use and Design Regulations.** The following use regulations shall apply:

1. ***Accessory and Temporary Uses.*** Accessory uses and structures and temporary uses are subject to the provisions of the Zoning Ordinance.
2. ***Outdoor Storage.*** All uses or activities shall be conducted wholly within completely enclosed buildings, and no outdoor storage shall be allowed between the primary building and the sidewalk or street, except as may be provided in specific use regulations per zoning district.
3. ***Exterior Lighting.*** Exterior lighting must be attached to the building and integrated with architectural style, material, and colors. Lighting should reflect the best aesthetic character of the surrounding neighborhood, particularly in historic districts. Exterior lighting must be fully shielded to promote dark sky, prevent glare into adjacent neighborhoods, and be architecturally integrated with building style, material, and colors
4. ***Improvements to Existing Non-Conforming Sites.*** For those situations where a site is non-conforming with current Zoning or Community Design standards, development will be required to provide limited improvements to enhance the visual characteristics of the street or street-side frontage in order to bring the site into greater conformity with the Zoning and Community Design Standards. Improvements may require the removal and replacement of inappropriate signage, the adding or replacing of missing landscaping, adding fencing to meet screening requirements, adding or improving on-site lighting, or re-paving and/or striping of existing parking areas.

Table 3.11.1 Required Landscape Buffers

<i>Proposed Use</i>	<i>Adjoining Use</i>					
	<i>Park or Open Space</i>	<i>Single-Family Residential</i>	<i>Multi-Family Residential</i>	<i>Mixed Use</i>	<i>Commercial</i>	<i>Industrial</i>
Park or Open Space	—	Type 1	Type 1	Type 1	—	—
Single-Family Residential	—	—	—	Type 1	Type 2	Type 2
Multi-Family Residential	Type 1	Type 1	—	—	Type 1	Type 2
Mixed use	Type 2	Type 2	Type 2	—	—	Type 1
Commercial	Type 2	Type 2	Type 2	—	—	—
Industrial	Type 2	Type 2	Type 2	Type 1	Type 1	—

Table 3.11.2 Buffer Yard Requirements (for each 100 linear feet of buffer yard)

<i>Buffer Yard Type</i>	<i>Minimum Width</i>	<i>Trees</i>		<i>Shrubs</i>		<i>Fencing</i>
		<i>Large</i>	<i>Small to Medium</i>	<i>Large</i>	<i>Small to Medium</i>	
Type 1	10	2	2	4	6	May be wood, Masonry encouraged
Type 2	15	2	3	5	7	Masonry

B. Standards. The following standards shall apply:

1. **Landscaping, Buffering and Screening.** Landscaping, buffering, and screening shall be provided as required by the Zoning Ordinance and in interim zones by this Ordinance as shown in Tables 3.11.1 and 3.11.2.
 - a. When a multi-story building is proposed and the second story or above is located within 50-feet of the side or rear yard of a single-family lot, screening measures shall be applied to provide reasonable privacy.
 - b. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior unit, incorporating wing walls or louvers, using glass block or other translucent material, or other such methods.

- c. Sufficiency of Screening. The review authority shall determine the sufficiency of the proposed screening measures and may require additional measures.
2. **Off-street Parking and Loading.** Off-street parking and loading shall be provided as required by the Zoning Ordinance.
3. **Property Maintenance Standards.** All properties shall be maintained by their respective owners in good order. This shall include litter management, and the repair and maintenance of all structures, fences, signs, walks, driveways, landscaping, painting, ~~and other exterior features etc.~~, as may be necessary to maintain good order. Landscape maintenance agreements shall be required of all new development or significant remodels or renovation projects.
4. **Screening of Mechanical Equipment.** All exterior mechanical equipment shall be screened from public view, including adjacent properties. Equipment to be screened includes but is not limited to, heating and/or air conditioning units, water tanks, valves, back flow prevention devices, solar and photovoltaic panels, and transformers. Screening materials may be solid concrete, wood or other opaque material or a combination of fence/wall. ~~and~~ Landscaping shall effectively screen equipment so that it is not readily visible from the public right-of-way.
5. **Construction Management.** The following shall be followed during any construction activities:
- a. During the construction of a project, the construction site shall be secured by temporary fencing.
- b. All portions of the construction site shall be watered as necessary to reduce emissions of dust and other particulate matter, and all stockpiles shall be covered. Public streets shall be kept dirt free to the satisfaction of the City Engineer.
- c. All construction and transport equipment shall be muffled in accordance with state and federal laws and regulations. ~~and a~~ Noise standards ~~shall be complied with as well as~~ Section 15-26 of the Municipal Code shall apply.
- ~~d.~~ Construction and transport equipment shall be operated so as to minimize exhaust emissions.
- ~~e-d.~~ During construction trucks and equipment should ~~be running~~ only when necessary.
- ~~f.e.~~ Construction hours shall be as stipulated in Section 15-26 of the Municipal Code.
- ~~g.f.~~ All water run-off from construction sites shall be controlled.
- ~~h.g.~~ At the end of construction, local road surfaces shall be returned to pre-construction condition ~~by the developer~~.
6. **Trash Enclosures.** Trash enclosures shall be required for multiple family, commercial and industrial uses. All of tThe following shall apply regarding materials, construction and design:

- a. The walls of the trash enclosure structure shall be constructed of solid masonry material with a decorative exterior surface finish compatible with the main structure(s). The trash enclosure walls shall be a minimum of six feet in height₂ and the minimum dimensions shall be adequate for the size and number of dumpster and recycling bins.
 - b. The trash enclosure structure shall have solid heavy gauge metal gates.
 - c. The trash enclosure shall feature a floor and approach that is paved with a durable, all-weather surface.
 - d. Trash receptacles shall be covered or a cover structure shall be constructed above the enclosure so as to protect its contents from the elements.
 - e. The trash enclosure for residential developments should be designed to allow walk-in access by residents without requiring the main enclosure gates to be opened.
 - f. Signage identifying the types of recyclable materials accepted for collection at the trash enclosure shall be conspicuously posted within the enclosure.
 - g. The trash enclosure shall be designed so that adverse impacts such as noise, odor, vectors, or glare are minimized through the use of adequate separation, fencing, landscaping₂ or other means.
 - h. If visible from public view, the perimeter of the trash enclosure structure shall be planted with landscaping, including a combination of shrubs and /or climbing evergreen vines.
 - i. No trash enclosure shall be located in any required street-side setback area.
7. **Performance Standards.** All development shall be subject to the performance standards as set forth in the Zoning Ordinance and the following additional requirements. These performance standards are intended to ensure that uses and activities are conducted in a manner that protects the public health and safety and do not produce adverse impacts on surrounding properties or the community at large.
- a. Lighting. All lighting, reflective surfaces, or any other sources of —illumination₇ shall be designed and located in a manner that produces no glare on public streets or on any other parcel. Lights shall be of the minimum illumination necessary for a given application and shall be directed downward and shielded at lot lines so as to confine all direct rays to the premises on which it is located. Exterior lighting shall be fully shielded.
 - b. Fire Hazards. The storage, use, transportation₂ or production of products which, either in the raw or finished state, constitute a flammable or explosive material shall be subject to approval of the Fire Department (as example, flour milling or nut shell processing). Burning of waste materials in open fires or unapproved incinerators is prohibited.

- c. Liquid or Solid Waste. The use, handling, storage, and transportation of waste materials, including hazardous wastes, shall comply with the provisions of the California Hazardous Materials Regulations and any other applicable laws. Discharge at any point into a public or private sewage disposal system, stream, or the ground, of any material ~~that~~which could contaminate any water supply, or otherwise cause the emission of dangerous or offensive elements is prohibited. No exceptions are allowed unless in accordance with regulations, licenses or approvals of the various local and state agencies having jurisdiction over such activities.
 - d. Odor, Particulate Matter and Air Contaminants. No continuous, frequent, or repetitive odors are permitted that are perceptible on or beyond adjacent lot lines or in the public right-of-way. An odor detected no more than a total of 15 minutes in any one day shall not be deemed to be continuous, frequent or repetitive as used in this subsection for this regulation. No dust or particulate matter shall be emitted that is detectable at zoning district boundary lines or property lines by a reasonable person without instruments. Exhaust air ducts shall be located or directed away from abutting residentially-zoned properties.
 - e. Vibration. Machinery used for manufacturing and industrial processes, including oil and gas collection, processing, and distribution must be designed and housed to ensure that vibration will be reduced to a minimum amount discernible without the aid of instruments by a reasonable person at the lot lines of the site. Vibrations from temporary construction, demolition, and vehicles that enter and leave the subject parcel (e.g., construction equipment, trains, trucks, etc.) are exempt from this standard.
 - f. Buffers/Lot Perimeters. Tables referred to in (1) of this section, indicate~~s~~ when a buffer treatment is required and of what type based on the proposed adjoining use. Only the proposed use is required to provide the buffer yard. All uses adjacent to residential zones shall be located, oriented, and designed so as to be compatible with residential zones. Fencing and landscaping adequate to screen development from adjacent residential zones is required.
 - g. Noise Standards. Applicants for proposed projects may be required to provide evidence that all of the applicable requirements relating to noise may be satisfied by the project prior to approval. Provisions contained in Chapter 8 of the 2035 General Plan shall apply in addition to other applicable sections of the Municipal Code that relate to noise and nuisance considerations. Maximum noise levels at property lines shall not ~~to~~ exceed 70 dBA Ldn. Table 8.6 of the General Plan provides noise level performance standards that apply to the noise sources themselves for new projects and existing non-transportation sources.
8. **Temporary Uses.** Temporary uses shall be as allowed, consistent with regulations for temporary uses for the “Best Fit” zoning district under the Zoning Ordinance, except that the Zoning

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Administrator may impose additional conditions related to size, location, and hours of operation to ensure that the temporary use will not conflict with applicable General Plan policies.

- a. Purpose. To establish a process for review and approval of certain uses that are intended to be of limited duration of time and will not permanently alter the character or physical facilities of the site where they occur, nor prevent development of future uses as envisioned by the General Plan or any applicable specific plan.
- b. Applicability. A Temporary Use Permit is required for any temporary uses that are not otherwise permitted in the base zoning district regulations ~~Exhibit B but meet the standards of this article and for temporary uses identified in base district regulations or regulations for specific uses in Section 25-13-30, Temporary Outdoor Uses on a Commercial Zone, required to have Temporary Use Permit, or Special Events per Article X1 of the Municipal Code~~
- c. An application for a Temporary Use Permit must be filed and processed in compliance with procedures in Section (25-13-30). An application must be submitted at least 30 days before the use is intended to begin. The application must include the written consent of the owner of the property or the agent of the owner.
- d. The Zoning Administrator may approve, approve with conditions, or deny applications for temporary uses without a public hearing. However, at the discretion of the Zoning Administrator, a temporary use requiring Administrative Review may be forwarded to the Planning Commission.
- e. The following uses may be authorized in a nonresidential zone for a period not to exceed: 60 days. After public notice, as required in Section 3.04 (A) of this Ordinance, the Zoning Administrator may extend the temporary use for 10 months, and subsequently extend the temporary use for a period of one-year to One-Year Limit.
 - ~~i.~~ Temporary uses authorized pursuant to this section may not exceed an initial approval period of up to one year. Extensions Consideration for extension of the ~~approval period may be authorized by the Zoning Administrator in increments of up to one-year periods~~ if the authorized use is consistent with the findings provided in Section 3.04 C.
 - ~~ii.~~ is consistent with the General Plan and applicable specific plans. ~~More~~ Specifically, the following uses may be authorized in a nonresidential zone as temporary uses, subject to securing a building permit and compliance with all conditions or approval, if required:
 - ~~iii.~~ Temporary structures and uses incidental to the construction of a building or a group of buildings, including but not limited to construction staging of materials and equipment;

- ~~iii. Temporary housing or shelter including temporary residential facilities, which provide overnight accommodations and incidental services for displaced or homeless persons and/or families on a short-term basis.~~
- iv. Rental or sales office incidental to a new development, provided that it is located in the development project or in an adjacent temporary structure;
- v. Structures and uses incidental to environmental cleanup and staging;
- vi. New and used auto sales or storage lots; ~~and~~
- vii. Parking that is accessory to any temporary use listed above; and
- viii. Other temporary emergency uses as determined by the Zoning Administrator.

ARTICLE 4 Dimensional, Intensity, and Density Regulations

4.01 Purpose

The purpose of this Article 4 is to prescribe minimum required setbacks and maximum permitted residential density, building intensity, and height, for buildings and structures in all zoning districts; and to prescribe bonus density and intensity that may be conditionally permitted.

4.02 Zoning Ordinance Provisions Superseded

The provisions of this Article temporarily supersede the setbacks, building height, intensity and density regulations in the Zoning Ordinance that otherwise would apply to land within the Interim Zones.

4.03 Setbacks

The minimum setbacks of buildings from lot lines, also known as “yards,” shall be as prescribed in the Zoning Ordinance in Tables 4.03.1 and 4.03.2 below. ~~except that no front or street side yards are required in the Corridor Mixed Use zones.~~ General requirements for yards are as follows, subject to additional provisions in the Zoning Ordinance, which are hereby incorporated by reference. If there is more than one “Best Fit” zoning district for an Interim Zone, the Zoning Administrator shall determine which zoning district to apply and what the required setbacks are, with consideration given to the characteristics of the proposal and the surrounding area and any relevant provisions of the General Plan.

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Table 4.03.1 Corridor Mixed Use Zone Standards

Standard	West Main (CR 98 to Cleveland)	East Main (East to Johnston and E)	East St. S (Main to Sports Pk)	East Street North (Main to Harter)	Kentucky (East to West)	Armfield (Lemen : Main/East to E St.
Residential Gross Density	Min 20 - Max 40	Min 20 - Max 40	Min 20 - Max 40	Min 20 - Max 40	Min 12 - Max 30	Min 12 - Max 30
Floor Area Ratio	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use	0.25-2.0 single use; 0.5-3.0 for mixed use
Minimum-Maximum No. of Floors	Min 1 - Max 5	Min 1 - Max 5	Min 1 - Max 5	Min 1 - Max 5	Min 1 - Max 3	Min 1 - Max 3
PB Min. 1st to 2nd Floor Height (2)	15/13	15/13	15/13	15/13	14/12	12
Minimum-Maximum Front Setback	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 5 ft - Max 15 ft	Min 6 ft - Max 15 ft	Min 6 ft - Max 15 ft
PB Minimum Side Setback	3 ft	3 ft	3 ft	3 ft	6	6 ft
PB Minimum Rear Setback	3 ft	3 ft	3 ft	3 ft	6	6 ft
Maximum parcel Coverage	70%	70%	70%	70%	60%	60%
Primary Pedestrian Entrance	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk
Minimum off street parking Residential	1 /Dwelling Unit	1 /Dwelling Unit	1/Dwelling Unit	1/Dwelling Unit	1/Dwelling Unit	1/Dwelling Unit
Min. Off-Street Parking Non-Residential	As determined by Owner (3)	As determined by Owner (3)	As determined by Owner (3)	As determined by Owner (3)	As determined by Owner (3)	As determined by Owner (3)
Notes:						
1. PB = Principal Building fronting on the street or public right-of-way. AB = Accessory Building- generally to be located behind the primary building on the rear half of the site, so as not to visually compete with or be taller than the PB. (Accessory Buildings Code Section 25-21-10)						
2. First number for single story/second number two or more building stories. At minimum the first floor shall be a story-and-a-half. The minimum 1st to 2nd floor height is measured from finish floor to finish floor.						
3. The minimum amount of off-street parking to be determined by Owner, based upon information provided in a parking use and needs statement, subject to approval by the Community Development Director.						
4. At all corner parcels a minimum two-story minimum building height is required.						
These standards are in addition to Special Regulations in the Corridor Mixed Use Zones found in Section 3.05						
Use Regulations and Standards in Section 3.11 shall apply						

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Table 4.03.2. Community Commercial, Regional Commercial and Light Industrial Flex Zone Standards

Standard	Community Commercial	Regional Commercial	Regional Commercial with Flex Overlay	Industrial with Flex Overlay		
Floor-Area-Ratio	0.15 - 0.5	0.15-0.7	0.15 - 0.7	Set by base district		
PB Min. - Max. No. of Floors	Min 1 - Max 3	Min 1 - Max 5	Min 1 - Max 5	Min 1 - Max 4		
PB Min. 1st to 2nd Floor Height (2)	12	12	11	11		
PB Minimum Front Setback	Min 15 ft	Min15 ft	Min 15 ft	Min 15 ft		
PB Minimum Side Setback	0 ft	0 ft	0 ft	0 ft		
PB Minimum Rear Setback	3 ft	10 ft	6 ft	6 ft		
Primary Pedestrian Entrance	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk	Street/Sidewalk		
Min. Off-Street Parking Non-Resid.	By Owner (3)	By Owner (3)	By Owner (3)	By Owner (3)		
Notes:						
1. PB = Principal Building fronting on the street or public ROW AB = Accessory Building to be located behind PB on the rear half of the site, so as not to visually compete or be taller than the PB. (Code Section 25-21-10)						
2. First number for single story/second number two or more building stories. At minimum the first floor shall be a story-and-a-half. The minimum 1st to 2nd floor height is measured from finish floor to finish floor.						
3. The minimum amount of off-street parking to be determined by Owner, based upon information provided in a parking use and needs statement, subject to approval by the Community Development Director.						
These standards are in addition to Special Regulations in the Community Commercial, Regional Commercial and Light Industrial Flex Zones found in Sections 3.06, 3.07 or 3.08						
Use Regulations and Standards in Section 3.11 shall apply, including setbacks in the case of adjacency to a less intensive use.						

4.04 Landscaping, Open Space and Parking.

All of the provisions of the Zoning Ordinance applicable to the Best Fit zoning district shall apply to new development and alterations and additions subject to discretionary review under this Ordinance.

4.05 Residential Density, Building Intensity, and Height.

A. CMU (Corridor Mixed Use) Zone

1. Maximum Allowable Floor Area Ratio (FAR): 2.0 for single-use developments and 3.0 for mixed-use developments that combines residential and non-residential uses. With approval of a conditional use permit, new development may be allowed to exceed FAR limits if the Planning Commission determines that the project offers significant community benefit, such as the provision of publicly accessible open space or the promotion of transit accessibility.
2. Maximum Residential Density: 40 dwelling units per gross acre. The minimum density is 20 dwelling units per gross acre, but lower densities are allowed where proposed development abuts low density residential development.
3. Maximum Building Height: 65 feet. When an CMU District abuts a residential zone, the maximum building height is 30 feet within 40 feet of a single family, duplex, or neighborhood preservation zone and 45 feet within 50 feet of a multi-family residential zone.

B. CC (Community Commercial) Zone

1. Maximum allowable floor area ratio (FAR): 0.50.
2. Maximum Building Height: 40 feet; 65 feet for anchor department stores. When a CC District abuts a residential zone, the maximum building height is 30 feet within 40 feet of a single family, duplex, or neighborhood preservation zone and 40 feet within 50 feet of a multi-family residential zone.

C. RC (Regional Commercial) Zone

1. Maximum allowable floor area ratio (FAR): 0.7. With a conditional use permit the Planning Commission may approve FAR bonuses for upper-story office, visitor accommodations, such as hotels, and service uses.

2. Maximum Building Height: 65 feet. When a ~~an~~ RC District abuts a residential zone, the maximum building height is 30 feet within 40 feet of a single family, duplex, or neighborhood preservation zone and 40 feet within 50 feet of a multi-family residential zone.

D. **Exceptions to height limits.** These exceptions are ~~provided~~ to those set forth in Section 25-25-10 of the Zoning Code. No building and structure shall exceed the height limits of this section except as follows. The structures listed below are permitted to extend up to ten feet above the maximum height limits. ~~Any~~ Any extension above ten feet shall require a conditional use permit.

1. Fire and parapet walls;
2. Roof structures for the housing of air conditioners, elevators, stairways, tanks, ventilating fans and similar equipment;
3. Skylights; and
4. Solar energy panels.

ARTICLE 5 Required Findings

5.01 Purpose

The purpose of this Article 5 is to prescribe findings for the granting of conditional use permits and Zoning Administrator permits (also known as minor conditional use permits) pursuant to the provisions of this Ordinance. In addition to the general findings required by the Zoning Ordinance, the Zoning Administrator or Planning Commission must make the findings required by this Article, depending on whichever has approval authority, as follows:

5.02 Uses in Corridor Mixed Use, Community Commercial and Regional Commercial Zones

- A. To grant a use permit the Zoning Administrator, ~~or~~ Planning Commission must find that the proposed use is designed to facilitate revitalization, achieve the desired urban form, and support a pedestrian environment, as required by the General Plan. Conditions of approval may be imposed to reduce potential adverse impacts and conform to the design guidelines and standards of this Ordinance.
- B. To grant a use permit the Zoning Administrator or Planning Commission must find that the use will not cause, directly or indirectly, potential adverse impacts on adjacent neighborhoods and will contribute to the economic vitality of the City and that the project meets the desired urban form as provided for in the General Plan. Conditions of approval may be imposed to reduce potential adverse impacts and conform to the design standards and guidelines of this Ordinance.

5.03 Commercial Cannabis Uses in the Industrial and Industrial/Light Industrial Flex Zones

Additional findings are required for consideration of Commercial Cannabis Uses in addition to other findings required in the Industrial and Industrial/Light Industrial Flex Zones in accordance with Section 25-21.6.50.

5.04 Uses in the Light Industrial Flex Overlay Zone

To grant a use permit the Zoning Administrator or Planning Commission must find that the use is consistent with the General Plan, will not cause adverse impacts on adjacent neighborhoods, and will complement and enhance the character of the area. Conditions of approval may be imposed to reduce potential adverse impacts and conform to the design standards and guidelines of this Ordinance.

ARTICLE 6 Definitions

6.01 Purpose

The purpose of this Article 6 is to define certain terms and concepts used in this ordinance. If not otherwise specified, ~~in Section 1.03,~~ terms used in this ordinance shall be as defined in the Zoning Ordinance.

6.02 Use Groups

For purposes of this Ordinance, use classifications are divided into the following use types: Residential; Retail, Commercial, and ~~7~~ Office; Institutional, Public/Semi-Public, and Community Facilities; Industrial; Transportation, Communications, and Utilities; and Accessory and Temporary Uses. These use types are defined as follows. Similar uses may be permitted by interpretation of the Zoning Administrator.

A. Residential Use Types.

1. **Single Unit Dwelling, Detached.** A dwelling unit that is designed for occupancy by one household, located on a single parcel that does not contain any other dwelling unit (except a second dwelling unit, where permitted), and not attached to another dwelling unit on an abutting parcel. This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.
2. **Single Unit Dwelling, Attached.** A dwelling unit that is designed for occupancy by one household located on a single parcel that does not contain any other unit (except an accessory dwelling unit), and is attached through common vertical walls to one or more dwellings on an abutting parcel.
3. **Duplex.** A single building that contains two dwelling units or two single unit dwellings on a single parcel. This use is distinguished from an Accessory Dwelling Unit, as defined by State law.
4. **Multiple-Unit Dwelling.** Three or more dwelling units within a single building or within two or more buildings on a site or parcel. Types of multiple-unit dwellings include garden apartments, condominiums, and multi-story apartment buildings. The classification is distinguished from Group Residential facilities (see below).
5. **Garden Court.** Three or more detached dwelling units within a single site or parcel.

6. **Family Day Care.** A day-care facility licensed by the State of California that is located in a dwelling unit where a resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.
 - a. *Small.* A facility that provides care for up to six children or eight children including children who reside at the home and are under the age of 10.
 - b. *Large.* A facility that provides care for seven to 14 children, including children who reside at the home and are under the age of 10.
7. **Group Residential.** Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes rooming and boarding houses, dormitories, fraternities, convents, monasteries, and other types of organizational housing, but excludes Residential Facilities.
8. **Residential Care Facility.** Facilities that provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including group homes for minors, persons with disabilities, people in recovery from alcohol or drug additions, and hospice facilities.
 - a. *Residential Care, General.* A Residential Facility licensed by the State of California and providing care for more than six persons.
 - b. *Residential Care, Limited.* A Residential Facility licensed by the State of California providing care for six or fewer persons.
9. **Supportive Housing.** Dwelling units with no limit on length of stay that are occupied by the target population as defined in subdivision (d) of Section 53260 of the California Health and Safety Code or individuals eligible for services provided pursuant to the Lanterman Development Disabilities Act (Division 45 of the Welfare and Institutions Code), and that are linked to onsite or offsite services that assist supportive housing residents in retaining the housing, improving their health status, and maximizing their ability to live and, where possible, work in the community and where no onsite medical care is provided. Supportive housing as defined by Subdivision (b) of Section 50675.14 may be provided in a multiple-unit structure or group residential facility. Facilities may operate as licensed or unlicensed facilities subject to applicable State requirements.
10. **Transitional Housing.** Dwelling units configured as rental housing but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time, that shall be not less than six months from the beginning of assistance. Transitional housing may be designated for homeless or recently homeless individuals or families transitioning to permanent housing as

defined in subdivision (h) of Section 50675.2 of the California Health and Safety Code. Facilities may be linked to onsite or offsite supportive services designed to help residents gain skills needed to live independently. Transitional housing may be provided in a variety of rental housing types (e.g., multiple-unit dwelling, single-room occupancy, group residential, single unit dwelling). This classification includes domestic violence shelters.

B. Retail, Commercial and Office Use Types.

1. **Adult Businesses.** Adult businesses mean any commercial activity that primarily involves the sale, display, or viewing of books, magazines, films, videos, photographs or other materials, distinguished or characterized by an emphasis on matter depicting, describing, or relating to human sex acts, or by an emphasis on male or female genitals, buttocks or female breasts. It includes adult book stores, adult movie theaters, sexual encounter establishments, adult cabarets, and similar businesses.
2. **Agricultural Production, light.** Use of land for agricultural production, vine or tree farm, truck garden, apiary, horticulture, vineyard, hop yard, fruits, beekeeping, and associated crop preparation and harvesting activities on any other type of agriculture determined to be substantially similar to the above. Agricultural production may be ancillary to a primary user as a test or research facility. This use does not include nurseries, greenhouses, processing, or retail sales of agricultural products from the site.
3. **Animal Sales and Services.** Sales and service activities related to the care and treatment of domestic animals.
 - a. **Boarding Kennel.** An establishment licensed to operate a facility providing shelter and care for domestic animals on a commercial basis for a period in excess of 48 hours. This classification includes activities such as feeding, exercising, grooming, and incidental medical care for domestic animals.
 - b. **Grooming/Pet Day Care.** Provision of day care and bathing and trimming services for domestic animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of 48 hours.
 - c. **Retail Sales (Pet Shops).** Retail sales and boarding of domestic animals, provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use.
 - d. **Veterinary Services.** Medical and health services for animals. Typical uses include veterinary offices, pet clinics, and animal hospitals. This use type excludes kennels.
4. **Auto/Vehicle Sales and Services.** Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and motorcycles, including the following:

- a. *Alternative Fuels and Recharging Facility.* A facility offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., LPG) and may include equipment to recharge electric-powered vehicles.
- b. *Automobile Rental Office.* Rental of automobiles. Typical uses include car rental agencies with no on-site storage of vehicles.
- c. *Automobile Storage Lot.* Any property used for short or long term parking of operable vehicles for sale or lease at an automobile dealership or rental agency on a separate parcel from such agency or dealership.
- d. *Automobile/Vehicle Sales and Leasing.* Sale or lease, retail or wholesale, of new or used automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated minor repair services and parts sales for vehicles sold or leased by the dealership. This classification includes on-site facilities for maintaining an inventory of vehicles for sale or lease but excludes buildings and property on a separate site that are used for storing vehicles.
 - i. New. Sales and leasing of new cars, recreational vehicles, and trucks by new car dealers, including sales of previously-owned automobiles and trucks, and sales of parts and accessories, storage, and incidental maintenance and repair.
 - ii. Used. Sales and leasing of previously owned automobiles, recreational vehicles, and trucks by car dealers not affiliated with a new car manufacturer.
- e. *Tire Retreading and Recapping.* Recap or remold involves a re-manufacturing process for tires that replace the tread on worn tires. Retreading is applied to casings of spent tires that have been inspected and repaired.
- f. *Automobile/Vehicle Repair, Major.* General repair, rebuilding or reconditioning of engines, motor vehicles or trailers, collision service including body, frame or fender straightening or repair, overall painting or paint shops of automobiles, trucks, motorcycles, motor homes, boats and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto repair shops, body and fender shops, transmission shops, vehicle painting, tire sales, and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping. Vehicles may be stored overnight.
- g. *Automobile/Vehicle Service and Repair, Minor.* The service and repair of automobiles, light-duty trucks not exceeding one and one-half tons' capacity, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, as well as smog check quick-service oil, tire sales and service, tune-up and brake and muffler

shops where repairs are made or service provided in enclosed bays and no vehicles are stored overnight.

- h. *Automobile/ Vehicle Washing (full service).* Washing, waxing, or cleaning of automobiles or similar light vehicles, with hands-on service by employees who may move, vacuum, wash, wax, and dry the vehicle. Includes an interior or exterior waiting facility for customers and may include ancillary retail and/or food and drink service for waiting customers.
- i. *Automobile/ Vehicle Washing (self-serve).* Includes self-serve washing facilities that are the principal use of a building, structure, or site, either self-wash facility or drive through automated wash with no or limited-employee assistance. No on-site waiting facility is provided for customers.
- j. *Farm/Agricultural Equipment Sales, Service and Rental.* Sales, servicing, rental, fueling, and washing of tractors, and other equipment used for agricultural, or landscape gardening activities.
- k. *Large Vehicle and Equipment Sales, Service and Rental.* Sales, servicing, rental, fueling, and washing of recreational vehicles (RVs), large trucks, trailers, heavy equipment used for construction, moving activities. Examples include cranes, earth moving equipment, heavy trucks, combines, and similar equipment, etc. Includes large vehicle operation training facilities.
- l. *Service Station.* Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services.

5. Banks and Financial Institutions

- a. *Bank and Savings and Loan.* Financial institution, including credit union office or check cashing service, that provides retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money.
- b. *Nontraditional Financial Institutions.* Establishments engaged in short-term lending and buy-back activities in which customers typically take part in one-time or infrequent transactions and do not open long-term accounts or deposit funds. Typical uses include check cashing services, pay day lenders (also known as deferred deposit originators), and similar activities.

6. ***Building Materials, Sales and Service.*** Retail sales or rental of building supplies or equipment. This classification includes finished lumber for purchase, tool and equipment sales, or rental establishments.

7. Business and Communication Services

- a. *Business Services.* The business services use type refers to establishments primarily engaged in the provisions of services of a clerical, employment, protective, or minor processing nature to firms, rather than individuals, and where the storage of goods other than samples is prohibited. Typical uses include janitorial, secretarial services and blueprint services.
- b. *Communications Services.* The communications services use type refers to establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms but excludes studios, telecommunication service centers ~~or telegraph service offices.~~

8. **Commercial Entertainment and Recreation.** Provision of participant or spectator entertainment to the general public. This classification may include restaurants, snack bars, and other incidental food and beverage services ~~to patrons.~~

- a. *Hookah Bar/Smoking Lounge:* Any facility or location whose business operation includes ~~use~~ the smoking of tobacco or other substances through one or more pipes (commonly known as a hookah, waterpipe, shisha, or narghile) designed with a tube passing through an urn of water that cools the smoke down as it is drawn through it.
- b. *Large-scale Facility.* This classification includes large outdoor facilities such as amusement and theme parks, amphitheaters, driving ranges, ~~and~~ golf courses. It also includes indoor facilities with more than 5,000 square feet in building area such as fitness centers, gymnasiums, handball, racquetball, or large tennis club facilities; ice or roller skating rinks; swimming or wave pools; miniature golf courses; bowling alleys; archery or indoor shooting ranges.
- c. *Small-scale Facility.* This classification includes small, generally indoor facilities that occupy less than 5,000 square feet of building area, such as billiard parlors, card rooms, game arcades, dance halls, poolrooms, and amusement arcades. Does not include Health and Fitness facility (see personal service uses).

9. **Commercial Parking Facilities.** Surface lots and structures offering parking to the public for a fee ~~when~~~~which~~ such use is not incidental to another activity. These facilities may be publicly or privately owned.

10. **Drive-in, and ~~Derive~~ ~~Through~~ ~~Sales~~ and ~~S~~services:** A use where a customer is permitted or encouraged, either by the design of the physical facilities or by the service and/or packaging procedures offered, to be served while remaining seated within an automobile or commercial vehicle, but not limited to drive through fast-food, financial services, pharmacy, and automatic car washes.

11. ***Eating and Drinking Establishments.*** Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.
- a. *Bars/Night Clubs/Lounges.* Businesses serving beverages for consumption on the premises as a primary use and including on-sale service of alcohol including beer, wine, and mixed drinks. This use includes karaoke bars and micro-breweries where alcoholic beverages are sold and consumed on site and any food service is subordinate to the sale of alcoholic beverages.
 - b. *Micro-Distillery.* A small, often boutique-style distillery established to produce beverage grade spirit alcohol in relatively small quantities, usually done in single batches (as opposed to larger distillers' continuous distilling process). Typically, no more than 15,000 U.S. gallons of spirits per year. May include a restaurant, bar, or tasting room.
 - c. *Microbrewery.* Typically produces small batches of beer (15,000 barrels a year). Generally, no more than 75% of the total gross floor space is involved in brewing. Microbreweries sell to the public either as wholesale or retail capacity. They typically do not include food service.
 - d. *Brewpub.* A full-service or limited-service restaurant with a micro-brewery as an accessory use. A brewpub may sell other supplier's beer, including other hand-crafted or micro-brewed beers as well as wine to patrons for consumption on its premises.
 - e. *Restaurant, Full Service.* Restaurants providing food and beverage services to patrons who order and are served while seated and pay after eating. Take-out service may also be provided.
 - f. *Restaurant, Limited Counter Service/Fast Food.* Establishments where food and beverages are consumed on the premises, taken out, or delivered, but where limited table service is provided. This classification includes cafes, cafeterias, coffee shops, delicatessens, fast-food restaurants, sandwich shops, limited-service pizza parlors, self-service restaurants, and snack bars with indoor or outdoor seating for customers. This classification includes bakeries that have tables for on-site consumption of products.
 - g. *Restaurant with Drive Through.* A restaurant where food or coffee-type beverages are purchased by motorists who remain in their vehicles during the sales transaction.
 - h. *Tasting Room.* A retail sales facility where customers may taste and purchase beverage and food products grown and /or processed on the site. Products offered for tasting and sale may include wine, beer, olive oil, cheese, and/or other food and beverage products.
12. ***Food and Beverage Sales.*** Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, groceries, and liquor stores.

- a. *Convenience Market.* Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, magazines, and other household goods, primarily for off-premises consumption. These establishments typically have long or late hours of operation and occupy a relatively small building. This classification includes small retail stores located on the same parcel as or operated in conjunction with a Service Station but does not include delicatessens or specialty food shops.
 - b. *Farmers Market.* A location where the primary activity is the sale of agricultural products by producers and certified producers. Sales of ancillary products may occur at the location. An open air farmers market may only be operated by a local government agency.
 - c. *General Market.* Retail food markets of food and grocery items primarily for offsite preparation and consumption. Typical uses include supermarkets and specialty food stores such as retail bakeries; candy, nuts and confectionary stores; meat or produce markets; vitamin and health food stores; cheese stores; and delicatessens. This classification may include small-scale specialty food production with retail sales as an ancillary use, and supermarkets may stock non-food products and include on-site pharmacies.
 - d. *Healthy Food Grocer.* A food and beverage retail sales establishment that (1) dedicates at least 50 percent (50%) of retail space to a general line of grocery products intended for home preparation, consumption and use; and (2) dedicates at least 30 percent (30%) of retail space to perishable goods including dairy, fresh produce, fresh meats, poultry, fish and frozen foods.
 - e. *Liquor Store.* Establishments primarily engaged in selling packaged alcoholic beverages for off-site consumption
13. ***Funeral and Interment Service.*** Establishment primarily engaged in services involving the care, preparation or disposition of human dead other than in a cemetery. Typical uses include crematory and mortuary.
- a. *Crematorium.* A facility ~~that~~which houses one or more crematory units, machines in which deceased human remains are combusted and transformed into ash.
14. ***Live-Work.*** A unit that combines a work space for commercial activities and incidental residential occupancy occupied and used by a single household in a structure that has been constructed or converted for such use and modified to accommodate residential and non-residential occupancies in compliance with the Building Code.
15. ***Maintenance and Repair Service.*** Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of motor vehicles or boats (see Automotive/Vehicle Sales and Services) and personal apparel (see Personal Services).

16. **Mixed Use.** A development that combines multiple uses on the same lot or in the same building, such as retail, office, and residential. Mixed use development typically provides a minimum of two or more uses otherwise permitted, or conditionally permitted in the district and uses are functionally integrated as part of the site. A development site over two (2) acres in aggregate shall, at a minimum, include a second use.
17. **Offices, Business and Professional**
- a. *Administrative and Professional Offices.* The administrative professional offices use type refers to offices of private firms or organizations or public or quasi-public organizations ~~that~~which are primarily used for the provision of professional, executive, management or administrative services. Typical uses include administrative offices, tax preparation, legal offices, engineering or architectural firms. Any drive-up service is specifically excluded.
 - b. *Medical or Dental Offices.* The medical offices use primarily engaged in the provision of personal health services including consultation, ~~r~~ diagnosis, therapeutic, preventative, or corrective personal treatment by physicians, dentists, nurses, counselors, and other health personnel, including practitioners of medical and/or healing arts as licensed for such practice by the State. Provides for treatment by up to two licensed physicians, dentists, ~~z~~ and their professional associates.
 - c. *Walk-in Clientele.* Office providing direct services to patrons or clients without prior appointments, such as employment agencies, insurance agents, real estate offices, travel agencies, communication services, and utility company offices. It does not include banks and check-cashing facilities, which are separately classified.
18. **Personal Services**
- a. *General Personal Services.* Provision of recurrently needed services of a personal nature. This classification includes barbershops and beauty salons, day spas, clothing rental, seamstresses, tailors, dry cleaning agents, shoe repair shops, self-service laundries (excluding larger bulk cleaning plants), photocopying, and photo finishing services. These uses also may include accessory retail sales of products related to the services provided.
 - b. *Instructional Services.* Services for the purpose of personal enrichment. Typical uses include classes or instruction in music, health, athletics, art, or academics. Rehearsal studios may be an accessory use.
 - c. *Massage establishments.* Any establishments having in whole or in part, a fixed place of business where individuals engage in, conduct or carry on, or permit to be engaged in, conducted or carried on, massages, baths, health treatments involving massages or baths as a primary or secondary function, provided that "massage establishment" does not include establishments where massage is administered in conjunction with the practice of a medical doctor, chiropractor, acupuncturist, physical therapist, ~~z~~ or nurse.

- d. *Health/Fitness Facility.* Gyms, exercise clubs, or studios offering martial arts, physical exercise, yoga training, and similar types of instruction to classes and groups of more than five persons.
 - e. *Tattoo or Body Modification Parlor.* An establishment whose principal business activity is one or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or 2) piercing of the body of a person for the purpose of inserting jewelry or other decoration.
19. **Regional Shopping Center.** A multi-tenant center with a broad range of retail and service uses and eating and drinking establishments, typically anchored by larger format stores (with 60,000 square feet of space or more). Secondary uses may include hotels and service stations. Accessory uses may consist of ancillary office space for support service uses and stand alone, professional office buildings.
20. **Retail Sales**
- a. *Artisan Shop:* A retail store selling art glass, ceramics, jewelry and other handcrafted items and supplies needed to create finished items, where the facility includes an area for the crafting of the items sold.
 - b. *Firearm Sales and Servicing:* A business whose primary use is the sale and servicing of firearms, ammunition, and related materials.
 - c. *Flea Market/Swap Meet.* An indoor or outdoor place, in an approved location, or for an approved activity where new or used goods or secondhand personal property is offered for sale or to exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces. The term Swap Meet or Flea Market is interchangeable with auctions, open-air markets, or other similarly labeled activities, but the term does not include supermarket or department store retail operations.
 - d. *General Retail Sales, Small-Scale.* The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments with 25,000 square feet or less of sales area; including bakeries, clothing stores, drug and discount stores, florists, gift shops, household stores, furniture stores, pet supply stores, pharmacies, small hardware and garden supply/nurseries stores, sports stores, stationary and variety stores, and businesses retailing goods including, but not limited to, the following: art supplies, dry goods, toys, hobby materials, handcrafted items, jewelry, cameras, pet supplies, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, musical instruments, electronic equipment, sporting and camping equipment, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, new automotive parts and accessories

(excluding vehicle service and installation). Retail sales may be combined with accessory indoor repair services.

- e. *General Retail Sales, Large-Scale.* Retail establishments with over 25,000 square feet of sales area that sell merchandise and bulk goods for individual consumption, including department stores and membership warehouse clubs, where sales of grocery items do not occupy more than 25 percent of the floor area. Retail sales may be combined with accessory indoor repair services.
- f. *Nursery and Garden Center.* Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. Fertilizer and soil products are stored and sold in packaged form only.
- g. *Pawn Shop.* Establishments engaged in the buying, selling, trading, accepting for auctioning, or auctioning of new or secondhand merchandise and offering loans in exchange for personal property.
- h. *Secondhand/Consignment Store.* A store where secondhand goods are for sale or goods are placed on consignment, which is the act of placing goods in the hands of another, while still retaining ownership, until the goods are sold. Unlike a pawn shop, secondhand/consignment stores do not offer loans in exchange for personal property.
- i. *Smoke shop:* ~~Smoke shop and tobacco store~~ shall mean any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco paraphernalia; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a “smoke shop and tobacco store” and shall not be subject to the restrictions in this chapter.

21. ***Transient Lodging.*** Transient lodging refers to establishments primarily engaged in the provision of lodging services with incidental food, drink, and other sales and services intended for the convenience of guests.

- a. *Bed and Breakfast.* A residential structure that is in residential use by the property owner or manager and within which bedrooms are rented for overnight lodging and where meals may be provided
- b. *Hotel and Motel.* An establishment providing temporary lodging to transient patrons. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general public. This use classification includes motor lodges, motels, apartment hotels, and tourist courts.

- c. *RV Park Resort.* A form of lodging designed to accommodate travelers with recreational vehicles for short-term overnight vacation stays, on a nightly or weekly basis, in allotted spaces, or for occupancy by tents or other movable temporary sleeping quarters. Such a facility would be designed to be self-contained, providing attractive amenities to the clients, which may include but are not limited to barbecue area, bathhouses, exercise equipment, tennis courts, gift store, laundry, and swimming pool, ~~etc.~~. Sites shall be attractively landscaped and visually screened from the freeway or public view.
- d. *Short-term rental.* Rental of a dwelling unit for less than a month. Provides a room or rooms in a private home. A permanent resident must reside at the property and be present in the home during the time of the homestay.

C. Institutional, Public/Semi-Public, and Community Facilities Use Types

- 1. ***College and Trade School.*** Institutions of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes junior colleges, business and computer schools, management training, and technical and trade schools, but excludes personal instructional services such as music lessons.
- 2. ***Community and Religious Assembly.*** A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, or facilities, such as day care centers and schools that are separately classified and regulated.
- 3. ***Community Garden.*** An area of land managed and maintained by a public or non-profit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be accessory to public or institutional uses such as parks, schools, community centers, or religious assembly uses. This classification does not include gardens that are on a property in residential use when access is limited to those who reside on the property. Community Gardens to not include Medical Marijuana Collectives.
- 4. ***Cultural Facility.*** Facilities engaged in activities to serve and promote aesthetic and educational interest in the community that are open to the public on a regular basis. This classification includes performing arts for theater, music, dance, and events as an accessory use; spaces for display or preservation of objects of interest in the arts or sciences; libraries; museums; historical sites; aquariums; publicly owned art galleries; and zoos and botanical gardens. It does not include schools or institutions of higher education providing curricula of a general nature.

5. **Day Care.** Establishments providing non-medical care for persons on a less-than-24-hour basis other than Family Day Care (Small and Large). This classification includes commercial and nonprofit nursery schools, preschools, day care facilities for children or adults, and any other day care facility licensed by the State of California.
6. **Emergency Shelter.** A temporary, short-term residence providing housing with minimal supportive services for homeless families or individual persons where occupancy is limited to six months or less, as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.
7. **Hospitals and Clinics.** State-licensed public, private, and non-profit facilities providing medical, surgical, mental health, or emergency medical services. This classification includes facilities for inpatient or outpatient treatment as well as training, research, and administrative services for patients and employees.
 - a. **Civic Health Care Facilities.** A facility that primarily provides medical care and supervision including facilities that provide inpatient/outpatient medical and/or psychiatric treatment that involves regular pharmaceutical distribution or treatment, blood bank, plasma, medical laboratory, substance abuse treatment , or dialysis center. Does not include facilities that solely provide counseling and that do not distribute medicine on-site.
 - b. **Hospital.** A facility providing medical, surgical, mental health, or services primarily on an in-patient basis, and including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.
 - c. **Medical or Dental Clinic.** A facility providing medical, mental health, or surgical services exclusively on an out-patient basis, including emergency treatment, cosmetic, diagnostic services, administration, and related services to patients who are not lodged overnight. Treatment is typically provided by more than two licensed physicians and their professional associates. May include the provision of medical testing and analysis services as an ancillary use. This classification includes licensed facilities offering substance abuse treatment, blood banks, plasma, dialysis centers, and emergency medical services. It does not include private medical and dental offices that typically require appointments and are usually smaller scale.
 - d. **Skilled Nursing, Extended Care, and Assisted Living Facility.** A range of facility types that provides bed care on a chronic basis, or provides convalescent care for persons who by reason of illness, physical infirmity, or age are unable to properly care for themselves for a period of time. A skilled nursing facility is usually temporary in nature and is focused on rehabilitation that is intended to prepare the resident to return to their independent living. Extended care provides for the prolonged care of individuals who require custodial or nursing care. Assisted living services typically provide assistance with bathing,

dressing, grooming, medications, and meal preparation in a setting that is, by design, residential in nature and is intended not to be temporary.

8. **Government Buildings.** Facilities providing administrative or public services, including public safety and emergency services, with incidental storage, training, and maintenance facilities.
9. **Social Service Center.** Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less-than-24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from licensed day care centers (See Day Care Center), clinics (see Clinic), and emergency shelters providing 24-hour or overnight care (See Emergency Shelter).

D. Industrial Use Types

1. **Artisan/Small-scale Manufacturing.** The artisan manufacturing use type refers to establishments primarily engaged in small-scale, on-site production of goods by hand manufacturing, which involves only the use of hands tools or domestic mechanical equipment not exceeding two (2) horsepower or kilns not exceeding 25 kilowatts, and the incidental direct sale to consumers of only those goods produced on site. Typical uses include ceramic studios, glass, candle making shops, metal, and woodworking, manufacturers that typically occupy smaller spaces with a maximum floor area of 10,000 square feet.
2. **Artist's Studio.** Work space for an artist or artisan, including individuals practicing one of the fine arts, or an applied art or craft. This use may include incidental display and retail sales of items produced on the premises and instructional space for small groups of students. It does not include joint living and working units (See Live-Work). Small-scale art production that is generally of a low impact. Typical uses include painting, photography, jewelry, textile, and small scale pottery studios. All work is indoors and may only have very limited artisan display.
3. **Brewery/Distillery**
 - a. **Brewery.** An independent regional brewery with a majority of volume in "traditional" or "innovative" beers. Typical annual production may be between 15,000 and 6,000,000 barrels.
 - b. **Distillery.** An establishment where whiskey or a similar strong alcoholic drink, or spirits, is made by a process of distilling. Distillation of fermented products produces distilled beverages with a high alcohol content, or separates out other fermentation products of commercial value. Typically greater than 15,000 gallons of spirits per year.
4. **Food Preparation/Commercial Kitchen.** Businesses preparing and/or packaging food for off-site consumption, excluding those of an industrial character in terms of processes employed, waste produced, water used, and traffic generation. Typical uses include catering kitchens, bakeries

with on-site retail sales, and small scale specialty food production. This classification does not include businesses involved in the processing or manufacturing of wholesale food products.

5. **Industrial, Heavy.** The processing, manufacturing, or compounding of materials, products, or energy, or any industrial activities ~~that~~^{which} because of their scale or method of operation regularly produce noise, heat, glare, dust, smoke, fumes, odors, vibration, or other external impacts detectable beyond the lot lines of the property. Uses may utilize raw materials to fabricate semi-finished products that include but are not limited to metal fabricating facilities, open welding shops, lumber woodworking (milling) facilities, heavy machine shops, chemical storage and distributing, industrial fabrication facilities, concrete product manufacturing activities, and aggregate or asphalt yards. Characteristics of activities may include massive structures outside of the buildings such as cranes, conveyor systems, cooling towers or open-air storage of large quantities of raw, semi-refined, or finished products. Heavy industrial uses may regularly employ hazardous material or procedures or produce hazardous by-products, include outdoor storage areas, and may have activities that take place outside of structures. There is no general public access.
6. **Industrial, Medium.** Typically, larger ~~in~~ⁱⁿ scale and size than light industrial uses and involves the manufacturing of products from processed or unprocessed raw materials, where the finished product is non-combustible and non-explosive. This manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land uses, but is not offensive or obnoxious. Odors produced on site shall not have a material negative effect on other businesses or properties in the area.

This use shall include any packaging of the product manufactured on site. Activities may include research and development, and manufacturing of finished or semi-finished products in multiple-use facilities or structures. Outdoor storage is not permitted in the frontage zone and must not be visible from any thoroughfare, excluding alleys. A fence and landscape buffer is required along all side and rear property lines where it abuts any residential or similar less intensive use. May involve inter-plant transfers.

Examples include but are not limited to, the production of the following: glass products made from manufactured glass, clay and pottery products; food and beverages, wood truss assembly, canners, roasters, breweries, wholesale bakeries, frozen food manufactures; candy and other confectionery products; computer hardware; products made from rubber, plastic, resin; converted paper and cardboard products; fabricated metal products made from semi-finished metals.

7. **Industrial Light.** Typically, smaller scale establishments engaged in the production of small consumer goods taking place primarily within enclosed buildings producing minimal impacts on nearby properties. Any heat, glare, dust, smoke, fumes, odors, or vibration are confined to the building. These uses typically have a larger number of employees per acre and are more consumer oriented. An activity ~~th~~^{ate} uses moderate amounts of partially processed materials to produce items of relatively high value per unit weight. A light industrial use may include a

showroom or ancillary sales of products related to the items manufactured on-site. Limited storage may be required, but must be fully screened. Often includes buildings that are smaller scale, under 50,000 square feet, or in multi-tenant type configurations, with office and production area combined.

Examples of light industries may include the manufacturing of foods, beverages, personal care and home care products, cosmetics, clothes and shoes, furniture, art ware and crafts, consumer electronics, and sign manufacture shops. It also includes the preparation, manufacturing, and/or packaging of food for off-site consumption in commercial kitchens or for specialty food manufacturing.

8. **Recycling Facilities.** Collection or processing of recyclable materials or items.
 - a. Recycling Collection Facilities. A drop-off/collection and sorting point for recyclable materials such as paper, metal, plastic, and glass.
 - b. Recycling Processing Facilities. An industrial facility where recycled materials are processed into new materials or products.
9. **Research and Development.** The research and development use type refers to establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale. Excludes uses, that in ~~the opinion of the~~ Zoning Administrator's determination ~~Community Development Director~~, may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration or the storage of hazardous material, including biohazards, or because they would threaten public safety. Businesses shall be compliant with all Fire and Building safety codes.
10. **Specialty Food Processing:** A facility for the transformation of raw ingredients, by physical or chemical means into food or of food into other forms. The application of food science to the selection, preservation, processing, packaging, distribution, and use of safe food. These uses may have specific quality assurance and quality control to ensure that ingredients and finished products are tested and meet safety and quality specifications.
11. **Storage Yard:** The use of land to store material, equipment, or vehicles. May include storage of construction materials or equipment on a site other than a construction site.
12. **Warehouse, Storage and Distribution.** An establishment or multi-tenant building engaged solely in the wholesale, storage, or distribution of goods to other vendors. Activities typically include but are not limited to wholesale, storage, and warehousing services; moving and storage services; storage and wholesaling to retailers from the premises of finished goods and food products; and distribution facilities for large scale-retail firms.
 - a. *Indoor Warehousing and Storage, Limited.* Storage within an enclosed building, 5,000 square feet or less in size, of commercial goods prior to their distribution to wholesale

and retail outlets and the storage of industrial equipment, products and materials including, but not limited to, personal automobiles, or construction materials.

- b. *Indoor Warehouse and Storage, General.* Storage within an enclosed building greater than 5,000 square feet in size, of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials including, but not limited to, feed, construction materials, cold storage, draying or freight, moving and storage and warehouses. Excludes the storage of hazardous chemical, mineral, and explosive materials.
- c. *Personal Self-Storage Facility (mini-storage).* A storage facility that is characterized by individual separate spaces accessible by customers for the storing and retrieval of personal effects and household goods. This classification excludes manufacturing, retail or wholesale selling, office or other business services with the spaces and human habitation.
- d. *Personal Self Storage – Warehouse Facility:* The indoor storage of large boats, RVs, and other large objects for customers for storage and retrieval. The items may be moved about within the facility by the business operator with goods and vehicles possibly arranged in racks for storage.
- e. *Chemical or Mineral Storage.* Storage of hazardous materials including, but not limited to: bottled gas, chemicals, minerals and ores, petroleum or petroleum based fuels, and fireworks.

E. Transportation, Communications and Utilities

- 1. ***Communications Facilities.*** Broadcasting and other information relay services.
 - a. *Antennas and Transmission Towers.* Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures designed to support reception or transmission systems. Typical uses include wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, and cellular telephone transmission/personal communications systems towers.
 - b. *Equipment within Buildings.* Indoor facilities containing primarily communication equipment and storage devices such as computer servers.
- 2. ***Park-and-ride Facility.*** A parking lot with public transportation connections enabling commuters and other people to leave their cars and either carpool or use transit to reach a city center or major employment location.
- 3. ***Transportation Passenger Facility.*** Facilities for passenger transportation operations, including transit bus stops and bus terminals.

4. **Utilities, Minor.** Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, and underground water and sewer lines.

F. Accessory and Temporary Uses

1. **Accessory Use.** A use that is customarily associated with, and incidental and subordinate to, the primary use, is located on the same lot as the primary use, and occupies not more than 20 percent of the gross floor area.
2. **Temporary Use.** A use that is intended to be of limited duration of time and that will not permanently alter the character or the physical facilities of the site where it occurs. These may include seasonal sales, special events and sales, temporary outdoor sales and displays, and temporary construction offices.

G. Commercial Cannabis Uses

Refer to Section 25-21.6-30 in the Woodland Municipal Code for definitions for commercial cannabis uses.

6.03 Definitions of Terms

As used in this Ordinance

In any case of conflicting definitions the Director shall determine which shall be applied.

Abandoned, Abandonment- When, for a period of over one year, a non-conforming use is either vacated, the business license lapses, the lease is terminated, and/ or utilities are terminated.

Abutting, Adjoining, or Adjacent- Having a common property or district line, or separated only by an alley, path, private street, or easement.

Access- The place or way through which pedestrians and/ or vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this code.

Accessory Building- See Building, accessory.

Accessory Structure- See Structure accessory.

Addition – Any construction which increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area.

Alley- A public way permanently reserved for access to the rear or side of properties otherwise abutting on a street.

Alteration- Any change, addition, or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

Ancillary – Subordinate, connected with something, but less important than the main feature. Providing necessary support to the primary activities or operation.

Applicant – Is a person who requests in writing the approval of a permit, license, certificate, or other entitlement for use from one or more public agencies.

Application – The form and information submitted by an applicant. The form and information is to be used to determine whether to approve or deny permits or other entitlement for use.

Arcade- A public way passageway or colonnade open along at least one side, except for structural supports, usually covered by a canopy or permanent roofing.

Area, Net – The area contained within the site or parcel area.

Area, Gross – The entire area within the boundaries of a project site, building, or lot, measured to the centerline of proposed bounding streets and to the edge of the right-of-way of existing or dedicated streets.

Automatic Irrigation System- ~~An irrigation system~~—An irrigation system that utilizes an automatic timing device (automatic controller) to remotely control valves for operation of water supply to landscapes.

Average Grade- A horizontal line approximating the ground elevation through each building on a site used for calculating the exterior volume of a building. Average grade is calculated separately for each building.

Awning- An architectural projection that provides weather protection, ~~identify~~, or decoration and is wholly supported by the building to which it is attached. An awning is typically constructed of non-rigid materials on a supporting framework, which projects from and is supported by the exterior wall of a building.

Balcony- A platform that projects from the wall of a building 30 inches or more above grade that is accessible from the building's interior, is not accessible from the ground and is not enclosed by walls on or more than two sides. See also Deck.

Base District- See zoning district.

Bathroom- A room containing a sink, a toilet, and a shower and/ or bathtub.

Bay Window- An angular or curved window that projects from the building surface.

Bedroom- Any habitable space in a dwelling unit or accessory structure other than a kitchen or living room that is intended for or capable of being used for sleeping and is at least 70 square feet in area.

Best Fit – Means the most appropriate existing zone that would implement a General Plan land use classification for a specific development site, taking into consideration the permitted and conditionally permitted land uses and the allowable height, density/intensity, and other development standards established in the Zoning Ordinance. Applying the Best Fit does not mean that a particular piece of property will be rezoned; rather, it means that the applicable standards

for a particular zone will apply to a project when the project is in an area where the zoning and General Plan are not in conformity with each other.

Block face- All property between two intersections that fronts upon a street or abuts a public right-of-way.

Block- Property bounded on all sides by a public right-of-way.

Buffer, Buffering- An area on a parcel ~~that~~^{which} is designed to separate structures and uses from the general public and/ or adjacent properties to reduce negative impacts. It may include landscaping, fences, and walls.

Building Envelope- The aggregate of building mass and building bulk permitted on a parcel, which is defined by height regulations, setbacks, and other property development standards.

Building Face- The general outer surface of the structure or walls of a building. Where bay windows or pillars project beyond the walls, the outer surface of the windows or pillars shall be considered the face of the building.

Building Site- A parcel or parcel of land occupied, or to be occupied, by a main building and accessory buildings together with such open spaces as are required by the terms of this title and having its primary~~principle~~ frontage on a street, road, highway, or waterway.

California Department of Alcoholic Beverage Control (ABC) - The California State agency that regulates the permitting of alcoholic beverage sales, including the sale of beer, wine, and distilled spirits.

California Environmental Quality Act (CEQA) - Public Resources Code Section 21000 et seq. or any successor statute and associated guidelines (California Code of Regulations Section 1500 et seq.) that require public agencies to document and consider the environmental effects of a proposed action before a decision.

California Model Water Efficient Landscape Ordinance- ~~A California legislation that took effect in the City of Fresno on January 1, 2010.~~ See California Code of Regulations, Title 23. Waters, Divisions 2. Department of Water Resources, Chapter 2.7 Model Water Efficient Landscape Ordinance.

Canopy- A roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground.

Carport- A permanently roofed structure-providing space for parking or temporary storage of vehicles enclosed on not more than two sides.

Change of Occupancy- A discontinuance of an existing building use and substitution of a new use that changes the Building Code occupancy group classification and requires a building permit and new Certificate of Occupancy as determined by the Building Official.

Change of Use- A discontinuance of an existing use and the substitution therefore of a use such that the new use represents a different use group or is otherwise differently regulated by the zoning code compared to the prior use. A change of ownership alone does not constitute a change of use.

Conditionally Permitted- Permitted subject to approval of a Conditional Use Permit.

Context-Sensitive Design- means that buildings, landscapes and other lot improvements should respond to their specific physical context in a manner that positively reinforces or helps transform and improve the long-term character of the surrounding buildings, blocks, streets, neighborhood or district.

Construction- Construction, erection, enlargement, alteration, conversion, or movement of any building, structures, or land together with any scientific surveys associated therewith.

Courtyard- An unroofed area that is completely or mostly enclosed by walls of a building.

Curb Cut- A break in a curb allowing vehicles access from the roadway to a legal parking area within the parcel.

Deck- A platform, either freestanding or attached to a building that is used for outdoor space. It typically extends from the façade of a building and is supported by pillars or posts but may be located on a flat portion of a building, such as a roof or setback. It is distinct from a Patio. See also Balcony.

Demolition- The destruction, dismantling, or removal of a building or structure, or substantial portion of a building or structure so that it constitutes demolition pursuant to the provisions of this ~~Ordinance~~ code.

Development Agreement- An agreement between the city and any person having a legal or equitable interest in real property for the development of such property and ~~that which~~ which complies with the applicable provisions of the Government Code and local laws for such development agreements.

Development- Any manmade change to improved real estate, including, but not limited to, the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, expansion, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Discretionary Permit- A Zoning Administrator Permit, Variance, Temporary Use Permit, Planned Development Permit, or Conditional Use permit or any other appealable permit that requires findings be to be made.

Drive-In and Drive-Through Facilities- A facility designed to provide service to clients in a manner that does not require them to leave their vehicle.

Driveway- An access way that provides vehicular access between a street and the parking or loading facilities located on an adjacent property.

Drought Tolerant Plant- A plant that is adapted to arid or drought conditions. The use of drought-tolerant plants is essential to a successful xeriscape, which ideally requires no supplemental irrigation.

Easement- A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege, or interest which one party has in the land of another.

Eave – The projecting lower edges of a roof overhanging the wall of a building.

Effective Date- The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

Emergency- A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

Enclosed- surrounded by walls, including windows, doors, and similar opening or architectural features.

Entitlement- Formal permission from the Planning Division to use or develop land, including Zone Clearances, Development Permits, and Conditional Use Permits, but not including legislative actions such as Rezones and Plan Amendments. An individual entitlement may be sufficient for a project to proceed, or may need to be used in conjunction with another entitlement.

Entrance- An opening, such as door, passage, or gate, that allows access to a place.

Environmental Impact Report- (EIR) - An Environmental Impact Report as required under the California Environmental Quality Act.

Environmental Review- An evaluation process pursuant to CEQA to determine whether a proposed project may have a significant impact on the environment.

Erect- To build, construct, attach, hang, place, suspend, or affix to or upon any surface.

Excavation- The removal of soils or other materials below grade.

Existing Grade- The elevation of the ground at any point on a parcel as shown on the required survey submitted in conjunction with an application for a building permit or grading permit. Existing grade also may be referred to as natural grade.

Express Conflict – A situation where a proposed use or development proposal may be not be permitted or conditionally permitted in the Zoning Ordinance, but may be referenced in the General Plan, and/or consistent with policies contained in the General Plan, or the General Plan may be silent, each situation resulting in a conflict.

Façade- Exterior, outer being on the outer side, situated or being outside; the outer surface. The face of the exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

Façade, Street Facing- Any building façade whose exterior wall faces or is within 45 degrees of parallel to an adjacent street, right of way, or public park, plaza, or open space.

Feasible- Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Fee- A payment to the City for the processing of a permit, license, or appeal application by a City agency or department.

Fence- An artificially constructed barrier of any material or combination of materials erected to enclose or screen an area of land. Fences may also be walls, hedges, and screen planting.

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Final Map- A map showing a subdivision of five or more lots, prepared for filing with the Yolo County Recorder in accordance with the provisions of the Subdivision Map Act and Part IV: Land Divisions, if deemed in substantial compliance with a previously approved tentative subdivision map and with any conditions to such approval.

Floor area, Net – The total of all floor areas of a building, excluding stair wells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

Floor area, Gross- the total gross horizontal area of all the floors below the roof and within the outer surface of the walls of a building or structure, including basements, mezzanines, interior balconies, and upper stories or levels in a multi-story building unless otherwise stipulated.

Floor Area Ratio (FAR) - means the ratio of the total gross floor area of all buildings on a lot to the lot area.

Footprint- The horizontal area, as seen in plain view, of a building or structure, measured from the outside of exterior walls, and supporting columns, and excluding eaves.

Frontage- That portion of a parcel of property that, which abuts on a public street.

Garage- A building or portion thereof, containing accessible and usable enclosed space designed, constructed and maintained for the parking or storage of one or more motor vehicles.

General Plan- The City of Woodland 2035 General Plan adopted by City Council by Resolution 6836 on May 16, 2017.

General Plan Land Use Designations and General Plan Land Use Diagram – the designation depicted on Figure 2-5 of the General Plan entitled “Land Use Diagram” and the Land Use Diagram itself.

Glare- The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort, or loss of visual performance and ability, and which may also cause damage to property.

Government Code- The Government Code of the State of California.

Grade- The location of the ground surface.

Graffiti- Marks, such as inscriptions, drawings, or design, which are placed, scratched, etched, painted, or sprayed on public or private property without owners consent.

Ground Floor Street Frontage- The first level of a building, other than a basement that borders a public street.

Ground Floor- The lowest floor of a building other than a basement that is closest to finished grade.

Habitable Space- As defined in Section 202 of the California Building Code.

Habitation- Regular and exclusive use of a space or structure for shelter and other residential purposes in a manner that is private and separate from another residence on the same parcel.

Hazardous Materials- Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health safety, property, or the environment when improperly treated, stored, transported, disposed of , or otherwise managed.

Hedge- Any ~~g~~Group of shrubs planted in line or in groups so that the branches of any one plant are intermingled or form contract with the branches of any other plant in the line.

Height- The vertical distance from a point on the ground below a structure to a point directly above.

House~~h~~-Hold- One or more persons living together in a single dwelling unit, with common access to and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food; who share living expenses, including rent or mortgage payments, food costs and utilities; and who maintain a single mortgage, lease, or rental agreement for all members of the house hold.

Hydro zone- A portion of the landscaped area having plants with similar water needs.

-Illegal Non-Conforming Use or Site Feature- A use, structure, site feature or lot shall be designated as having Illegal Non-Conforming status if it was not lawfully established under the regulations of the jurisdiction in which it was located at the time of its establishment or has not continuously remained in compliance with all terms and conditions imposed upon the use, structure, or site feature upon it's establishment or imposed upon it any time thereafter.

Intensity of Use- ~~I~~the extent to which a particular use or the use in combination with other uses affects the natural and built environment in which it is located, the demand for services, and persons who live, work, and visit the area. Measures of intensity include, but are not limited to, requirements for water, gas, electricity, or public services; number of automobile trips generated by a use; parking demand; number of employees on a site; hours of operation; the amount of noise, light, or glare generated; the number of persons attracted to the site, or, in eating establishments, the number of seats.

Interim Zones- Refers to the zoning designations established in this Interim Zoning Ordinance.

Interior- ~~I~~the inner or indoor part of something, especially a building; the inside; being within.

Junkyard – Any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, or abandonment of wastepaper, rags, scrap metal, or other scrap or discarded goods, materials, machinery or two or more unregistered, inoperable moto vehicles or other type of junk.

Kitchen- A room or space within a building with appliances used for cooking or preparing food.

Landscaping- The planting, configuration, and maintenance of trees, ground cover, shrubbery, and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), ~~earth-pattering~~ and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

Legal Non-Conforming Use, Structure, or Site Feature- A use, structure, or site feature shall be designated as having Legal Non-Conforming status if it was lawfully established under the regulations of the jurisdiction in which it was

located at the time of its establishment, and has continuously remained in compliance with all terms and conditions imposed upon the use, structure, or site feature upon its establishment or imposed upon it any time thereafter, based on evidence provided by the property owner, tenant, or applicant. Legal Non-Conforming status shall also be assigned if non-conformities were created by a public improvements, such as a street widening project.

Light Fixture- The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirrors, and a refractor or lens.

Local-serving or neighborhood-serving- means having a market area generally not exceeding one mile in radius.

Lot Line Adjustment- A shift or rotation of an existing lot line or other adjustment where a greater or lesser number of parcels that originally existed is not created.

Maintenance and Repair- The repair or replacement of nonbearing walls, fixtures, wiring, roof, or plumbing that restores the character, scope, size, or design of a structure to its previously existing, authorized, and undamaged condition.

Merger- The joining of two or more contiguous parcels of land under one ownership into one parcel.

Mobile Vendor- Any person that sells, or causes or allows another, whether as an employee or as an independent contractor leasing or renting equipment, to sell any food, drinks, or merchandise by means of a motorized or non-motorized vehicle, such as a wagon, pushcart, handcart, bicycle, motorized cart, food truck, or other itinerant method.

Mulch- Any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

Non-Conforming Lot- A legally created lot of land having less area, frontage, or dimensions than the existing Code requires in the Zoning District in which it is located.

Occupancy Group- The Building Code use category for determining requirements for building construction elements and life safety system requirements.

Off-site use- An activity or accessory use that is related to a specific primary use, but is not located on the same lot as the primary use.

Onsite- Located on the lot that is the subject of discussion.

Open Space, Common- Any outdoor area, not dedicated for public use, which is designed and intended for the common use and enjoyment of the residents and guests of more than one dwelling unit.

Open Space, Private- Open areas for outdoor living and recreation that are adjacent and directly accessible to a single dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guest.

Open Space, Usable- Outdoor areas that provide outdoor living and/ or recreation for the use of residents.

Outdoor sales, Temporary and Seasonal- The sale or offering for sale to the general public of merchandise outside of a permanent structure on property owned or leased by the person, firm, or corporation. These sales are of a limited duration and conducted on an occasional basis, and are secondary or incidental to the principal permitted use or structure existing on the property.

Outdoor Storage- The keeping, in an unroofed area, of any goods, junk material, merchandise or vehicles in the same place for more than 72 hours except for the keeping of building materials reasonably required for construction work on the premises pursuant to a valid and current Building Permit issued by the City.

Overlay District- A zoning designation specifically delineated on the Zoning Map establishing land use requirements that govern in addition to the standards set forth in the underlying zoning district.

Parapet- A low wall or railing extending above the roof and along its perimeter.

Parcel- A single unit of land separated from other units of land by legal description, the boundaries of which are shown on a parcel map or final map, described in a deed, or for which a certificate of compliance has been issued pursuant to the Subdivision Map Act. [Parcel shall also include two or more parcels where the owner(s) have recorded a covenant with the office of the County Recorder that states the intention of the owner(s) to combine and use the parcels as a single unit of land in compliance with City regulations.] Also referred to as "lot."

Parcel Map- A map prepared in accordance with the provisions of this Subdivision Ordinance, designed to be placed on record in the office of Yolo County Recorder, and providing for the division of land, which meets the exceptions, set forth in Section 66426 of the Map Act.

Park Strip- the area of the public street located between the face of the curb and closest edge of the sidewalk.

Parking Facility- An area of a lot parcel, structure, or any other area, including driveways, which is designed for and the primary purpose of which is to provide for the temporary storage of operable motor vehicles.

Patio- An outdoor area, often paved, adjoining a building that is used for outdoor open space. It is not enclosed by walls, and typically is located at grade or supported by minimal footings.

Paving- A type of material used over areas of a parcel such as driveways, parking spaces and areas, pathways, patios, and front setbacks used for access by vehicles and pedestrians.

Performance Standards – A set of criteria or limits relating to nuisance elements, which a particular use of process may not exceed.

Permit- Any Conditional Use Permit, Temporary Use Permit, Building Permit, license, certificate, approval, or other entitlement for development and/ or use of property as required by any public agency.

Permitted Use- Any use or structure that is allowed in a Zoning District without a requirement for approval of a Use Permit, but subject to any restrictions applicable to that Zoning District.

Person with Disabilities- Under the Americans with Disabilities Act, an individual with a disability is a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities; or (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Planning Commission- The Planning Commission of the City of Woodland.

Plaza- An outdoor space set aside for gathering or congregating and commercial activities, typically surrounded by building frontages.

Pocket Park- A park of one-half to two acres in size that intended to serve the needs of a smaller, specific neighborhood located within a half-mile radius of the pocket park.

Podium- A continuous raised platform supporting a building or a large block of two or three stories beneath a multi-story block of smaller area.

Porte Cochere- A roofed structure through which a vehicle can pass, extending from the entrance of a building over an adjacent driveway, the purpose of which is to shelter persons entering and exiting a building.

Pre Existing- In existence prior to the effective date of this OrdinanceCode.

Project- Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure that is subject to the provisions of this ordinance. This term includes, but is not limited to, any action that qualifies as a “project” as defined by the California Environmental Quality Act.

Public Improvement- Street work, utilities, and other facilities proposed or required to be installed within the subdivision for the general use of all the subdivision lot owners and for local neighborhood or community needs.

Public Resource Code- The Public ~~R~~esources Code of the State of California.

Qualified Applicant- the property owner, the owner’s agent, or any person or other legal entity that has a legal or equitable title to land that is the subject of a development proposal or is the holder of an option or contract to purchase such land or otherwise has enforceable proprietary interest in such land.

Ramp- An access driveway leading from one parking level to another, or an access driveway from an entrance leading to parking at a different level.

Remainder- That portion of an existing parcel, which is not designated on the required map as part of the subdivision. The remainder shall not be considered as part of the subdiv~~ision~~isionion but shall be shown on the required map as part of the area surrounding the subdivision.

Restore- Return to a former condition, or renovate or as to return to its original state.

Review Authority- Body responsible for making decisions on zoning and related applications.

Right of Way- A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or other similar use.

Roof- That portion of a building or structure above walls or columns that shelters the floor area or the structure below.

Roofline- The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Runs with the Land – A covenant restriction to the use of land contained in a deed and binding on the present and all future owners of the property.

Screening- Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street or public views.

Setback- The distance between the parcel line and a building, not including permitted projections that must be kept clear or open.

Shielded Light Fixture- outdoor light fixtures shielded or constructed so that light rays emitted by the lamp are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.

Sidewalk- A paved, surfaced, or leveled area, parallel~~ing~~ and usually separated from the street, used as a pedestrian walkway.

Sidewalk Café- Any outdoor dining area located in or adjacent to any public sidewalk or right of way ~~that~~~~which~~ is associated with a restaurant or other eating and drinking establishment on a contiguous adjacent parcel.

Site- A parcel or group of contiguous parcels, that is proposed for development in accordance with the provisions of this Ordinance and is in a single ownership or under unified control.

Standard Specifications- The Standard Specifications of the Department of Public Works of the City as may be amended from time to time.

Street Tree- A tree fronting private property within the street right of way.

Street Wall- A wall or portion of a wall of a building facing a street.

Story – That portion of a building included between the surface of any floor and the surface of any floor next above it, or if there is no floor above it, then the space between such floor and ceiling next above it.

Swimming Pool- A pool, pond, or open tank capable of containing a large and deep enough body of water for people to use to swim.

Temporary Use- A use that is intended to be of a limited duration of time and that will not permanently alter the character or physical facilities of the property where it occurs.

Interim Zoning Ordinance
v. 3/289/18

Tenant- A person who rents, leases, or subleases, through either a written or an oral agreement, real property from another.

Tentative Map- A map made for the purpose of showing the design and improvements of a proposed subdivision and the existing conditions in and around it.

Use Classification- A system of classifying uses into a limited number of use types based on common functional product, or compatibility characteristics. All use types are grouped into the following categories: residential, public and semi-public, commercial, industrial, transportation, communication, utilities, and agricultural and extractive.

Use Type- A category, which classifies similar uses based on common functional, product, or compatibility characteristics.

Utilities- Equipment and associated features related to the mechanical functions of a building(s) and services such as water, electrical, telecommunications, and waste.

Visible- Capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public road.

Walk up Facility- A facility designed to provide service to pedestrian clients, where clients typically are queued on the outside of the main structure or room. Typical facility types include, but are not limited to automatic teller machines (ATM'S) and food- service windows.

Wall- Any exterior surface of building or any part thereof, including windows.

Window- An opening in a wall of a building that is filled with glass in a frame. They typically allow light and air into the interior of a building, but also serve as mediums for viewing merchandise in commercial properties.

Zones- Refer to the zones that are included in the Zoning Ordinance and shown on Zoning Maps.

Zoning District- A specifically delineated area or district in the city within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

Zoning Map – A map or maps that were adopted to implement the Zoning Ordinance and delineate the boundaries of zones within the City.

Zoning Ordinance – the ordinance codified as Chapter 25 of the Municipal Code.

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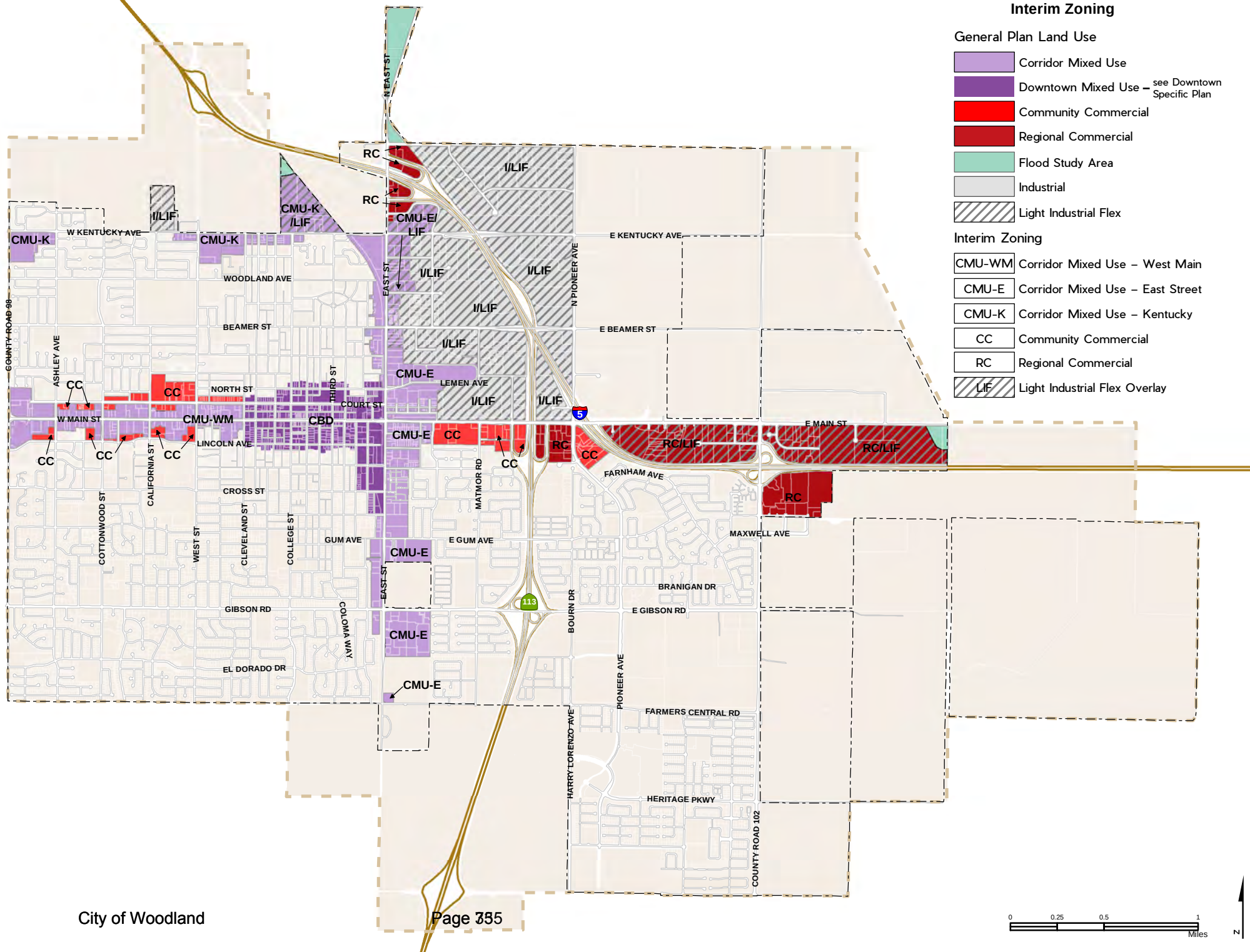
General Plan Land Use and Interim Zoning

General Plan Land Use

-  Corridor Mixed Use
-  Downtown Mixed Use – see Downtown Specific Plan
-  Community Commercial
-  Regional Commercial
-  Flood Study Area
-  Industrial
-  Light Industrial Flex

Interim Zoning

-  CMU-WM Corridor Mixed Use – West Main
-  CMU-E Corridor Mixed Use – East Street
-  CMU-K Corridor Mixed Use – Kentucky
-  CC Community Commercial
-  RC Regional Commercial
-  LIF Light Industrial Flex Overlay



Draft –EXHIBIT B ZONING SUMMARY OF ALLOWED LAND USES AND PERMIT REQUIREMENTS - Draft

DRAFT

	Zoning District									
LAND USE	Corridor Mix Use (CMU)				Commercial			Industrial		Comments
	CMU-East	CMU-Kentucky	CMU-West Main	CMU-Light Industrial Flex Overlay	Community Commercial	Regional Commercial	Regional Commercial Light Industrial Flex Overlay	Industrial Light Industrial Flex Overlay	Industrial	
	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	<i>P = Permitted A = Zoning Administrator Permit C = Conditional Use Permit “-“ = Not Permitted L = Special Criteria – Provides clarification whether a use is allowed, when and under what conditions. See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>
RESIDENTIAL										
Single Family										
Detached	L1	L1	-	-	L1	-	-	-	-	See Section 25-21-05 for second (accessory) dwelling units on lot; Section 25-21-55 for nonconforming use provisions
Attached	L1	L1	-	-	L1	-	-	-	-	
Duplex	L1	-	-	-	L1	-	-	-	-	
Multi-Unit Dwelling (3 units and over)	P	P L2	P	P L2	-	-	-	-	-	
Adult Family Day Care										
Small (6 clients or less)	P	A	P	A	-	-	-	C	-	
Large (7-12 clients)	P	A	P	A	-	-	-	C	-	
Family Day Care										
Small (up to 8 children)	P	-	-	-	-	-	-	-	-	Subject to State review
Large (7-14 children)	C	C L2	C	-	-	-	-	-	-	Subject to State review
Residential Care Facility (24 Hour)										
General (6 or more clients)	C	C	C	C	-	-	-	-	-	Subject to State review
Limited (up to 6 clients)	P	P	P	C	-	-	-	-	-	Subject to State review
Supportive Housing (No limit on stay)	L30	L2 L30	L30	L2, L30	L 30	L 30	L 30	C L 30	-	
Transitional Housing (Temporary)	L30	L2 L30	L30	L2, L30	L 30	L 30	L 30	C L 30	-	
COMMERCIAL										
Adult Business	-	-	-	-	-	-	-	L7	-	See Section 25-21-75
Ambulance Service	P	P	P	P	P	P	P	P	-	
Animal Sales and Services										
Boarding Kennel	-	C	-	-	C	-	-	A	A	
Grooming	A	A	A	A	P	P	P	A	A	
Retail Sales (Pet Shop Supplies)	P	P	P	-	P	P	-	-	-	
Veterinary Services	A	A	A	A	P	P	P	A	-	
Automobile Sales and Services										
Alternative Fuels and Recharging Facility	A L28	A L28	A L28	-	A L28	A L28	A L28	A L28		
Automobile Rental Office	P L15	P L15	P L15	-	P L15	P L15	A L14	A L14	-	
Auto/Vehicle Sales & Leasing, New and Used, autos, RV, motorcycles	A L17, L17a	A L17	A L17, L17a	A L17	A L17 L17a	A L17 L17a	A L17	A L17	-	
Auto/Vehicle Sales Showroom (only)	P	A	P	A	P	P	P	A		No open lots and service areas must be fully enclosed
Automobile/Vehicle Repair, Minor	P L14	P L14	P L14	P L14	A L14	C L14	A L14	P L14		No overnight parking of vehicles
Automobile/ Vehicle Repair, Major	C L14	C L14	-	C L14	-	-	C L14	C L14		Screening required
Auto/Vehicle Washing (Full Service)	A L8 L11	-	-	-	C L8	C L8	C L8			Circulation, design, screening Circulation, screening, noise

	Zoning District									
LAND USE	Corridor Mix Use (CMU)				Commercial			Industrial		Comments
	CMU-East	CMU-Kentucky	CMU-West Main	CMU-Light Industrial Flex Overlay	Community Commercial	Regional Commercial	Regional Commercial Light Industrial Flex Overlay	Industrial Light Industrial Flex Overlay	Industrial	
	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	
<i>P = Permitted A = Zoning Administrator Permit C = Conditional Use Permit “-“ = Not Permitted L = Special Criteria – Provides clarification whether a use is allowed, when and under what conditions. See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>										
Auto/Vehicle Washing (Self Service)	-	A L8 L11	A L8 L11	A L8 L11	A L8 L11	A L8	A L8	P L8		
Service Stations	C	C	C	-	C	C	C	C		
Automobile Storage Lot	-	-	-	-	-	-	A L14	A L14		
Farm/Agricultural Equipment Sales, Service & Leasing	A L14	A L14	A L14	A L28	A L14	A L14	A L14	A L28		
Large Vehicle and Equipment Sales, Service and Rental	-	-	-	C L 28	-	-	C L 14	C		
Tire Retreading and Recapping	-	-	-	-	-	-	C L14	C L14		
Banks and Institutions	P	P	P	-	P	L12	L12	-		
With Drive-Through Service	C	C	C	-	C	C	-	-	-	
Check Cashing & Alternative Lenders	A L35	A L35	A L35	-	A L35	-	-	-	-	
Business and Communication Services	P	P	P	P	P	L12	-	L3		
Commercial Parking Facilities	C	C	C	C	C	C	C	A		Circulation, design, screening Circulation, screening, compatibility in Light Industrial Flex Overlay Zones
Commercial Entertainment and Recreation										
Hookah Bar/Smoking Lounge	-	-	C L32	-	-	C L32	C L32	-	-	
Small Scale Facility	A	A	A	A	A	A	A	C	-	Noise circulation, hours, security, compatibility Circulation, compatibility in Light Industrial Flex Overlay Zones
Large Scale Facility	C	C	C	C	C	C	C			Circulation, compatibility in Light Industrial Flex Overlay Zones
Eating & Drinking Establishments										
Bar/Night Club/ Lounge/	C L4	C L4	C L4	C L4	C L4	C L4	C L4	C L4	-	See Section 25-21-70 Alcoholic beverage establishments
Micro-brewery/Wine-bar/Brewpub	A	A	A	A	A	A	A	C	-	See Section 25-21-70 Alcoholic beverage establishments Odor, noise, transport traffic
Restaurant, Full Service	P	P	P	P	P	P	P	A	-	See Section 25-21-70 Alcoholic beverage establishments Circulation, access, compatibility in Light Industrial Flex Overlay Zones
Restaurant, Limited Counter Service/ Fast Food	A L18	P L 18	P L18	P	P L18	P	P	P	P	Circulation, access, compatibility in Light Industrial Flex Overlay Zones
Restaurant with Drive-Thru Service	-	-	-	-	-	C L21	C L21	-	-	Shall be considered only in limited circumstances with review of overconcentration, proximity to schools, housing, and impact on healthy lifestyle choices.
Tasting Room	A	A	A	A	A	A	A	A	C	
Food and Beverage Sales										
Convenience Market	P L9	P L9	P L9	P L9	P L9	P L9	P L9	L9	A L9	Section 25-21-70
Farmers Market	A	-	A	-	A	A	A	-		

	Zoning District									
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	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	
General Market	P	P	P	P L20	P	P	P L20	P L20	-	
Healthy Food Grocer	P	P	P	P L20	P	P	P	-	-	
Liquor Store	C	C	C	-	C	C	C	-	-	Section 25-21-70
Funeral Homes and Internment	P	P	-	P	P	-	A	A	-	
Crematorium	-	-	-	-	-	-	C	C	C	
Live-Work	P	P	P	A L22	P	-	A L22	C		
Maintenance and Repair Services	P L28	P L28	P L 28	P L28	P L28	P L28	P L28	PL28		
Mixed-Use	P L33	P L33	P L33	P L33	P L33	P L33	P L33	P L33	C L33	Consistent with uses that are otherwise allowed in the District
Offices, Business and Professional										
Administrative and Professional Offices	P L5	P L5	P	P L5	P	P L12	P L5	P L3		
Medical/ Dental Offices	P	P	P	A	P	P L12	A	-		
Walk-in Clientele	P	P	P	P L20	P			P L20		
Personal Services										
Fortune Telling Service	P	P	P	P L20	P	P L12	P L20	L18		
General Personal Services	P	P	P	P L20	P	P L12	P L20	L18		
Instructional Services	P	P	P	P L20	P	P L12	P L20	L18		
Massage Establishment	L34	L34	L34	-	L34	L19 L34	-	-		Sections 13-1-14 & 13-6-1, considered same as a beauty salon with a license.
Health/Fitness Facility	P	P	P	A	P	P	C	C		
Beauty/Salon/Spa	P	P	P	P	P	P L12	P L3	-		
Tattoo or Body Modification Parlor	A	-	A	-	A	C	-	-		Section 25-21-45
Automobile Storage Parcel	-	-	-	-	-	-	C L14	C L14		
Regional Shopping Center	-	-	-	-	-	C	C	-		
Retail Sales										
Artisan Shop, with limited crafting	P L14	P	P	P	P	P	P			
Building Materials, Sales and Service	A L14	A L14	A L14	A L 14	A L14		A L14	A L14		
Consignment/Secondhand store	P	P	P	-	P	P	-	-		Chapter 16
Firearm Sales and Servicing	A L35	A L35	A L35	A L35	A L35	A L35	A L35	-		Must be accessory use to a larger sporting goods or similar type of retailer
Flea Market/Swap Meet	C						C	-		
General Drive-Thru Service	-	-	-	-	C	C	-	-		
General Retail Sales (small 25,000 sf or less)	P	P	P	P	P	P	P L20	P L18		
General Retail Sales(Large over 25,000 59,999 sf)	P	P	P	-	P	P	P	-		
Large Format Retail (over 60,000 sf)					A L11	P L11	A L11			
Nursery and Garden Center	A L14	A L 14	P L14	P L14	P L14	A L14	P L14	P L14		
Pawn Shop	A	A	A	A	-	-	-	-		Chapter 16
Smoke Shop			A L32		A L32	A L32	-	-		

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	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	<i>See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>
Visitor Accommodations										
Bed and Breakfast	A	-	A	-	-	-	-	-		
Homestay	C L19	C L19	-	-	-	-	-	-		
Hotel and Motel	A	-	A	-	A	A	A	-		
RV Park.	-	-	-	C	-	-	-	-		
Short-Term rental	C L19	-	C L 19	-	-	-	--	-		
INSTITUTIONAL, PUBLIC/SEMI-PUBLIC, AND COMMUNITY FACILITIES										
College and Trade School	P	P	P	A	P	P	-	-		
Community & Religious Assembly	A	A	A	A	A	A	-	-		
Community Garden	A	A	-	A	-	-	-	A		
Cultural Facility	P L3	P L3	P L3	P L3	P	P	P	A		
Day Care Center	C	C L2	A	C	A	A	C	C		
Emergency Shelter	C	C L2	-	-	-	-	A	C		See Chap. 25, Article 32
Government Buildings	P	P	P	-	P	P	P	P		
Civic Health Care Facility	-	C	-	C	C	C	C	C		
Hospitals??	C	C L2	C	-	C	C	-	-		
Medical or Dental Clinics	A	A L2	A	C	A	A	A	-		
Skilled Nursing /Assisted Living	A	A L2	A	C	A	A	C	-		
Social Service Center	C	A L2	-	C	C	-	C	C		
INDUSTRIAL										
Artisan/Small-scale Manufacturing	P L3 L14	P L3 L14	-	P L14	-	-	P L14	P L14		
Agricultural Production, Light	-	-	-	A L14	-	A L14	A L14	A L14		
Artists Studio	P L14	P L14	P L14	P L14	P 14	-	P L14	P		
Brewery/Distillery	-	-	-	-	-	C	C	C		
Food Preparation/Commercial Kitchen	P L14	P L14	A L14	A L14	P L14	A L14	P L14	P L14		
Dry Cleaning/Laundry bulk scale (not personal)	-	-	-	-	-	-	A	P		
Heavy Industrial	-	-	-	-	-	-	-	-	A	
Light Industrial	A L14	A L 14	-	P L14	-	P L28	P L28	P		
With limited outdoor processing or storage of materials	-	A L14 L11	-	A L14	-	-	A L14 L11	A L14 L11		
Medium Industrial	-	-	-	-	-	-	A L14 L11	A L14 L11		
With limited outdoor processing or storage of materials	-	-	-	-	-	-	A L14 L11	A L14 L11		
Recycling Facilities										
Collection Facilities	-	-	-	L6	L6	L6	L6	L6		Must be fully screened, subject to Fire and Building Safety Codes
Processing Facilities	-	-	-	-	-	-	-	C		
Research and Development	A L3	P L3	P L3	P	L3	-	A L14	P, L14	P	See the Industrial Use Table
Salvage, Wrecking and Tow Yard	-	-	-	-	-	-	-	-	C	

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LAND USE	Corridor Mix Use (CMU)				Commercial			Industrial		Comments
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	CMUE	CMUK	CMUWM	CMU/LIF	CC	RC	RC/LIF	I/LIF	I	<i>See the Industrial Use Table 3 of Section 25-18-10 of the Zoning Ordinance for permitted, conditionally permitted or prohibited uses. This table supplements or clarifies Table 3. If a cell is blank, see Table 3 for reference..</i>
Specialty Food Processing	-	-	-	P L29	A L14, L 29	A, L14, L29	P, L14, L29	P, L14,L29	P L29	
Storage Yard	-	-	-	A L14	-	-	A, L14	A, L14	A L14	
Warehouse, Storage and Distribution										
Indoor Warehousing and Storage, Limited (< 5,000 SF)	A L14 L25	A L14 L25	-	P L14 L25	A L14 L25	-	P L14	P L14	P L14	
Indoor Warehousing and Storage, General (> 5,000 SF)	-	-	-	A L14 L25	-	-	P L14	P L14		
Personal/Self Storage (Mini-storage)	-	C L13	-	-	C L13	-	-	-		
Personal Self Storage (Warehouse)	-	-	-	-	C L13, L14	-	C L13	C L26	C L26	
Chemical Mineral Storage	-	-	-	-	-	-	-	-	C	
Wholesale Nursery and Garden Center	-	A	-	A	-	-	P	P		
TRANSPORTATION, COMMUNICATIONS, AND UTILITIES										
Communication Facilities										
Antennas and Transmission Towers	L16	L16	L16	L16	L16	L16	L16	L16		See Sections 25-21-80, Wireless Facilities Ordinance
Equipment within Buildings	L16	L16	L16	L16	L16	L16	L16	L16		
Transportation Facilities										
Transportation Passenger Facility	C	C	-	-	-	-	C	C		
Park-and-ride facility	-	A	-	P	P	P	P	P		
Utilities, Minor	P	P	P	-	P	P	-	-		
TEMPORARY OR OTHER USES										
Ancillary Uses	Permitted if principal use is permitted; requires a use permit if principal use requires a use permit									See Section 25-21-10
Temporary Uses	Requires Zoning Administrator approval									See Section 25-13-30 and Article
COMMERCIAL CANNABIS USES										
Manufacturing: both volatile and non-volatile (limited to manufacturing for wholesale, distribution for resale); Retail (on-site) sales prohibited	-	-	-	-	-	-	-	C	C	See Article 21.6 of Chapter 25 and Chapter 13A
Testing, Research and Development: Retail (on-site) sales prohibited.	-	-	-	-	-	-	-	C	C	See Article 21.6 of Chapter 25 and Chapter 13A
Distribution: Retail (on-site) sales prohibited	-	-	-	-	-	-	-	C	C	See Article 21.6 of Chapter 25 and Chapter 13A
Retailers: (Dispensaries): prohibited	-	-	-	-	-	-	-	-	-	See Article 21.6 of Chapter 25 and Chapter 13A
Indoor Commercial Cultivation: prohibited	-	-	-	-	-	-	-	-	-	See Article 21.6 of Chapter 25 and Chapter 13A
Outdoor Cultivation: prohibited	-	-	-	-	-	-	-	-	-	See Article 21.6 of Chapter 25 and Chapter 13A
Indoor Personal Cultivation	L31	L31	L31	L31	-	-	-	-	-	See Article 21.5 of Chapter 25

SPECIAL LIMITATIONS:
L1 May be allowed with a Zoning Administrator use permit
L2 Residential or other similar sensitive uses may be considered on the south side of Kentucky Avenue, but on the north side these uses may only be allowed with an approved Specific Plan.
L3 A Zoning Administrator Permit is required for more than 2,000 sq. ft.
L4 Cannot be located within 500 feet of a school or park.
L5 Over 10,000 square feet, may be approved with a Zoning Administrator Permit.
L6 Allowed on a shopping center site as an accessory use within an enclosed structure, which may be portable.
L7 Only allowed on the rear half of a lot and not within 500 feet of a school or public park, must be located more than 750 feet from any following zones: OS, R-1, R-2, NP, or RM, must be more than 1,000 feet from any other adult book store or adult motion picture theater, and a conditional use permit is required. Refer to Section 25-21-75
L8 Only allowed as an accessory use to a gas station or car dealership, typically on the same parcel. Drive through lane and wash stall area shall be screened from public view.
L9 Requires a conditional use permit if over 3,000 square feet in size and/or if associated with a service station, and/or includes alcohol sales, and/or is open between 10:00PM and 6:00 AM.
L10 (Reserved)
L11 A conditional use permit required if site is abutting a residential zone.
L12 – Up to 10% of the total square footage of shops within a regional commercial center may consist of ancillary office spaces that support other uses. Limit does not apply to stand alone, professional office buildings.
L13 – Requires a master plan in which 50% shall be commercial or uses other than mini-storage and all necessary access and utility easements and improvements are identified and installed as necessary to ensure adequate service to the site and master plan areas; mini-storage portions shall be set back from a street frontage and no closer than 300- feet from an arterial , buildings shall be a minimum of two stories where adjacent to freeway or major arterial to screen views; buildings shall exhibit exemplary architectural design, and facilitate a lively and vibrant street/active street frontage. The project shall incorporate conservation and sustainability features to achieve net zero energy use, shall provide a lighting and security plan,and shall demonstratemeasurable community benefit in a manner agreed upon by the City and memorialized in a documented agreement.
L14 - All materials stored outside must be fully screened from view from any rights of way and below fence height. If outdoor storage of materials or equipment is adjacent to a residential district a conditional use permit is required. Any work bay area shall be screened from public view.
L15 – On-site rental car parking is limited to the minimum needed for immediate customer pick up only, no on site storage of cars.
L16 - Subject to Section 25-21-80, Wireless Facilities Ordinance
L17 – Auto sales in an open lot may be considered with a Zoning Administrator permit as an accessory use to a retail showroom and service area, or as part of a complete dealership complex. Site access, internal vehicle circulation, auto-display, and landscaping are subject to review. . No surface parking lot or outdoor display area solely intended for the sale of new or used cars and not accessory to an indoor showroom is allowed as a primary use on a site
L17a- Used car sales must be associated with a new car dealership, except for large format used car dealerships (as example Carmax)
L18 – In the Industrial areas small-scale establishments serving local businesses are allowed. The proximity of fast food uses within 1/2 mile of schools, youth facilities or residential uses shall be evaluated for overconcentration. The General Plan emphasized “dining” and “slow food: establishments.
L19 - For homestay or short term rental, no signage or exterior evidence of the use may be visible, owner shall maintain liability insurance on the property which covers the homestay and guests, the owner shall pay any applicable taxes including occupancy and sales taxes, shall obtain a business license, the property and home shall be maintained in good condition, including regular trash pickup and on-site parking for guests, no noise or nuisance impacts shall be detectable to adjacent properties.
L20 - Zoning Administrator permit is required for more than 3,000 sq. ft.
L21 - Drive through fast food may not be allowed within 1/2 mile of a school, evaluate the extent of overconcentration of existing or proposed fast food restaurants and drive through fast food within 1,000 feet of the proposed location, minimize the siting of unhealthy land uses
L22 - Only allowed as a secondary use occupying less than one-third of the floor area in a multi-tenant building.
L23 - Allowed within a shopping center on in an Industrial zone on the site of a recycling processing facility and must be within an enclosed structure, which may be portable.
L24 - Only allowed as an accessory use with a service station with a Zoning Administrator permit.
L25 - Only allowed on the rear half of a lot in order to ensure that the street frontage is activated.
L26 - Requires a master plan in which 50% shall be industrial or uses other than mini-storage and all necessary access and utility easements and improvements are identified and installed as necessary to ensure adequate service to the site and future master plan areas; mini-storage buildings shall be a minimum of three-stories in height; buildings shall demonstrate exemplary architecture design and facilitate an active street front. The project shall incorporate conservation and sustainability features to achieve net zero energy use; shall provide a security and lighting plan; and shall demonstrate measurable community benefit in a manner agreed upon by the City and memorialized in a documented agreement.
L27 (Reserved)
L28 - Outdoor storage may be allowed as an ancillary use on the same parcel as the primary business with a Zoning Administrator Permit. All outdoor storage must be fully screened from view from any public rights-of-way and below fence height. All work areas, work bays shall be screened from public view.
L29 Agricultural Production may be allowed as an accessory or ancillary use to a primary use, as example, for research, testing or demonstration purposes with a Zoning Administrator Permit
L 30 Transitional and supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.
L31 provides that any person within the City of Woodland may cultivate cannabis inside of any residence or enclosed and secure secondary structure that meets certain requirements specified in the ordinance, consistent with state law that permits indoor cultivation of cannabis for medical and non-medical purposes
L32 Smoke shops, tobacco stores, hooka/smoking lounge shall not be located within 1000 feet, measured property line to property line, from a school (public or private), family day care home, child care facility, youth center, community center, recreational facility, park, church or religious institution, hospital, or other similar uses where children regularly gather.
L33 – Mixed uses are allowed, consistent with the manner in which the individual uses are otherwise allowed in the District. The review required will be dependent upon the most restricted use intended for the development.
L34 - Permitted with a license per Municipal Code Section 13-6-1 or with a Conditional Use Permit
L35 – May not be located within 500 feet of a school, shall hold and maintain all applicable licenses and permits with the State Department of Justice, exterior areas shall be well lit and include video surveillance. Advertising and signage on clear windows and doors shall be placed so that law enforcement have personnel have a clear and unobstructed view of the interior.

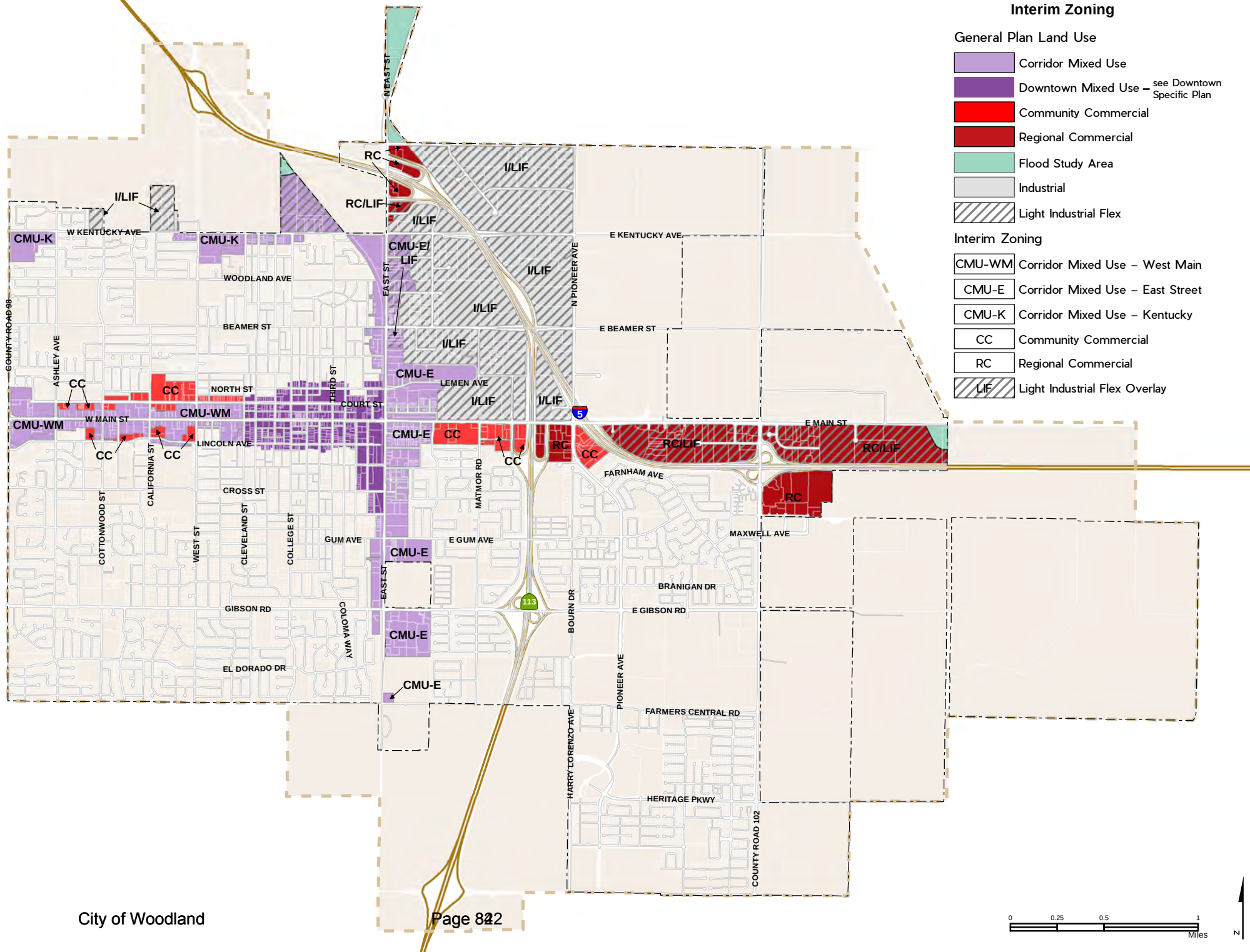
General Plan Land Use and Interim Zoning

General Plan Land Use

-  Corridor Mixed Use
-  Downtown Mixed Use – see Downtown Specific Plan
-  Community Commercial
-  Regional Commercial
-  Flood Study Area
-  Industrial
-  Light Industrial Flex

Interim Zoning

-  CMU-WM Corridor Mixed Use – West Main
-  CMU-E Corridor Mixed Use – East Street
-  CMU-K Corridor Mixed Use – Kentucky
-  CC Community Commercial
-  RC Regional Commercial
-  LIF Light Industrial Flex Overlay





TO: MEMBERS OF THE PLANNING COMMISSION
DATE: April 5, 2018
ITEM #: 2.
SUBJECT: Consideration of a General Plan Amendment to Correct Errors in the Recently Adopted 2035 General Plan Land Use Map

Recommendation for Action:

Staff recommends that the Planning Commission:

1. Receive a Report concerning the proposed General Plan Amendment;
2. Conduct a public hearing;
3. Find that this General Plan Amendment is adequately addressed in the program General Plan EIR certified on May 16, 2017 by Resolution No. 6835; and
4. Adopt Resolution No. PC 18-____, recommending to the City Council approval of the proposed General Plan Amendment.

Staff Contact:

Cindy A. Norris, Principal Planner, (530) 661-5911, cindy.norris@cityofwoodland.org

Fiscal Impact:

The cost of drafting and processing this Resolution, including noticing, have been absorbed by the existing General Fund budget. No additional costs are anticipated.

Report in Brief:

This report presents the proposed General Plan Amendment to the Woodland General Plan Land Use Map adopted on May 16, 2017. The proposed amendment includes five changes to the General Plan Land Use Map to correct errors in the General Plan Land Use Map. The proposed changes include:

- (1) Change the land use designation for the property at 420 Grand Avenue from Medium Density Residential (8.1 to 19.9 units per acre) to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, in order to reflect the existing land use and zoning (APN 006-023-001); and
- (2) Change the land use designation for the properties at 25-31, 49, 59, 77 and 95 W. Lincoln Avenue from Public/Quasi Public to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, to reflect existing land uses and zoning (APNs 065-250-043, 065-250-020, 065-250-021, 065-250-046, 065-250-030); and
- (3) Change the land use designation for the properties at 802, and 850 W Lincoln Avenue and 403 Ashley Avenue from Community Commercial to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, to reflect existing land uses and zoning (APNs 065-340-026 and 065-010-032); and
- (4) Change the land use designation for the property at 217 W. Kentucky Avenue from Low Density

Residential (1.0 to 8.0 units/acre) to Industrial with the Light Industrial Flex Overlay, to reflect existing site improvements (APN 027-065-037); and

(5) Change the land use designation for the properties along East Harter Avenue and East Kentucky Avenue from Regional Commercial to Regional Commercial with Light Industrial Flex and Corridor Mixed Use with Light Industrial Flex Overlay to Industrial with the Light Industrial Flex Overlay, to reflect existing land uses and development (APNs 027-420-028, 027-420-015, 027-420-021, 027-420-019, and 027-420-010, 027-420-030, 027-420-031, 027-420-032, 027-420-004, 027-420-025, 027-420-003, 027-420-002); and

(6) Change the land use designation for the properties at the North West corner of Lincoln Avenue and Cleveland Street, 430–460 Cleveland Street and 177-181 Lincoln Avenue, from Low Density Residential (1-8 units/acre) to Corridor Mixed use, to reflect previous zoning (APN 006-025-018, 006-025-019, 006-025-011, 006-025-016); and

(7) Change the land use designation for Fire Station No 1 at 101 Court Street from Community Commercial to Public /Quasi-Public, (APN 055-554-013); and

(8) Change the land use designation for Fire Station No 2, at 1619 West Street from Low Density Residential to Public/Quasi-Public (APN 039-101-012).

Background:

Since the May 16, 2017 adoption of the General Plan Update, staff has discovered or it has been brought to their attention several locations where the updated General Plan Map does not represent the existing land uses or site improvements that exist on the property or the existing zoning. These are locations where it makes sense to correct the Land Use Map. The current and proposed land use designations are illustrated in Attachment B which are Map Exhibits. The subject properties and existing uses, previous General Plan and Zoning designations, and proposed General Plan Land Use designations for each are summarized in the table in Attachment B. The List of affected properties and Assessors Parcel Numbers are provided in Attachment C.

Discussion:

Each of the locations is discussed separately below:

1. 420 Grand Avenue. The subject property is a 9,130 sq. ft. parcel located on west side of Grand Avenue on the south side of Memorial Lane. The property was previously occupied by a carpet company and is now listed for sale. The property was designated as Medium Density Residential in the 2002 General Plan; however, it is developed with a commercial building and commercial uses exist to the north and west. The existing zoning is C-2 General Commercial as are the properties to the east, north and west. The properties to the south are currently zoned Multiple Family with a Transition Overlay, which allows for commercial uses.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Commercial	General Commercial (C-2)	Medium Density Residential	Corridor Mixed Use
North	Commercial and Multi-family	General Commercial (C-2)	Corridor Mixed Use (CMU)	
South	Multiple Family	Multiple Family (R-	Medium Density	

		M) and Transition Lots (T)	Residential	
East	Vacant parcel	General Commercial (C-2)	Corridor Mixed Use	
West	Vacant parcel	General Commercial (C-2)	Corridor Mixed Use	

The updated General Plan designates the site as Medium Density Residential (8.1 to 19.9 units/acre). The recommended action is to amend the General Plan Land Use Map to change the designation for the subject property from Medium Density Residential (8.1 to 19.9 units/acre) to Corridor Mixed Use, consistent with the existing site development and the properties to the east, north and west.

2. 25-31, 49, 59, 77, and 95 W. Lincoln. These five parcels are located on the south side of W. Lincoln Avenue. Two of the parcels, 25-31 and 59 W. Lincoln Avenue, are developed with senior apartment: Stella Senior Apartments (24 units, with a senior citizen agreement with the City that expires 1/29/19) and Colonial Terrace Senior Apartments (47 units), respectively. There is a fourplex at 49 W. Lincoln Avenue. The Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA) is located at 77 W. Kentucky and an AAA office is on the southeast corner of California and W. Kentucky at 95 W. Kentucky. The properties were designated as Public Service in the former General Plan, but at one time were designated as Medium Density Multi-Family. The AAA Office was approved with a conditional use permit in 1978. All five parcels are currently zoned R-M Multiple Family Residential.

Sites/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Multi-Family, Quasi-Public, Office	Multiple Family (R-M)	Public / Quasi-Public	Corridor Mixed Use
North	Commercial	General Commercial (C-2)	Corridor Mixed Use (CMU)	
South	Catholic School/Public Middle School	Single Family Residential (R-1)	Public / Quasi-Public	
East	(West Street) Single family	Neighborhood Preservation	Low Density Residential (LD)	
West	Multiple family development	Multiple Family (R-M)	Medium Density Residential	

The updated General Plan designates all five properties as Public/Quasi-Public. The proposed action is to amend the General Plan Land Use Map to change the designation from Public/Quasi-Public to Corridor Mixed Use (20-40 dwelling units/acre), consistent with existing land uses.

The re-designation is an improvement. The complex at 25-31 W. Lincoln Avenue would become a legal conforming use and would be within the allowed density range at 36 dwelling units/acre. The project has a senior citizen agreement with the City that expires 1/29/19 and received a density bonus at the time of approval. The four-plex at 49 West Lincoln would also become a legal, conforming use.

As the Corridor Mixed Use designation in the updated General Plan allows for medical and professional offices it would allow for the YCPARMIA and AAA offices, at 77 and 95 West Lincoln to be legal, conforming uses. The apartment complex at 59 West Lincoln would be somewhat improved with the re-designation since it would now be a legal use, but it is densely developed at 58 dwelling units per acre and would not conform to the density range. It

would, however, become a grandfathered use (i.e., legal at the time of approval).

3. 802-850 Lincoln Ave and 440 Ashley Avenue. The subject property is an existing Senior Housing project located north of Lincoln Avenue and west of Ashley Avenue. The property on Lincoln Avenue is owned by Senior Housing Associates and the property on Ashley Avenue is owned by Lincoln Gardens II. The properties were previously designated as General Commercial in the prior General Plan, which allowed public/quasi-public uses, and had a Residential Multi-Family zoning designation. The land use was changed to Community Commercial in the 2035 General Plan, however this designation does not provide for multiple family uses. The density of the existing development 29 du/ac. Both the High Density Residential and Corridor Mixed use zones allow multi-family densities from 20-40 du/ac. Staff recommends applying a Corridor Mixed Use designation consistent with the surrounding properties.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Multi-Family, Senior Housing	Multiple Family (R-M)	Community Commercial	Corridor Mixed Use
North	Commercial Center	General Commercial (C-2)	Corridor Mixed Use (CMU)	
South	Single Family	Single Family Residential (R-1/PD)	Low Density Residential (LD)	
East	Multiple Family	Multiple Family (R-M)	Low Density Residential (LD)	
West	Commercial Center	General Commercial (C-2)	Corridor Mixed Use (CMU)	

4. 217 W. Kentucky. The subject five (5.37) acre property is located at the northwest corner of Kentucky Avenue and Cottonwood Street. The property was, at one time, occupied by Blickle Canvas and Gregory Farms and more recently by an irrigation company. The irrigation company, however, has moved down the street and the property is currently for sale.

The property was mistakenly labeled as single family residential in the newly adopted General Plan. The proposed action is to amend the General Plan Land Use Map to change the General Plan designation for the subject property from Low Density Residential (1.0 to 8.0 units/acre) to Industrial with a Light Industrial Overlay. About a quarter of the site at the northern end is shown as Farmland of Local Potential on the General Plan Farmland Map. The Farmland designation refers to land that contains prime or statewide soils that are not presently irrigated or cultivated. The property is not included in the City's Housing Element as a potential housing site.

Approximately one-quarter of the site is developed with an office/warehouse building, parking, and a fenced storage area adjacent to the east side of the building. There is a block and wood fence on the west side separating the property from adjacent single-family residential back yards. There is landscaping around part of the building, along the street frontage in front of the building, and along the west side where the developed parking area abuts existing residential. There are no improvements or landscaping on the northern three quarters of the property, which appears to have been used for agricultural. The property is currently accessed from Kentucky Avenue and can be developed with access off Cottonwood Street. The site is currently served by city services including water, sewer, and electrical.

Site/Adjacent Land Uses & Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Office/ Vacant Ag-Industrial	Industrial (I)	Low Density Residential (LD)	Industrial/ Light Industrial Flex Overlay
North	Agriculture (County)	Agricultural (County)	Industrial/ Light Industrial Flex Overlay	
South	Multi-family and single family	Single Family Residential (R-1/PD)	Medium Density and Low Density Residential (MD and LD)	
East	Industrial	Heavy Industrial (County)	Industrial/ Light Industrial Flex Overlay	
West	Single Family Residential, greenbelt, park	Single Family Residential (R-1)	Low Density Residential (LD)	

As indicated in the table above, single-family homes abut the property on the west side and multiple family housing is to the south across Kentucky Avenue, industrial uses exist to the east and agricultural uses to the north. This is a property that could go either way in terms of industrial or residential development.

Staff is recommending that the property be designated industrial for a number of reasons. First, the site has historically been developed with industrial and agricultural and is currently developed with an industrial building. Second, the site abuts a County designated Heavy Industrial property to the east. Lastly, with the Planned Development Zoning and the performance standards proposed in the Interim Zoning Ordinance provides the City a means to regulate the development of the property and mitigate potential impacts on the neighboring residential areas. Development of any proposed outdoor uses would require a conditional use permit adjacent to residential. If the property were to be developed with residential, the new residential would abut a heavy industrial designated property in the County where the City does not have regulatory powers. There is only a driveway access separating the two properties.

5. *East Street, Harter Avenue and East Kentucky.* The subject 12 parcels are located east of East Street, north of East Kentucky Avenue and south of I-5 on ramp.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Mix of multi-tenant buildings, Industrial, Vacant, Commercial	Commercial Highway (CH), Commercial Service (C-3) and Industrial (I)	Regional Commercial and Corridor Mixed Use with Light Industrial Overlay	Regional Commercial with Light Industrial Flex Overlay and Industrial/ Light Industrial Flex Overlay
North	Hotel, Retail uses	Commercial Highway (CH)	Regional Commercial	
South	Existing multi-tenant and Industrial Uses	Industrial (I)	Corridor Mixed Use with Light Industrial	

			Overlay and Industrial with Light Industrial Flex Overlay	
East	Industrial	Industrial (I)	Industrial/ Light Industrial Flex Overlay	
West	Industrial, Vacant	Industrial (County) Industrial (I) (City)	Corridor Mixed Use and Industrial with Light Industrial Flex Overlay	

Area on the north side of Harter Avenue and one parcel south of Harter Avenue on the east side of East Street.

The area to the north of Harter Avenue has an existing structure and a 2.76 vacant parcel. The parcel on East Street South of Harter, is vacant. The two parcels located north of Harter Avenue and one parcel located south of Harter on East Street were designated Service Commercial and Highway Commercial in the 2002 General Plan. The 2035 General Plan update resulted in a Regional Commercial Designation being applied to all three. Staff recommends that the Regional Commercial designation remain but that the Light Industrial Flex Overlay be applied in recognition that they both commercial and light industrial uses are appropriate in this location.

Area south of Harter Avenue and on the North side of Kentucky Avenue and east of East Street.

The properties located at 460, 1230 and 1250 Harter Avenue were previously owned by Panattoni, and Oates and Massi. A Conditional Use Permit was approved in 1983 and subsequently amended in 1984 to allow a Mixed Use Office/retail/Industrial development in the Industrial Zone. The Conditional Use Permit entitlement runs with the land and will remain regardless of the land use change. These parcels were designated as Corridor Mixed Use with a Light Industrial Flex Overlay in the 2035 General Plan. Staff is recommending that these parcels be designated as Industrial with Light Industrial Flex Overlay.

The remaining four parcels front on to East Kentucky Avenue and have a mix of Industrial uses and development. The parcels were designated as Industrial in the 2002 General Plan and Corridor Mixed Use/Light Industrial Flex in the 2035 General Plan update. Staff is recommending that these parcels, with the exception of the parcel at the northeast corner of East Street and Kentucky Avenue, be designated Industrial with Light Industrial Flex Overlay to more accurately reflect current and likely uses.

6. 430-460 Cleveland Street and 177-181 Lincoln Avenue. The subject parcels are located on the Northeast corner of Lincoln Avenue and Cleveland Street and are developed with existing single family homes, one or more of which may have been converted to office at one time. The area surrounding the parcel has a mix of uses, and is designated in the 2035 General Plan as Corridor Mixed use to the West, Downtown Specific Plan Area C to the East and Residential Low Density to the South. The area south is within the Neighborhood Preservation Zoning District. It appears that this parcel was originally designated as General Commercial in the 2002 General Plan and as such, it is recommended that the designation be changed from Low Density Residential to Corridor Mixed Use.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
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Subject Site	Single Family	General Commercial (C-2)	Low Density	Corridor Mixed Use
North	Mixed commercial, office	General Commercial (C-2)	Corridor Mixed Use	
South	Non-conforming multi-family and single family	Neighborhood Preservation	Low Density Residential	
East	Mix of commercial, office	Downtown Specific Plan Area C	Downtown Mixed Use	
West	Commercial Center and Single family	General Commercial (C-2)	Corridor Mixed Use	

7. 101 Court Street – Fire Station No. 1. The subject site is located on the northeast corner of Grant Avenue and Court Street and is developed with the City of Woodland Fire Station No. 1. The area surrounding and including this property is designated as Community Commercial in the 2035 General Plan. However, the General Plan has included a land use designation of Public /Quasi Public (PQ). This designation provides for public and quasi-public facilities and including fire and police stations, libraries, government offices and wastewater treatment. Therefore, the correct designation for Fire Station No. 1 is Public/Quasi-Public.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Fire Station No. 1	General Commercial (C-2)	Community Commercial	Public/Quasi-Public (PQ)
North	Single Family	Single Family (R-1)	Low Density	
South	Commercial (Purity Plaza)	General Commercial (C-2)	Corridor Mixed Use	
East	Mix of single family, offices	General Commercial (C-2)	Community Commercial	
West	Mix of single family and offices	General Commercial (C-2)	Community Commercial	

8. 1619 West Street – Fire Station No. 2. The subject site is located on the northeast corner of West Street and El Dorado Drive and is developed with the City of Woodland Fire Station No. 2. The area surrounding and including this property is designated Low Density Residential in the 2035 General Plan. However, the General Plan has included a land use designation of Public /Quasi Public (PQ). This designation provides for public and quasi-public facilities and including fire and police stations, libraries, government offices and wastewater treatment. Therefore, the correct designation for Fire Station No. 2 is Public/Quasi-Public.

Site/Adjacent Land Uses & Current Zoning:

Location	Existing Development	Existing Zoning	2035 General Plan	Suggested Amendment
Subject Site	Fire Station No. 2	Single Family (R-1)	Low Density	Public/Quasi-Public (PQ)
North	Single Family	Single Family	Low Density	

		(R-1)		
South	Single Family	Single Family (R-1)	Low Density	
East	Single Family	Single Family (R-1)	Low Density	
West	Church, Single family	Single Family (R-1)	Low Density	

Environmental Determination:

The proposed amendments recognize existing zoning designation and site conditions and will not result in any significant changes to the character or use of properties in the City and is not a project with the potential for causing a significant effect on the environment requiring California Environmental Quality Act (CEQA) analysis. The proposed amendment is statutorily exempt from the requirements of CEQA pursuant regulation 15061(b)(3), the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment and is categorically exempt. Further, the Environmental Impact Report (EIR) for the 2035 General Plan Update, certified on May 16, 2017 by Resolution No. 6835, was reviewed and it was found that the EIR adequately addresses the potential impacts of the proposed amendment.

Findings:

Staff recommends the following findings:

- The proposed General Plan amendment is internally consistent with the rest of the General Plan.
- The proposed Amendment does not otherwise change the goals or programs of the General Plan.
- The future development of the subject sites can be more appropriately guided by the Amendment to the General Plan as outlined below and would not be detrimental to the public health, safety, or welfare.
- The General Plan Amendment has been considered during a duly noticed public hearing held on April 5, 2018 to receive and consider public testimony regarding the General Plan Amendment and has been processed in accordance with the applicable provisions of the California Government Code.

Public Noticing:

The Public Hearing Notice for the Planning Commission hearing was mailed to the subject property owners and to property owners located with 300-feet of the subject properties and placed in a newspaper of general circulation, The Daily Democrat, on March 26, 2018.

Conclusion:

Staff recommends approval of the General Plan Amendment to correct technical errors in the recently approved 2035 General Plan Land Use Map. The corrections are recommended in order to more accurately reflect the existing and expected long-term use and development on the subject parcels. If the proposed General Plan land use amendments are approved, corresponding changes will be included on the interim zoning map.

Recommendation/Motion:

Staff recommends that the Planning Commission make an affirmative motion as follows:

Motion: Move that the Planning Commission:

1. Find that this General Plan Amendment is adequately addressed in

the program General Plan EIR certified on May 16, 2017 by Resolution No. 6835; and

2. Adopt Resolution No. PC 18-____, recommending to the City Council approval of the proposed General Plan Amendment.

Prepared By: Cindy A. Norris, Principal Planner

ATTACHMENTS:

Description	Upload Date	Type
ATT A - Planning Commission Resolution	3/27/2018	Resolution
ATT B - Map Amendment Exhibits (Attachment 1 to the PC Resolution)	3/27/2018	Map
ATT C - Subject Properties and Existing Uses	3/27/2018	Backup Material
ATT D - Property Owners and APNs	3/27/2018	Backup Material

**PLANNING COMMISSION
RESOLUTION NO. PC 18-___**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WOODLAND
RECOMMENDING APPROVAL OF A GENERAL PLAN AMENDMENT TO CORRECT
MINOR ERRORS IN THE WOODLAND GENERAL PLAN UPDATE 2035 LAND USE MAP**

WHEREAS, on May 16, 2017, the City Council of the City of Woodland also approved Resolution No. 6835 certifying the Woodland General Plan EIR; and

WHEREAS, on May 16, 2017, the City Council of the City of Woodland approved Resolution No. 6836 adopting the Woodland General Plan Update 2035; and

WHEREAS, in the process of implementing the Woodland General Plan Update 2035, staff discovered or have been made aware of several locations where the updated General Plan Map does not represent the existing land uses or site improvements that exist on the property or the existing zoning; and

WHEREAS, on April 5, 2018, the Planning Commission of the City of Woodland considered the proposed General Plan Amendment during a duly noticed public hearing during which all persons desiring to be heard on this issue were provided with an opportunity to do so.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Woodland does find as follows:

Section 1. That the above recitals are true and correct.

Section 2. Project Locations and General Plan Land Use Map Proposed Amendments (As shown on Attachment 1). The proposed changes to the General Plan Land Use Map, and applicable changes to the General Plan designation for the following properties were reviewed by the Planning Commission and together constitute a single amendment to the City of Woodland General Plan:

- (1) Change the land use designation for the property at 420 Grand Avenue from Medium Density Residential (8.1 to 19.9 units per acre) to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, in order to reflect the existing land use and development (APN 006-023-001); and
- (2) Change the land use designation for the properties at 25-31, 49, 59, 77 and 95 W. Lincoln Avenue from Public/Quasi Public to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, to reflect existing land uses and development (APNs 065-250-043, 065-250-020, 065-250-021, 065-250-046, 065-250-030); and
- (3) Change the land use designation for the properties at 802, and 850 W Lincoln Avenue and 403 Ashley Avenue from Community Commercial to Corridor Mixed Use, which allows a mix of use types including high density residential (20.0 to 40.0 units/acre) and commercial uses, to reflect existing land uses and development (APNs 065-340-026 and 065-010-032); and

- (4) Change the land use designation for the property at 217 W. Kentucky Avenue from Low Density Residential (1.0 to 8.0 units/acre) to Industrial with the Light Industrial Flex Overlay, to reflect existing site improvements (APN 027-065-037); and
- (5) Change the land use designation for the properties along East Harter Avenue and East Kentucky Avenue from Regional Commercial to Regional Commercial Light Industrial Flex Overlay and Corridor Mixed Use with Light Industrial Flex Overlay to Industrial with the Light Industrial Flex Overlay, to reflect existing land uses and development (APNs 027-420-028, 027-420-015, 027-420-021, 027-420-019, and 027-420-010, 027-420-030, 027-420-031, 027-420-032, 027-420-004, 027-420-025, 027-420-003, 027-420-002, 027-420-017); and
- (6) Change the land use designation for the properties at the North West corner of Lincoln Avenue and Cleveland Street, 430–460 Cleveland Street and 177-181 Lincoln Avenue, from Low Density Residential (1-8 units/acre) to Corridor Mixed use, to reflect previous zoning (APN 006-025-018, 006-025-019, 006-025-011, 006-025-016); and
- (7) Change the land use designation for Fire Station No 1 at 101 Court Street from Community Commercial to Public /Quasi-Public, (APN 055-554-013); and
- (8) Change the land use designation for Fire Station No 2, at 1619 West Street from Low Density Residential to Public/Quasi-Public (APN 039-101-012).

Section 3. Findings.

- a. The proposed General Plan Amendment is internally consistent with the rest of the General Plan.
- b. The proposed Amendment does not otherwise change the goals or programs of the General Plan.
- c. The future development of the subject sites can be more appropriately guided by the Amendment to the General Plan and would not be detrimental to the public health, safety, or welfare.
- d. The General Plan Amendment has been considered during a duly noticed public hearing held on April 5, 2018 to receive and consider public testimony regarding the General Plan Amendment and will continue to be processed in accordance with the applicable provisions of the California Government Code.

Section 4. Environmental Clearance.

- a. The Woodland General Plan Update 2035 Environmental Impact Report was certified by the City Council on May 16, 2017.
- b. The proposed Amendment recognizes, and will be consistent with, the existing zoning designations and site conditions of the properties and will not result in any significant changes to the character or use of properties in the City. The Amendment is not a project with the potential for causing a significant effect on the environment requiring California Environmental Quality Act (CEQA) analysis. The proposed Amendment is statutorily exempt from the requirements of CEQA pursuant to CEQA Regulation 15061(b)(3), and the activity is covered by the general rule that CEQA applies only to projects that have the potential for

causing a significant effect on the environment. Thus, the Amendment is categorically exempt. Further, the Environmental Impact Report (EIR) for the 2035 General Plan Update, certified on May 16, 2017 by Resolution No. 6835, adequately addresses the potential impacts of the proposed Amendment.

NOW, THEREFORE, the Planning Commission of the City of Woodland, based on substantial evidence in the administrative record of proceedings and pursuant to its independent review and consideration, does hereby, make the above findings, determinations, and recommendations with respect to the proposed General Plan Amendment and recommends to the City Council approval of the proposed Amendment to the General Plan Land Use Map of the Woodland General Plan Update 2035 as outlined above in Section 2.

PASSED AND ADOPTED by the Planning Commission this 5th day of April 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

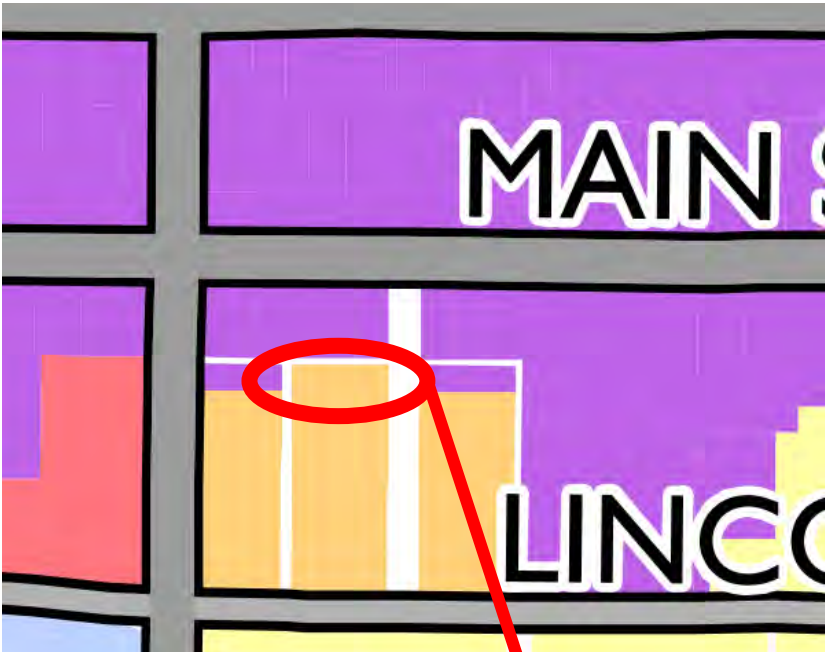
Marco Lizzaraga, Chairperson

ATTEST:

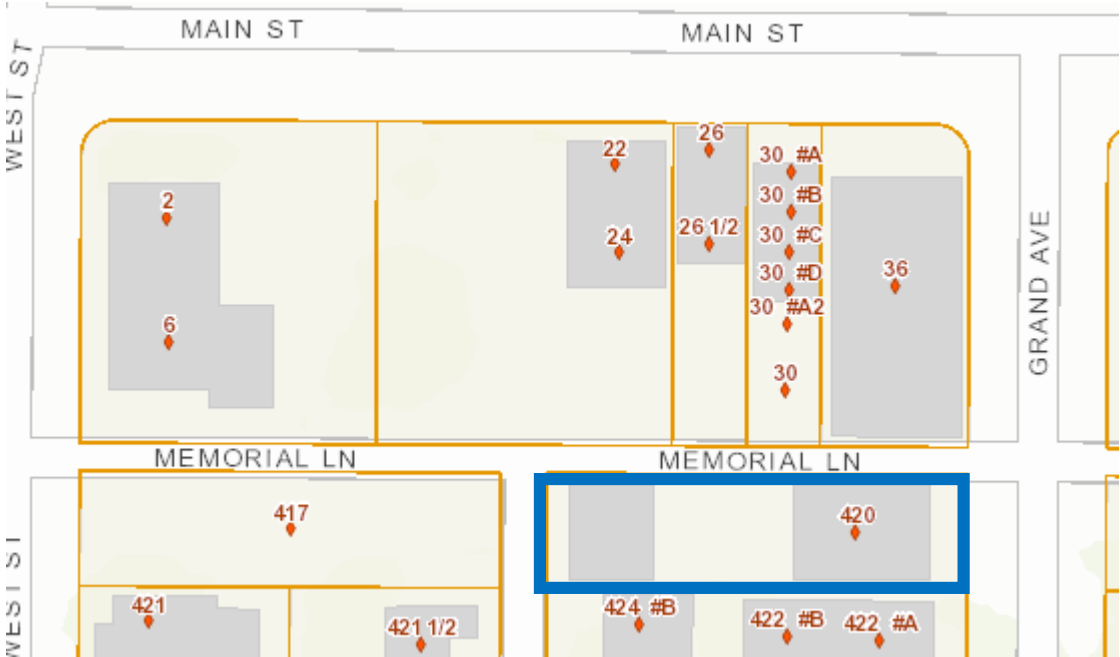
Stephen Coyle, Deputy Director Community Development

Attachment 1: Map Amendment Exhibits

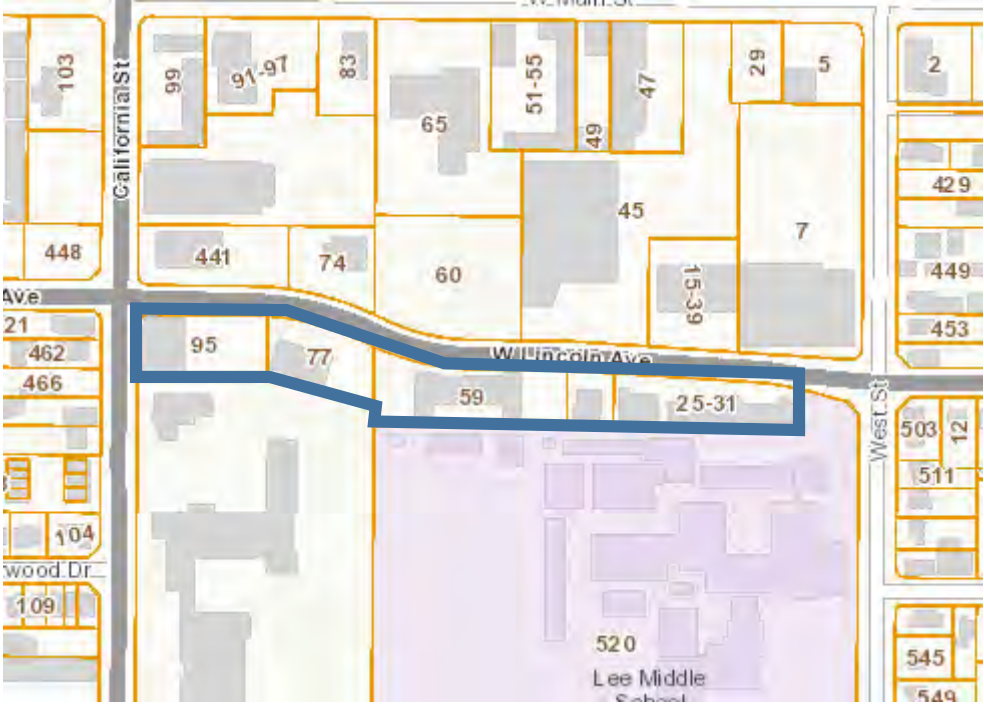
No.1 - 420 Grand Avenue



Recommended change from Medium Density Residential (MD) to Corridor Mixed Use – West Main (CMU-WM)

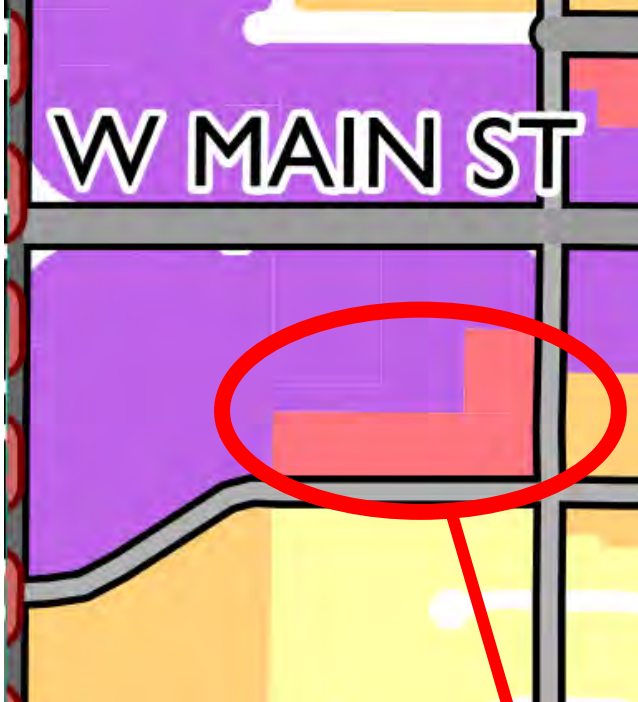


No 2. - 25- 95 West Lincoln Avenue

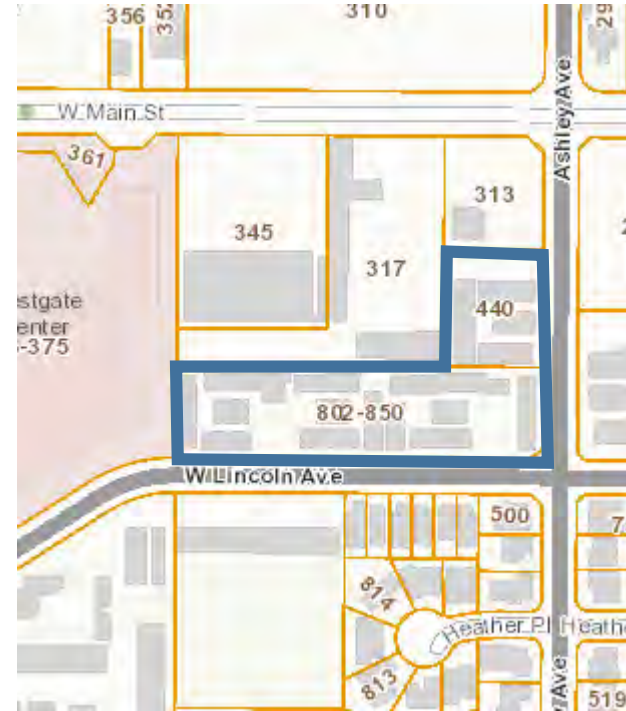


Recommended change from Public/ Quasi-Public (P/QP) to
Corridor Mixed Use – West Main (CMU-WM)

No. 3 - 802-850 West Lincoln and 440 Ashley Avenue



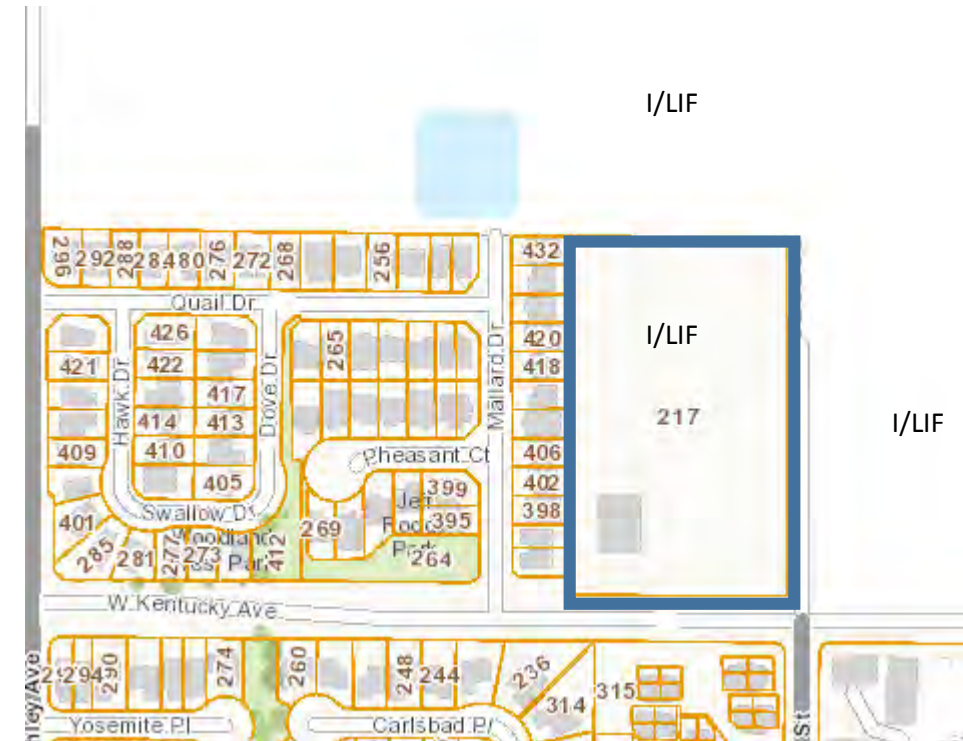
Recommended change from Community
Commercial (CC) to
Corridor Mixed Use – West Main (CMU-WM)



No 4. - 217 West Kentucky Avenue

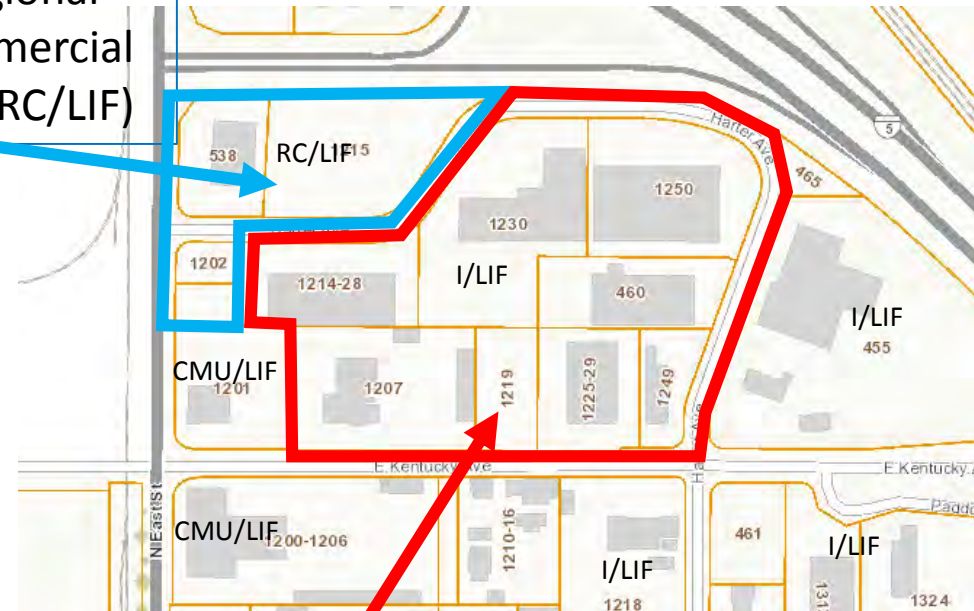
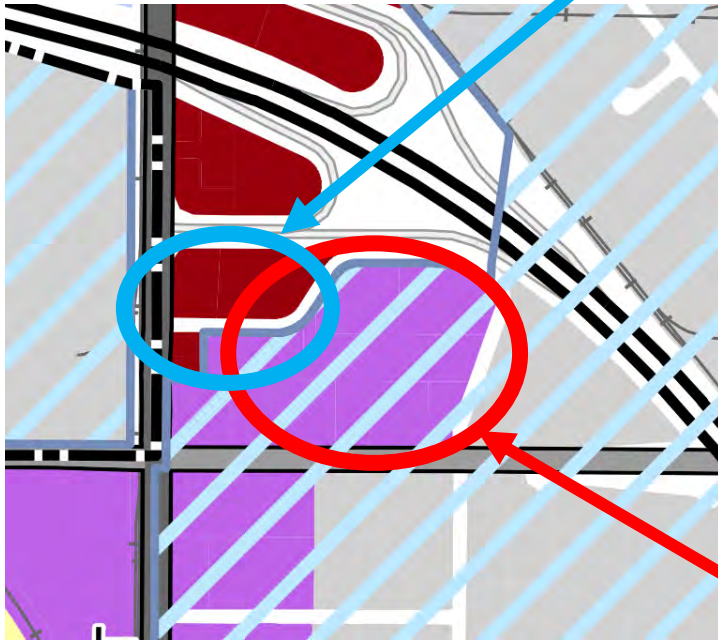


Recommended change from Low Density Residential (LD) to Industrial with Light Industrial Flex (I/LIF)



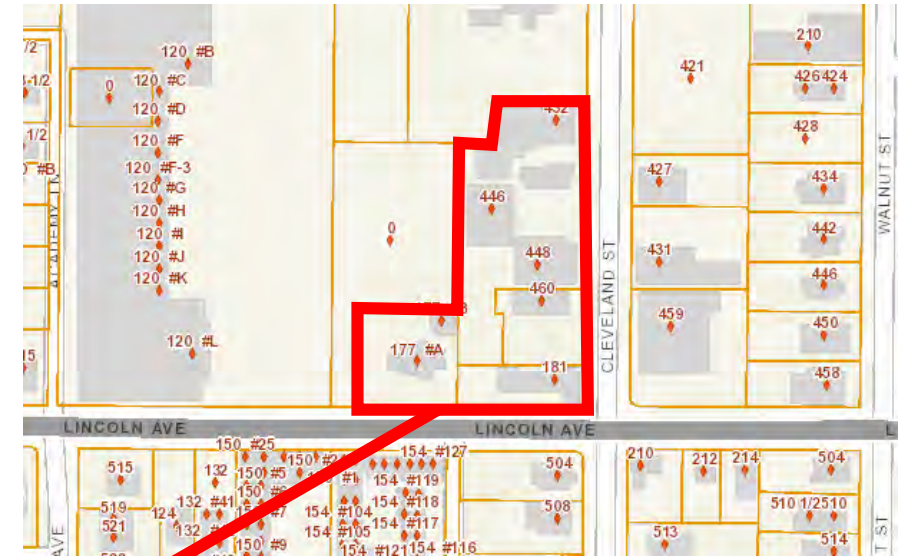
No 5 - East Street, Harter Avenue, and East Kentucky

Recommended change from Regional Commercial (RC) to Regional Commercial with Light Industrial Flex Overlay (RC/LIF)



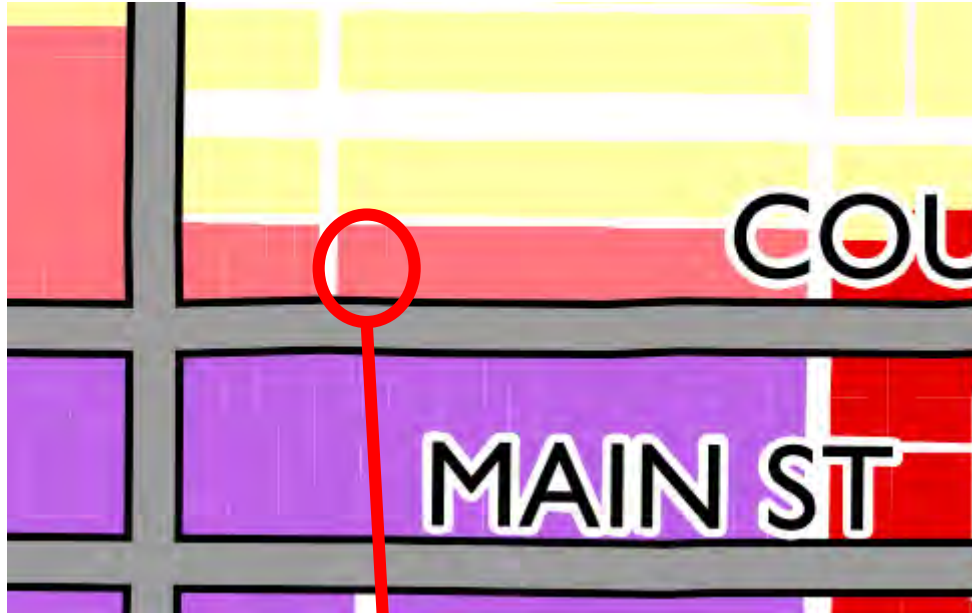
Recommended change from Corridor Mixed Use with Light Industrial Flex Overlay (CMU/LIF) to Industrial with Light Industrial Flex Overlay (I/LIF)

No. 6 - Northeast Corner of Lincoln Ave and Cleveland Street

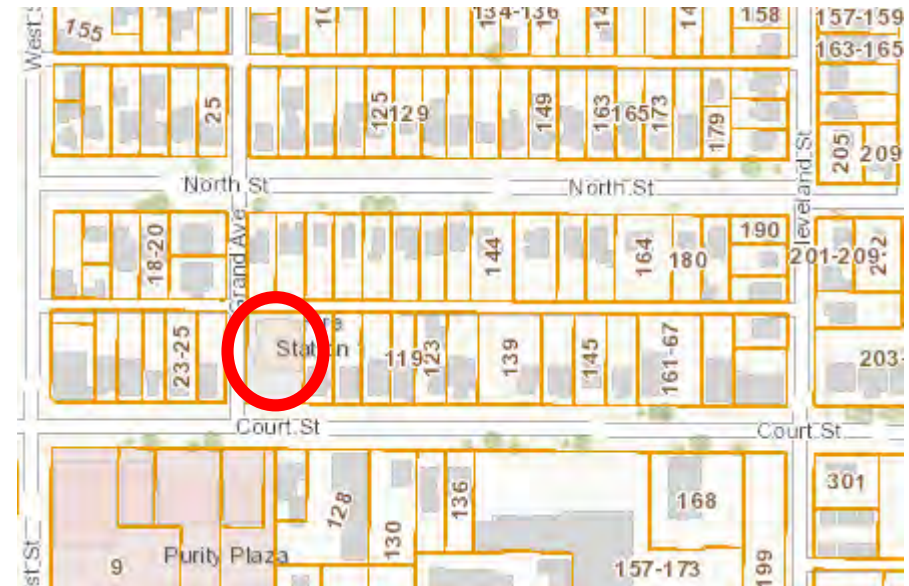


Recommended change from Low Density Residential (LD) to Corridor Mixed Use (CMU)

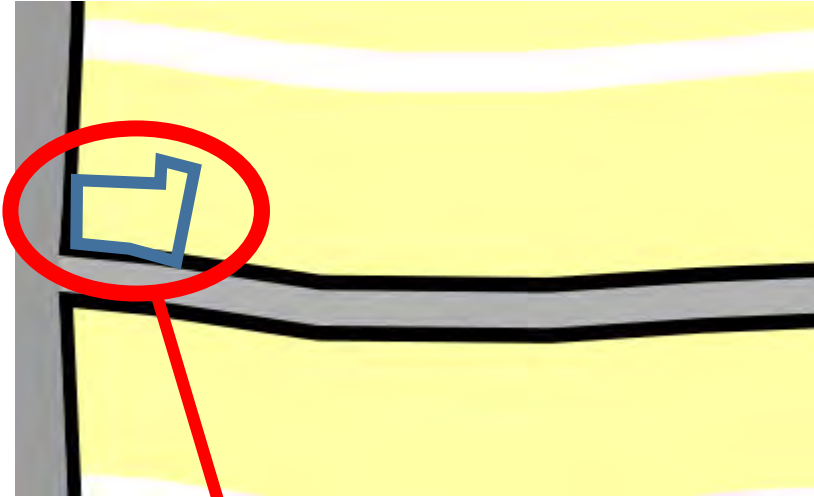
No. 7- 101 Court Street, Fire Station No 1



Recommended change from Community
Commercial (CC) to
Public/Quasi-Public (PQ)



No. 8 - 1619 West Street – Fire Station No 2



Recommended change from Low Density
Residential (LD) to
Public/Quasi-Public (P/QP)



Attachment C

ADDRESS	2002 GENERAL PLAN	EXISTING ZONING	2035 GENERAL PLAN	PROPOSED GENERAL PLAN AMENDMENT	EXISTING LAND USE/IMPROVEMENTS
1. 420 Grand Avenue					
420 Grand Avenue	Med. Density Residential	General Commercial	Medium Density Residential	Corridor Mixed Use-West Main	Commercial/Office
2. 25 – 95 W. Lincoln Avenue					
25-31 W. Lincoln Ave	Public/Quasi-Public	Multiple Family	Public/Quasi-Public	Corridor Mixed Use-West Main	Stella Senior Apartments at a density of 36 du/ac
49 W. Lincoln	Public/Quasi-Public	Multiple Family	Public/Quasi-Public	Corridor Mixed Use- West Main	Four-plex
59 W. Lincoln	Public/Quasi-Public	Multiple Family	Public/Quasi-Public	Corridor Mixed Use- West Main	Colonia Terrace Senior Apartments at 58 du/ac
77 W. Lincoln	Public/Quasi-Public	Multiple Family	Public/Quasi-Public	Corridor Mixed Use- West Main	Yolo Co. PARMIA Office
95 W. Lincoln	Public/Quasi-Public	Multiple Family	Public/Quasi-Public	Corridor Mixed Use- West Main	AAA Office
3. 802-850 Lincoln Ave and 440 Ashley Avenue					
802-850 W. Lincoln Ave	General Commercial	Multiple Family	Community Commercial	Corridor Mixed Use-West Main	Senior Apartments – Lincoln Gardens I
440 Ashley Avenue	General Commercial	Multiple Family	Community Commercial	Corridor Mixed Use – West Main	Senior Apartments Lincoln Gardens II
4. 217 W. Kentucky					
217 W. Kentucky	Low Density Residential	Industrial-Planned Development	Industrial	Industrial-Planned Development	Industrial building and vacant agricultural use-Irrigation Supply Co
5. Harter Avenue, East Street and E. Kentucky Avenue					
538 East, 1215 Harter 1202 East 0 East	Commercial Service and Highway Commercial	Service Commercial and Highway Commercial	Regional Commercial	Regional Commercial with Light Industrial Flex	Industrial/Commercial Building; Vacant land-Agriform Parts
1214-1228 Harter 1230 Harter 1250 Harter 460 Harter 1207 E. Kentucky 1219 E. Kentucky 1225-1229 E. Kentucky 1249 E. Kentucky	Industrial	Industrial	Corridor Mixed Use with Light Industrial Flex	Industrial with Light Industrial Flex	Mix of multi-tenant, light industrial buildings and yards such as: Stabler Appliance Platt Electric Precision Canning Equipment J Garcia Staffing Sina Bakery Farmer Bros Co Z Specialty North Coast Energy Lyle's Marine Monley Hamlin Inc Woodland Draper Manuf Wilkinsons International Valley Hydraulics and Machine
6. Northeast Corner of Lincoln Avenue and Cleveland Street					
430-460 Cleveland 177-181 Lincoln	General Commercial	General Commercial C-2	Low Density Residential	Corridor Mixed Use-West Main	
7. 101 Court Street – Fire Station No 1					
101 Court Street	General Commercial	General Commercial C-2	Community Commercial	Public / Quasi Public	Fire Station No. 1
8. 1619 West Street – Fire Station No					
1619 West Street	Low Density Residential	Single Family (R-1)	Low Density Residential	Public / Quasi Public	Fire Station No. 2

Attachment D
List of Affected Properties and Assessors Parcel Numbers

Property Location	APNs	Owners
Amendment #1		
420 Grand Avenue	006-023-001	Paula & Carla Ramstad & Ramstad Rev Liv Trust
Amendment #2		
25-31 W. Lincoln Avenue	065-250-043	LD Enterprises LLC
49 W. Lincoln Avenue	065-250-020	Keys Trust
59 W. Lincoln Avenue	065-250-021	WYDA Park Investors & Colonial Terrace Senior Apts
77 Lincoln Avenue	065-250-046	County of Yolo
78 Lincoln Avenue	065-250-030	Foster Neal
Amendment #3		
802 -850 Lincoln Avenue	065-340-026	Senior Housing Associates, IV, LP
440 Ashley Avenue	065-010-032	Lincoln Gardens II
Amendment #4		
217 W. Kentucky Avenue	027-065-037	Jerrold & Maryann Bickle
Amendment #5		
538 N East Street	027-420-028	Ochoa Susan Trust
1215 Harter Avenue	027-420-015	Barajas Federico ETAL (vacant)
1202 Harter Avenue	027-420-021	Sran Bikramujit Singh (vacant)
0 N. East	027-420-019	Sran Bikramjit Singh
1214-1228 Harter Avenue	027-420-010	Janine Eaton Investments LP
1230 Harter Avenue	027-420-030	Ethan Conrad
1250 Harter Avenue	027-420-031	Ethan Conrad
460 Harter Avenue	027-420-032	460 Harter Avenue LLC
1249 E. Kentucky Avenue	027-420-004	Dahl Trust
1225-1229 E. Kentucky Avenue	027-420-025	Currie Family Rev Trust
1219 E Kentucky Avenue	027-420-003	Thomson Trust ETAL
1207 E. Kentucky Avenue	027-420-002	Thomson Trust
Amendment #6		
430-446 Cleveland Street	006-025-018	St Johns United Church of Christ
460 Cleveland Street	006-025-019	St Johns United Church of Christ
181 Lincoln Avenue	006-025-011	Stefan Cheng
177 Lincoln Avenue	006-025-016	Towse Rev Trust
Amendment #7		
101 Court Street	005-554-013	City of Woodland
Amendment #8		
1619 West Street	039-101-012	City of Woodland



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 17.
SUBJECT: Adopt Resolution to Approve Subordination Agreement with River City Bank

Recommendation for Action:

Staff recommends that the City Council adopt Resolution No. _____, authorizing the Mayor to execute a subordination agreement with River City Bank which subordinates the City loan to Valley Clean Energy Alliance to the River City Bank Line of Credit given to Valley Clean Energy Alliance.

Staff Contact:

Ken Loman, Environmental Sustainability Manager, (530) 661-2060, Ken.Loman@cityofwoodland.org

Fiscal Impact:

The VCE is expected to commence providing electric power to member agency customers on June 1, 2018 and has set its electric generation rates at 2.5% below rates charged by PG&E. This is expected to result in estimated savings of \$25,000 - \$30,000 per year in City electricity costs.

The recommended action of subordination may lengthen the term of repayment of the City's \$500,000 start-up loan to the VCE. The loan was made in 2017 with the expectation that it would repaid, with interest, within a period of 3-5 years. The recommended subordination agreement allows River City Bank to be paid in full before VCE begins repayment of the start-up loans provided by the City and the other participating jurisdictions.

Background:

VCE was formed in January 2017 as a joint powers agency (JPA) between the County of Yolo and the City of Davis to provide Community Choice Energy (CCE) programs within the member agencies. The City of Woodland joined the VCE in June of 2017.

VCE initially solicited start-up capital through a seed loan of \$500,000 from each member agency. When the City of Woodland joined the VCE, it authorized such a loan, with the understanding that the loan would be "fully reimbursable once the CCE program is operational and generating revenues" (City Council Resolution 6842, dated May 16, 2017).

In addition to the seed loan, the member agencies also entered into co-operative agreements providing contracted staff and supplies during the implementation period. The implementation period of the JPA will continue until June 2018 when VCE begins providing electricity service to customers. Per the Cooperation Agreement between the City and VCE, and Section 5.3.2 of the JPA Agreement, the City's start-up loan will be paid back with a simple interest rate of Average Yield plus one percent (1%) per annum.

At its April 17th meeting, the City Council received a report from VCEA staff outlining program activities, achievement of power supply procurement objectives and rate structure established by the VCEA Board (see attachment 3). At the same meeting, the City Council deferred action on the proposed subordination agreement, requesting that this action be brought back for Council consideration at the meeting of May 1, 2018.

Discussion:

VCE is currently finalizing a Credit Agreement with River City Bank to provide up to \$11 million as a revolving line of credit, primarily to fund power purchases as part of administering CCE programs. The revolving line of credit terminates

after twelve months, with an optional six-month extension, for a total term of up to 18 months. At the end of its term, the revolving line of credit maybe converted to a five-year, fixed-term loan. VCE's indebtedness to River City Bank from the initial revolving line of credit, therefore, could last a maximum of six and one-half years.

Due to the risk of forming a new government agency and as is standard in commercial banking, River City Bank requested that the member agencies subordinate (see attached subordination agreement) repayment of their member agency seed loans and billing under the Cooperation Agreement to the River City Bank line of credit. Under the Subordination Agreement, the City's interests would be subordinated for a maximum period of six and a half years.

Since VCE will not have a revenue stream until shortly after launch in June 2018, it is standard in commercial banking for the lender to request that the member agencies (City of Davis, City of Woodland, and County of Yolo), subordinate the loans made by the member agencies to VCE to the River City Bank Line of Credit and related Loan. The Bank's request for subordination was anticipated since VCE's inception, and therefore staff are recommending that the Council continue to support VCE through the approval of the Subordination agreement. However, staff also recommends that at the end of the initial 18 month term, the VCE evaluate the implications of converting the line of credit to a five-year fixed loan relative to the timing of refunding member agency seed loans.

The proposed Subordination Agreement, which was reviewed and approved as to form by the City Attorney's office, is included as Attachment 2. The timeline for consideration of the subordination agreement and line of credit approval is as follows:

- Subordination of Member Agencies
 - April 10 - City of Davis Council Meeting
 - April 24 - County of Yolo Board of Supervisors Meeting
 - May 1 - City of Woodland Council Meeting
- Approval of Final LOC Loan Documents
 - April 25 - VCE Board of Directors meeting

Conclusion:

Staff recommends that the City Council adopt Resolution No. _____, authorizing the Mayor to execute a subordination agreement with River City Bank which subordinates the City loan to Valley Clean Energy Alliance to the River City Bank Line of Credit given to Valley Clean Energy Alliance.

Prepared By: Ken Loman, Environmental Sustainability Manager

Reviewed By: Johanna Currie, Acting Public Works Director



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
Resolution	4/9/2018	Resolution
Subordination Agreement	4/9/2018	Agreement

CITY OF WOODLAND

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SUBORDINATION AGREEMENT WITH RIVER CITY BANK WHICH SUBORDINATES THE CITY LOAN TO VALLEY CLEAN ENERGY ALLIANCE TO THE RIVER CITY BANK LINE OF CREDIT GIVEN TO VALLEY CLEAN ENERGY ALLIANCE

WHEREAS, the Valley Clean Energy (“VCE”) was formed in 2017 as a joint powers agency between the County of Yolo and the City of Davis and the City of Woodland to provide Community Choice Energy (CCE) programs within the member agencies; and

WHEREAS, VCE received startup capital through a loan from each member agency of \$500,000 for a total contribution of cash of \$1,500,000; and

WHEREAS, VCE solicited for competitive bids in April 2017 for banking and credit services to support initial power procurements and selected River City Bank in December 2017 as its banking and credit services provider; and

WHEREAS, in March 2018 River City Bank conditionally approved a line of credit for VCE for up to \$11 million to fund power purchases as part of administrating the CCE program; and

WHEREAS, Since VCE will not have a revenue stream until shortly after launch in June 2018, consistent with standard commercial banking practices, River City Bank is requesting that the member agencies (City of Davis, City of Woodland, and County of Yolo), subordinate the loans made by the member agencies to VCE to the River City Bank line of credit and related loan; and

WHEREAS, the City of Davis and Yolo County are scheduled to consider execution of the same subordination agreements with River City Bank during the month of April 2018.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodland that:

1. The Mayor or his designee is hereby authorized to take all actions necessary by the City of Woodland to execute a subordination agreement in substantial conformance with the attached subordination agreement with River City Bank which subordinates the City loan to VCE to the River City Bank line of credit given to VCE; and
2. The City Manager or his designee, in consultation with the City Attorney, may approve minor modifications to the attached subordination agreement prior to signature by the Mayor or his designee so long as the terms do not change.

PASSED AND ADOPTED this 17th day of April 2018, by the following vote:

AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:

ABSTAIN: Council Members:

Enrique Fernandez, Mayor

ATTEST:

Ana Gonzalez, City Clerk

SUBORDINATION AGREEMENT

River City Bank (the “*Lender*”) and the other parties signatories hereto (each, a “*Subordinated Creditor*” and collectively, the “*Subordinated Creditors*”), agree, effective, April 25, 2018, as follows:

Section 1. Background and Purpose.

1.1 The Lender is making a loan to the Valley Clean Energy Alliance (VCEA) a public agency formed under the provisions of the Joint Exercise of Powers Act of the State of California, Government Code Section 6500 et. seq. (the “*Obligor*”), pursuant to that certain Credit Agreement dated as of the date hereof (as modified, amended, restated or replaced from time to time, the “*Senior Loan Agreement*”). The loan is evidenced by a Senior Note in the original principal balance of \$11,000,000.00 (the “*Senior Note*”). The Obligor is currently indebted to the Subordinated Creditors as set forth on **Schedule 1** attached hereto and incorporated herein (as the same may be amended, modified or refinanced, “*Subordinated Debt*”). The Lender and the Subordinated Creditors desire to enter into this Agreement to effectuate the subordination of the Subordinated Debt to the Senior Debt (as defined below). Capitalized terms used, but not otherwise defined, in this Subordination Agreement shall have the meanings ascribed to them in the Senior Loan Agreement.

Section 2. Subordination.

2.1 Each Subordinated Creditor hereby irrevocably subordinates, in accordance with the terms hereof, the payment and performance of the Subordinated Debt by the Obligor to it, to the prior payment and performance in full of all of the obligations specified in the Senior Loan Agreement and the Senior Note (collectively, the “*Senior Debt*”). Each Subordinated Creditor acknowledges that it has been represented by counsel in connection with the transactions that are the subject of this Subordination Agreement. This Subordination Agreement shall be effective as to a Subordinated Creditor when such Subordinated Creditor signs this Subordination Agreement and execution by all Subordinated Creditors is not a condition to such effectiveness.

2.2 Under no circumstances will the Senior Debt be deemed to have been paid in full unless and until such time as, and when used in this Subordination Agreement with respect to the Senior Debt, the words “paid in full,” “payment in full,” and similar phrases shall mean that, the Lender has received payment, in immediately available funds, of 100% of all outstanding Senior Debt, and all of the Lender’s obligations to extend credit under the Senior Loan Agreement have terminated.

2.3 The Subordinated Debt is subordinated in right of payment to the Senior Debt in accordance with this Agreement. Each Subordinated Creditor agrees to make appropriate entries in its books and records and stamp all Subordinated Debt documents evidencing the Subordinated Debt with the following legend:

“The indebtedness evidenced by this instrument is subordinated to the prior payment in full of the Senior Debt (as defined in the Subordination Agreement hereinafter referred to) pursuant to, and to the extent provided in, the Subordination Agreement effective as of April 25, 2018 by the maker hereof and payee named herein in favor of River City Bank.”

Section 3. Payments.

3.1 Until the payment in full of the Senior Debt, without the prior written consent of the Lender (which consent the Lender may refuse to give for any or no reason), under no circumstances will any Subordinated Creditor, directly or indirectly, take any action to enforce payment of or to collect the whole or any part of the Subordinated Debt or enforce any of the rights and remedies available to the Subordinated Creditor, other than in the manner and to the extent permitted by Section 4 hereof, or ask, demand, take or receive any collateral, mortgages or other security from the Obligor in respect of the Subordinated Debt. Any amounts paid by the Obligor to a Subordinated Creditor in violation of the terms of this Subordination Agreement shall be held by such Subordinated Creditor in trust and promptly paid over to the Lender for application to the Senior Debt in accordance with the Senior Loan Agreement.

3.2 Notwithstanding anything to the contrary contained in this Subordination Agreement, each Subordinated Creditor agrees that it will not, without the Lender’s prior written consent (which the Lender may refuse to give for any or no reason), directly or indirectly permit the modification or amendment of any of the terms or provisions, as they exist on the date hereof, of the note reflecting the Subordinated Debt (“*Subordinated Note*”), to the extent that any such modification or amendment would (a) result in any increase in the amount of the Subordinated Debt, (b) increase the amount, or accelerate the due date, of any payment or distribution in respect of the Subordinated Debt.

Section 4. Allowable Payments.

4.1 Subject to other applicable provisions of this Subordination Agreement, including, without limitation, those contained in Section 5 hereof, without the Lender’s prior written consent, the Obligor may not make, and a Subordinated Creditor may not accept from the Obligor, any payment in respect of the Subordinated Debt.

4.2 Notwithstanding anything to the contrary in this Subordination Agreement, the Obligor may set-off against amounts payable in respect of Subordinated Debt under the circumstances set forth or referenced in any documentation of such Subordinated Debt.

Section 5. Readjustment. Each Subordinated Creditor further agrees that, upon any distribution of the assets or readjustment of the indebtedness of the Obligor, whether by reason of liquidation, composition, bankruptcy, arrangement, receivership, assignment for the benefit of creditors, or any other action or proceeding involving the readjustment of all or any of the Subordinated Debt, or the application of the property of the Obligor to the payment or liquidation thereof, the Lender, in any such instance, shall be entitled to receive payment in full of the Senior Debt prior to the payment of all or any part of the Subordinated Debt.

Section 6. Bankruptcy Issues. To the extent that the Obligor makes a payment to the Lender, which payment(s) (or any part thereof) subsequently are voided, invalidated, declared to be fraudulent or preferential, set aside, or required to be repaid to a trustee, receiver, or any other person or entity pursuant to Chapter 11 of Title 11 of the United States Code (11 U.S.C. § 101 *et seq.*) (the “*Bankruptcy Code*”), any other bankruptcy act, state or federal law, common law or equitable cause (“*Insolvency Law*”), then, to the extent any such payment(s) or proceeds are repaid by the Lender, the Senior Debt (or the part that was intended to be satisfied) will be revived for all purposes of this Subordination Agreement and will continue in full force and effect, as if such payment or proceeds had not been received by the Lender.

Section 7. Waivers. Each Subordinated Creditor hereby waives until the Senior Debt is paid in full any and all rights at law or in equity to subrogation, reimbursement or set off or any other rights which such Subordinated Creditor may have or hereafter acquire against the Obligor in connection with or as a result of such Subordinated Creditor’s execution, delivery and/or performance of this Subordination Agreement.

Section 8. Attorney-In-Fact. Each Subordinated Creditor irrevocably appoints the Lender as its attorney-in-fact, with full power of substitution, in either the Lender’s name or such Subordinated Creditor’s name, to do the following (but the Lender shall have no obligation to do so): (a) endorse and collect all checks, drafts, other payment orders and instruments representing or included in, any payment, dividend or distribution relating to, the Subordinated Debt or any Collateral securing the Subordinated Debt; (b) take any action to enforce, collect or compromise any of the Subordinated Debt; (c) exercise any other right, remedy, privilege or option of such Subordinated Creditor pertaining to any Subordinated Debt or Subordinated Debt documents;

(d) take any actions or institute any proceedings that the Lender determines to be necessary or appropriate to collect or preserve the Subordinated Debt or any Collateral for the Subordinated Debt; (e) execute in the name of or otherwise authenticate on behalf of such Subordinated Creditor any record reasonably believed necessary or appropriate by the Lender for compliance with laws, rules or regulations applicable to any Subordinated Debt or any Collateral for the Subordinated Debt, or in connection with exercising the Lender’s rights under this Agreement; and (f) execute and file claims, proofs of claim or other documents, and to take any other action regarding all or any part of the Subordinated Debt necessary or appropriate to insure payment to and receipt by the Lender of all payments, dividends and other distributions on account of the Subordinated Debt, instruments evidencing the Subordinated Debt, or any Collateral for the Subordinated Debt. This appointment is irrevocable and coupled with an interest and shall survive the dissolution or disability of such Subordinated Creditor. Notwithstanding the foregoing, the Lender shall not be liable to any Subordinated Creditor for any failure (i) to prove the existence, amount, or circumstances of the Subordinated Debt; (ii) to exercise any right related to the Subordinated Debt; or (iii) to collect any sums payable on or distributions attributable to, the Subordinated Debt.

Section 9. Representations and Warranties. Each Subordinated Creditor represents and warrants to the Lender as follows: (a) the execution, delivery and performance of this Agreement and each of the Subordinated Debt documents now outstanding (true and complete copies of which have been furnished to the Lender) have been duly authorized by all necessary action, are within the power and authority of the Subordinated Creditor and do not and will not

(i) contravene the articles, charter, bylaws, partnership agreement, operating agreement, regulations or other organic documents, if any, establishing or governing such Subordinated Creditor, any applicable law or governmental regulation or any contractual restriction binding on or affecting such Subordinated Creditor or any of their respective properties, (ii) result in or require the creation of any lien upon or with respect to any of such Subordinated Creditor's properties or (iii) violate the rights of any person or entity; (b) this Agreement and each of the Subordinated Debt documents are legal, valid and binding obligations of such Subordinated Creditor, enforceable against such Subordinated Creditor in accordance with their respective terms except as limited by bankruptcy, insolvency or other laws of general application relating to the enforcement of creditors' rights and by general equitable principles; (c) there exists no default, event of default, or event which with the passage of time, the giving of notice or both may result in a default or event of default under the Subordinated Debt or any Subordinated Debt documents or any event or occurrence that gives a Subordinated Creditor the right to terminate a commitment, refuse to make an advance, accelerate a maturity with or without notice or the passage of time; and (d) if such Subordinated Creditor is an entity, that entity is and will remain duly organized, validly existing and in good standing under the laws of the jurisdiction of its incorporation, organization or formation and in good standing in the jurisdictions in which it is doing business. Each Subordinated Creditor further represents and warrants to the Lender as follows: (A) such Subordinated Creditor owns and holds the Subordinated Debt now outstanding free and clear of any lien that has not been disclosed in writing by such Subordinated Creditor to the Lender; (B) such Subordinated Creditor is now solvent, the execution, delivery and performance of this Agreement will benefit such Subordinated Creditor directly or indirectly and such Subordinated Creditor has and will receive fair and reasonably equivalent value for the obligations undertaken in this Agreement; (C) such Subordinated Creditor has (1) without reliance on the Lender or any information received from the Lender and based upon the documents and information such Subordinated Creditor deems appropriate, made an independent investigation of the transactions contemplated by this Agreement and the Borrower, the Borrower's business, assets, operations, prospects and condition, financial or otherwise, and any circumstances that may bear upon those transactions, the Borrower or the obligations and risks undertaken in this Agreement with respect to the Senior Debt; (2) adequate means to obtain from the Borrower on a continuing basis information concerning the Senior Debt and the Lender has no duty to provide to such Subordinated Creditor any information; (3) full and complete access by and through the Borrower to the Lender's loan documents; (4) not relied and will not rely upon any representations or warranties of the Lender not embodied in this Agreement or any acts taken by the Lender (including but not limited to any review by the Lender of the affairs of the Borrower) prior to or after the date of this Agreement; (D) such Subordinated Creditor is the sole holder of the Subordinated Debt with full power to make the subordinations set forth in this Agreement; and (E) such Subordinated Creditor has not made or permitted any assignment or transfer, as security or otherwise, of the Subordinated Debt, any Subordinated Debt documents or of any of the Collateral securing the Subordinated Debt, and such Subordinated Creditor shall not do so except in favor of the Lender as long as this Agreement remains in effect.

Section 10. Successors and Assigns. This Subordination Agreement immediately shall be binding on each Subordinated Creditor and on its heirs, representatives and assigns, and shall inure to the benefit of the Lender and its successors and assigns. Whenever reference is made in this Subordination Agreement to the Obligor, such term shall include any successor or

assign of the Obligor, including, without limitation, a receiver, trustee, or debtor or debtor-in- possession under the Bankruptcy Code.

Section 11. Notices. Any notice required or permitted hereunder shall be given in writing by personal delivery, by overnight delivery through a recognized courier service, by certified U.S. mail, or by telecopier (fax) (i) as to a Subordinated Creditor, by giving such notice to such Subordinated Creditor at the address set forth below such Subordinated Creditor's signature hereon, and (ii) as to the Lender, by giving such notice to the Lender at the address set forth below its signature hereon. All such notices shall be deemed to have been received on the date given, except that any such notice given by overnight delivery will be deemed to have been received on the next business day after such notice was delivered to such a carrier for delivery, and any such notice given by certified U.S. mail will be deemed to have been received three days after such notice was deposited in the U.S. mails, postage prepaid.

Section 12. Governing Law. THIS SUBORDINATION AGREEMENT SHALL BE GOVERNED BY CALIFORNIA LAW (WITHOUT REGARD TO ANY JURISDICTION'S CONFLICT OF LAWS PRINCIPLES). EACH SUBORDINATED CREDITOR AND THE LENDER EACH WAIVES TRIAL BY JURY WITH RESPECT TO ANY ACTION, CLAIM, SUIT OR PROCEEDING IN RESPECT OF OR ARISING OUT OF THIS SUBORDINATION AGREEMENT. This is a "Subordination Agreement" within the meaning of Section 510(a) of the Bankruptcy Code and shall be interpreted and construed accordingly in any proceeding under the Bankruptcy Code.

Section 13. Counterparts. This Agreement may be executed in any number of counterparts with the same effect as if the parties had all signed the same document. All counterparts shall be construed together and shall constitute one agreement.

[Remainder of this Page Intentionally Left Blank]

IN WITNESS WHEREOF, the undersigned has caused this Subordination Agreement to be executed as of the Effective Date.

City of Woodland

By: _____

Name: _____

Title: _____

Address for notice and service of process:

RIVER CITY BANK, as Lender

By: _____

Name: _____

Title: _____

Address for notice and service of process: River

City Bank
2485 Natomas Park Drive, Suite 100
Sacramento, CA 95833
Attention: Loan Center
Fax: (916) 567-2780

SCHEDULE 1

Subordinated Funding Costs

JPA Member	Amount
City of Davis	\$ 500,000
City of Woodland	500,000
County of Yolo	500,000
Total	\$ 1,500,000

ACKNOWLEDGMENT

The Valley Clean Energy Alliance, a public agency formed under the provisions of the Joint Exercise of Powers Act of the State of California, Government Code Section 6500 et. seq. (the “*Company*”), acknowledges receipt of a copy of the Subordination Agreement by and between River City Bank (the “*Lender*”), and the cities and counties parties thereto (each a “*Subordinated Creditor*”), dated as of April 25, 2018 (as amended from time to time, the “*Subordination Agreement*”), and agrees that: (a) it will not: (i) except to the extent permitted by the Subordination Agreement, pay any of the Subordinated Debt until the payment in full of the Senior Debt, (ii) provide any security or collateral for any of Subordinated Debt until the payment in full of the Senior Debt, or (iii) take or omit from taking any action that would cause a breach of the Subordination Agreement; (b) neither the Company nor any of its successors or assignees, by operation of law or otherwise, is a party to the Subordination Agreement, and neither the Company nor any of its successors or assignees will have: (i) any right in, or to enforcement of, the Subordination Agreement as against the Lender or a Subordinated Creditor, any claim of damage if the Lender or a Subordinated Creditor defaults under the Subordination Agreement, or (iii) any right to object to any amendment, modification, or supplement to, or any restatement or replacement of, the Subordination Agreement that is agreed upon by a Subordinated Creditor and the Lender; and (c) none of the provisions of the Subordination Agreement limit or impair the Lender’s rights against the Company or its successors and assigns or any of their respective obligations, indebtedness, or liabilities to the Lender under the Senior Loan Agreement, any related documents, or otherwise.

All capitalized terms used in this Acknowledgment that are defined in the Subordination Agreement and not otherwise defined in this Acknowledgment have the meanings specified in the Subordination Agreement.

IN WITNESS WHEREOF, the Company has executed and delivered this Acknowledgement to the Lender as of the Effective Date.

Valley Clean Energy Alliance

By: _____

Name: Mitch Sears

Title: Interim General Manager

By: _____

Name: Lucas Frerichs

Title: Chairman, Board of Directors



CES 18-001

To: Mitch Sears, Valley Clean Energy Alliance

From: Sacramento Municipal Utility District

Date: April 3, 2018

RE: Power Provider Statement

This memo is to confirm that SMUD has successfully procured Valley Clean Energy Alliance's power supply for 2018 with the targeted power mix that the VCEA Board established at its December 14, 2017 meeting. The Board set a targeted portfolio mix of 42% Renewable Power, and 33% large hydro for a total clean power content of 75% for VCEA's default power portfolio. Additionally, the Board set a targeted rate discount of 2% below PG&E's generation rates.

Completion of Procurement at Targeted Mix

SMUD procured the specified targeted portfolio power for 2018, and was able to secure this power for \$26.53M, very close to the expected budget of \$26.45M, (only 3 tenths of a percent above budget). With the improved revenues that are expected due to a larger PG&E rate increase than expected, VCEA's financial picture improved. And as you are aware, on March 22, 2018 the Board approved a 2.5% discount to PG&E's generation rates, exceeding the targeted 2% rate discount set in December.

Comparison with PG&E Mix

The most recent verified PG&E portfolio content mix is published in its 2016 Power Content Label, prepared and submitted in accordance with CEC guidelines. PG&E's 2016 Power Content Label is attached. Table 1 below summarizes the comparison between VCEA's power mix for 2018, and PG&E's 2016 Power Content Label.

Table 1. Power Content Comparison

	PG&E 2016 Power	VCEA Planned 2018 Power Mix
"Clean" Power Resources		
Renewables	33%	42%
Large Hydro	12%	33%
Nuclear	24%	0%
Total Clean	69%	75%
Other Resources		
Natural Gas	17%	0%
Unspecified Sources	14%	25%
Total Other	31%	25%
Grand Total	100%	100%

Additionally, SMUD has produced an estimate of the carbon intensity of VCEA's 2018 power portfolio shown in Table 2 below.

Table 2. Carbon Intensity

VCEA 2018 Carbon Intensity Estimate			
	Content	CO2 Emissions	Contribution to Total
Renewable ¹	42%	0 lb/MWh	0 lb/MWh
Large Hydro ²	33%	0 lb/MWh	0 lb/MWh
Unspecified Market Power ³	25%	962 lb/MWh	241 lb/MWh
Total	100%		241 lb/MWh
Assumptions:			
1 Assumes renewable power will have no associated net carbon emissions.			
2 Assumes Large Hydro will have no associated net carbon emissions.			
3 California Air Resource Board's calculation for emissions from Unspecified Sources of Power has an emission factor of 0.428 MT CO2/MWh, in addition to a transmission loss adjustment of 1.02. Converted to lbs/MWh, that equates to 962 lb/MWh. Source: Regulation for the Mandatory Reporting of Greenhouse Gas Emissions, Title 17, California Code of Regulations.			

In a recent press release, PG&E self-reported that it had a carbon intensity of 294 lb/MWh in 2016, which was recently verified by The Carbon Registry. The press release can be viewed at:

<http://www.pgecurrents.com/2018/03/26/independent-registry-confirms-record-low-carbon-emissions-for-pge/>

Attachment

2016 PG&E Power Content Label

Version: September 2017

2016 POWER CONTENT LABEL		
Pacific Gas and Electric Company		
ENERGY RESOURCES	Power Mix	2016 CA Power Mix**
Eligible Renewable	33%	25%
Biomass & biowaste	4%	2%
Geothermal	5%	4%
Eligible hydroelectric	3%	2%
Solar	13%	8%
Wind	8%	9%
Coal	0%	4%
Large Hydroelectric	12%	10%
Natural Gas	17%	37%
Nuclear	24%	9%
Other	0%	0%
Unspecified sources of power*	14%	15%
TOTAL	100%	100%
* "Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.		
** Percentages are estimated annually by the California Energy Commission based on the electricity sold to California consumers during the identified year.		
For specific information about this electricity product, contact:	Pacific Gas and Electric Company 415-973-0640	
For general information about the Power Content Label, please visit:	http://www.energy.ca.gov/pcl/	
For additional questions, please contact the California Energy Commission at:	844-454-2906 psdprogram@energy.ca.gov	



TO: THE HONORABLE MAYOR AND CITY COUNCIL
DATE: May 1, 2018
ITEM #: 18.
SUBJECT: Considerations of Position on Statewide Ballot Measures

Recommendation for Action:

Staff recommends that the City Council establish formal positions on selected ballot measures appearing, or expected to appear, on the June and November statewide ballot.

Staff Contact:

Paul Navazio, City Manager, (530) 661-5800, paul.navazio@cityofwoodland.org

Fiscal Impact:

While there is no direct fiscal impact of the recommendations contained in this staff report, several of the statewide ballot measures discussed in this report would have significant impacts on existing and potential future revenue sources available to the city to meet critical infrastructure and program needs.

- SB 1 / Transportation Funding - The City of Woodland is projected to receive \$13 million over ten years from new revenues established by SB 1's transportation funding framework. These funds will supplement local revenues (Measure E/F) allocated in support of annual road maintenance projects and major road rehabilitation projects such as Matmor Road (Main to Gibson) and Gum Avenue (East Street to Matmor Road). Additional funding is also available through a range of competitive targeted grant programs.
- Voter-Approved Tax Measures - The City currently has two voter-approved general sales tax measures (Measure J and Measure E/F) that together provide in excess of \$6 million annually in support of road maintenance, parks capital improvements, public safety, library and youth programming. These measures have been successfully established and extended by a majority vote of the electorate. An initiative heading toward the November ballot would increase the required threshold for passage of such tax measures from 50% to a 66.7% (super-majority) vote.

Report in Brief:

This report presents a summary of selected ballot measures appearing on the June 2018 statewide Primary Election ballot as well as measures that appear poised to qualify for the November 2018 General Election ballot. In addition, several bills have been introduced for which have the potential to directly impact local residents and policy areas established as priorities by the City Council.

The following summarizes the recommendations contained in this report:

June 2018 Primary Election - Statewide Ballot Measures:

Support:

- Proposition 68 - \$4 Billion Bond Measure: Parks, Natural Resources Protection, Climate Adaptation, Water Quality and Supply and Flood Protection
- Proposition 69 - Constitutional Amendment: Protects New Transportation Revenues for Transportation Purposes

November 2018 General Election - Statewide Ballot Measures

Support:

- Housing Bond (SB 3, Beall) - \$4 Billion Bond Measure: Veterans and Affordable Housing

Oppose:

- Repeal of SB 1 - Initiative measure to repeal new transportation revenues enacted by the Legislature and Governor in support of street, roads, bridges and highways.
- Tax Fairness, Transparency and Accountability Act of 2018 - Initiative that would require a two-thirds super-majority vote for all local tax measures, retroactive to January 2018.

Background:

Proposition 68, formerly SB 5, (Chapter 852, statutes of 2017 (DeLeon), would authorize a \$4 billion bond to address the state's most important water, parks and natural resource needs. Each city will be receive per-capita funding of at least \$200,000 and be eligible to apply for millions of dollars in grants for parks and water infrastructure.

Proposition 69, formerly ACA 5 (Chapter 30, statutes of 2017, Fraizer) extends some of the same protections that other transportation revenues already have under the California Constitution. This measure would prohibit the Legislature from diverting new transportation funds for other purposes. It extends constitutional protections to new revenues generated by SB 1 that are not currently protected and guarantees that transportation funds can only be used for transportation improvement purposes. There is also a proposed ballot measure aimed for the November 2018 ballot (Attorney General #17-0033) that would repeal the new transportation revenues provided by SB 1 and make it more difficult to increase funding for state and local transportation improvements in the future

Housing Bond - SB 3 (Beall), Chapter 365, statutes of 2017, would provide for a \$4 billion general obligation bond to fund affordable housing programs and the veterans homeownership program (CalVet).

The "Tax Fairness, Transparency and Accountability Act" would drastically limit local revenue authority. In part, it eliminates local authority to impose a tax for general purposes by majority vote and instead requires all local proposed tax increases subject to a two-thirds vote. This proposal also requires two-thirds approval of all members of the local legislative body before a tax can be placed on the ballot. It also requires that a tax contained in a regulation adopted by a state agency must be approved by two-third vote of the Legislature. For cities and other local agencies, it applies retroactively and may void some local measures approved by local voters on or after Jan. 1, 2018.



Paul Navazio, City Manager

ATTACHMENTS:

Description	Upload Date	Type
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Prop 68 - Parks, Water, Flood Control Bond	4/26/2018	Backup Material
Prop 68 - Resolution	4/26/2018	Resolution
Prop 69 - Protection of Transportation Funding	4/26/2018	Backup Material
Prop 69_ Oppose SB 1 Repeal Resolution	4/26/2018	Cover Memo
Housing Bond Summary	4/26/2018	Backup Material
Housing Bond Resolution	4/26/2018	Resolution
OPPOSE TFTA 2018 Resolution	4/26/2018	Resolution

**SB 5 (de Leon) California Drought, Water, Parks, Climate, Coastal Protection, and
Outdoor Access For All Act of 2018
Chapter 852, Statutes of 2017 (Urgency)**

SB 5 (De Leon) places a \$4 billion bond on the June 2018 statewide ballot for parks, water, and climate and environmental programs. If the voters approve SB 5, local governments will receive funding for local park improvements and will be eligible for numerous grants to fund water, local parks, coastal and climate resiliency projects. The following is breakdown of funding in bond:

Parks Funding (Total \$1.283 billion)

- \$725 million for competitive grants for safe neighborhood parks
- \$200 million for per capita grants to cities, counties, and parks districts for local park improvement and rehabilitation
- \$15 million for competitive grants to urbanized counties
- \$30 million for competitive grants for state park facilities in regional parks districts
- \$40 million for per capita grants to local agencies that obtained voter approval for revenue measures between November 1, 2012 and November 30, 2016
- \$218 million for restoration of existing state park facilities, including \$5 million for urgent needs of local agencies that operate a unit of the state park system
- \$30 million for competitive grants for non-motorized infrastructure development
- \$25 million for competitive grants through the Roberti-Z'Berg-Harris (RZH) Urban Open Space and Recreation Program

Water Funding (Total \$1.19 billion)

- \$250 million for competitive grants for clean drinking water programs
- \$550 million for flood protection and repair, including \$100 million for stormwater, mudslide and flash-flood-related protections and \$100 million for multibenefit flood management projects and storm water capture in urbanized areas
- \$290 million for competitive grants and loans for drought and groundwater regional sustainability
- \$100 million for grants or loans for water recycling programs

Climate and Environmental Programs Funding (Total \$1.547 billion)

- \$443 million for competitive grants for climate adaptation and resiliency programs
- \$162 million for the California River Parkways Program for grants to enhance urban creeks
- \$567 million for state conservancies and the Wildlife Conservation Board
- \$200 million for Salton Sea restoration activities and habitat
- \$175 million for coastal and ocean protection resources, including \$30 million for grants for lower cost coastal accommodations

RESOLUTION NO. ____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND IN
SUPPORT OF PROPOSITION 68, THE CALIFORNIA DROUGHT, WATER, PARKS,
CLIMATE, COASTAL PROTECTION and OUTDOOR ACCESS FOR ALL ACT OF
2018, APPEARING ON THE JUNE 2018 STATEWIDE BALLOT**

WHEREAS, the Legislature adopted and governor signed SB 5, a \$4 Billion General Obligation Bond to be placed on the June 2018 ballot entitled the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018; and

WHEREAS, SB 5 represents the first legislatively authorized debt instrument for parks, resources and environmental improvements since 2002; and

WHEREAS, investments in California's urban, suburban and rural park and resources-related landscapes promote the notion of community and provide health, environmental and aesthetic benefits; and

WHEREAS, cities are eligible for at least \$1.69 billion in funding for parks, water, and climate and environmental programs; and

WHEREAS, SB 5 contains \$200 million in per capita funding to assist all of California's communities in underwriting priority park-related improvements; and

WHEREAS, SB 5 includes an additional \$15 million for grants to cities and districts in urbanized counties providing park and recreation services within jurisdictions of 200,000 or less in population; and

WHEREAS, SB 5 contains an additional \$40 million shall be available in block grant awards for communities that self-tax for park related improvements; and

WHEREAS, SB 5 invests \$725 million in grants for the creation and expansion of safe neighborhood parks in park-poor neighborhoods under the Statewide Park Development and Community Revitalization Act of 2008's; and

WHEREAS, SB 5 invests no less than \$1 billion in California's most economically challenged communities, eradicating blight and promoting greater access to the outdoors and health-related pursuits; and

WHEREAS, SB 5 expends \$200 million on California's State Park system, addressing a greater than \$1 billion backlog in deferred maintenance which will translate into greater tourism and visitor opportunities in adjacent communities; and

WHEREAS, SB 5 invests \$30 million in trail network improvements promoting non-motorized recreational and commuter opportunities throughout the state; and

WHEREAS, SB 5 expends hundreds of millions on other important investments in resource-related infrastructure including California's rivers, coast, and other waterways; and

WHEREAS, SB 5 invests hundreds of millions toward combatting global warming through investments in urban greening projects, promoting healthy forests and carbon farming applications; and

WHEREAS, SB 5 underwrites \$250 million in investments in improving local water systems, and providing safe and reliable drinking water to all Californians; and

WHEREAS, SB 5 spends \$80 million in competitive grants for treatment and remediation to promote access to safe drinking water in some of California's most economically challenged communities; and

WHEREAS, SB 5 underwrites improvements in the state flood management systems, armoring against calamities that beset the state including Oroville and elsewhere.

NOW, THEREFORE, BE IT RESOLVED, that the City of Woodland does hereby support Proposition 68, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 scheduled to appear on the June 2018 statewide ballot.

PASSED AND ADOPTED by the City Council this 1st day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

ACA 5 June 2018 Statewide General Election

In April, 2017, the Legislature adopted **SB 1 – The Road Repair and Accountability Act of 2017** and **Assembly Constitutional Amendment 5**. Among its many provisions, SB 1 increases the sales and use tax on diesel fuel and imposes a new transportation improvement fee. ACA 5 is a ballot measure that would amend the Constitution to protect revenues from the increased tax and new fee for transportation purposes only. Other revenue increases found in SB 1 are already protected for transportation purposes by Article XIX of the California Constitution.

The Public Transportation Account: This is a trust account in the State Transportation Fund currently protected by the State Constitution. Funds in the Public Transportation Account may only be used for transportation planning and mass transportation purposes. Funds cannot be loaned or transferred to the State General Fund or any other fund or account in the State Treasury. The state sales tax on motor vehicle fuel is deposited into the Public Transportation Account.

New Revenues from SB 1: SB 1 – the Road Repair and Accountability Act of 2017 increased the state sales tax on diesel fuel by 4%; and the state use tax on diesel fuel by 1.75%.

SB 1 also imposed a transportation improvement fee payable with an automobile registration. The fee ranges from \$25 for an automobile with a market value of \$4,999 to \$175 for an automobile with a market value of \$60,000. The fee is \$100 for an automobile with a market value between \$25,000 and \$34,999.

Protecting New Revenues from SB 1: ACA 5 is a measure on the June 2018 statewide ballot to amend the California Constitution. Majority voter approval is required to amend the Constitution. The amendment makes two changes to the Constitution:

- **New diesel fuel sales and use tax** must be deposited into the Public Transportation Account where their use is restricted for public transit services and capital improvements.
- **New transportation improvement fee** must be deposited into the Public Transportation Account where they can be used only for research, planning, construction, improvement, maintenance and operation of public streets and highways and public transportation systems.

The proposed constitutional amendment will ensure that the revenues from the increase in the diesel fuel sales and use tax and from the new transportation improvement fee will be deposited into the Public Transportation Account. The

Legislature cannot change how these funds are used once they are protected by the Constitution.

Frequently Asked Questions

Q1. When did the increase in sales tax on diesel fuel go into effect?

A1. November 1, 2017

Q2. When did the new transportation improvement fee go into effect?

A2. January 1, 2018

Q3. Does SB 1 require that the sales tax increase on diesel fuel be used for certain purposes?

A3. Yes. The Road Repair and Accountability Act of 2017 requires that:

- All but 0.5% of the total sales and use tax paid on diesel fuel be allocated to the State Transit Assistance Program for use by transportation planning agencies, county transportation commissions and the San Diego Metropolitan transit Development Board; and
- The remaining tax revenues (generated from 0.5%) be allocated for intercity rail and commuter rail for the state's three intercity rail corridors and for commuter rail services.

Q4. Does SB 1 require that the new transportation improvement fee be used for certain purposes?

A4. Yes. SB 1 - The Road Repair and Accountability Act of 2017 allocated these revenues for the following programs:

- State Transit Assistance Program
- Congested Corridor Program
- Road Maintenance and Rehabilitation Account for local street and road maintenance

Q5. Why was ACA 5 adopted by the Legislature when it passed SB 1?

A5. To ask the voters to amend the Constitution to ensure that the revenues from the diesel tax and the transportation improvement fee would be used for transportation planning, public transit, and transportation capital improvements.

Q6. What happens if ACA 5 does not pass on the June 2018 ballot?

A6. The Legislature can decide to use revenues from the sales tax increase on diesel fuel and the new transportation improvement fee for purposes other than research, planning, construction, improvement, maintenance, and operation of public streets and highways and public transportation systems.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND IN
SUPPORT OF PROPOSITION 69 APPEARING ON THE JUNE 2018 STATEWIDE
BALLOT AND OPPOSING THE REPEAL OF SB 1 TRANSPORTATION FUNDING**

WHEREAS, cities and counties own and operate more than 81 percent of streets and roads in California, and from the moment we open our front door to drive to work, bike to school, or walk to the bus station, people are dependent upon a safe, reliable local transportation network; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment, which provides critical analysis and information on the local transportation network's condition and funding needs, indicates that the condition of the local transportation network is deteriorating at an increasing rate; and

WHEREAS, cities and counties are facing a funding shortfall of \$73 billion over the next 10-years to repair and maintain in a good condition the local streets and roads system and the State Highway System has \$57 million worth of deferred maintenance; and

WHEREAS, SB 1 – the Road Repair and Accountability Act of 2017 – will raise approximately \$5.4 billion annually in long-term, dedicated transportation funding to rehabilitate and maintain local streets, roads, and highways, make critical, life-saving safety improvements, repair and replace aging bridges and culverts, reduce congestion and increase mobility options including bicycle and pedestrian facilities with the revenues split equally between state and local projects; and

WHEREAS, SB 1 is project to provide \$13 million over ten-years to the City of Woodland in support of critically-needed funding that will be used for annual streets and road maintenance and major road rehabilitation projects to include:

- Matmoor Road – Gum to Gibson
- Gibson Road – East to CR98
- Cross – East to West
- Kentucky – East to CR98
- Kentucky – Pioneer to CR102
- Pioneer – Main to N. City Limits
- Main – West to Walnut
- Beamer – East to CR102
- College – Gibson to Woodland
- West – Southwood to Lincoln
- West – Clover to Woodland

WHEREAS, SB 1 contains strong accountability and transparency provisions to ensure the public knows how their tax dollars are being invested and the corresponding benefits to their community including annual project lists that identify planned investments and annual expenditure reports that detail multi-year and completed projects; and

WHEREAS, SB 1 requires the State to cut bureaucratic redundancies and red tape to ensure transportation funds are spent efficiently and effectively, and also establishes the independent office of Transportation Inspector General to perform audits, improve efficiency and increase transparency; and

WHEREAS, Proposition 69 on the June 2018 ballot would add additional protections for taxpayers by preventing the State Legislature from diverting or raiding any new transportation revenues for non-transportation improvement purposes; and

WHEREAS, there is also a proposed ballot measure aimed for the November 2018 ballot (Attorney General #17-0033) that would repeal the new transportation revenues provided by SB 1 and make it more difficult to increase funding for state and local transportation improvements in the future; and

WHEREAS, this proposed November proposition would raid an estimated \$1.3 million annually dedicated to the City of Woodland, and halt critical investments in future transportation improvement projects in our community; and

THEREFORE BE IT RESOLVED, that the City of Woodland hereby supports Proposition 69, the June 2018 constitutional amendment to prevent new transportation funds from being diverted for non-transportation purposes; and

THEREFORE BE IT RESOLVED, that the City of Woodland hereby opposes the proposed November ballot proposition (Attorney General #17-0033) that would repeal the new transportation funds and make it more difficult to raise state and local transportation funds in the future; and

THEREFORE BE IT FURTHER RESOLVED, that the City of Woodland supports and can be listed as a member of the Coalition to Protect Local Transportation Improvements, a diverse coalition of local government, business, labor, transportation and other organizations throughout the state, in support of Proposition 69 and in opposition to the repeal of SB 1.

PASSED AND ADOPTED by the City Council this 1st day of May, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

SB 3 (Beall) Veterans and Affordable Housing Bond Act of 2018.
Chapter 365, Statutes of 2017

This measure places a \$4 billion general obligation bond on the November 2018 ballot to fund affordable housing programs and the veterans homeownership program (CalVet). If approved by voters, SB 3 would fund the following existing programs:

- Multifamily Housing Program: \$1.5 billion, administered by HCD, to assist the new construction, rehabilitation and preservation of permanent and transitional rental housing for lower-income households through loans to local public entities and nonprofit and for-profit developers;
- Transit-Oriented Development Implementation Program: \$150 million, administered by HCD, to provide low-interest loans for higher-density rental housing developments close to transit stations that include affordable units and as mortgage assistance for homeownership. Grants are also available to cities, counties and transit agencies for infrastructure improvements necessary for the development;
- Infill Incentive Grant Program: \$300 million, administered by HCD, to promote infill housing developments by providing financial assistance for infill infrastructure that serves new construction and rehabilitates existing infrastructure to support greater housing density;
- Joe Serna, Jr. Farmworker Housing Grant Fund: \$300 million, administered by HCD, to help finance the new construction, rehabilitation and acquisition of owner-occupied and rental housing units for agricultural workers;
- Local Housing Trust Fund Matching Grant Program: \$300 million, administered by HCD, to help finance affordable housing by providing matching grants, dollar for dollar, to local housing trusts;
- CalHome Program: \$300 million, administered by HCD, to help low- and very low- income households become or remain homeowners by providing grants to local public agencies and nonprofit developers to assist individual first-time homebuyers. It also provides direct loan forgiveness for development projects that include multiple ownership units and provides loans for property acquisition for mutual housing and cooperative developments;
- Self-Help Housing Fund: \$150 million – Administered by HCD, this program assist low and moderate income families with grants to build their homes with their own labor; and
- CalVet Home Loan Program: \$1 billion, administered by the California Department of Veterans Affairs, provides loans to eligible veterans at below-market interest rates with few or no down payment requirements.

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
SUPPORTING THE VETERANS AND AFFORDABLE HOUSING ACT OF 2018**

WHEREAS, housing affordability is an urgent issue facing many communities in California, where a majority of renters (3 million households) pay more than 30 percent of their income toward rent and nearly one-third (over 1.5 million households) spend more than 50 percent of their income on rent; and

WHEREAS, the housing crisis is a contributing factor to homelessness in our communities; and

WHEREAS, California's homeownership rates are at the lowest point since the 1940's; and

WHEREAS, recent housing production levels are about half of pre-recession levels (roughly 200,000 per year) and are far short of the state's projected housing need for 180,000 new homes per year; and

WHEREAS, the proceeds from the 2006 housing bond that helped create and preserve affordable apartments, urban infill infrastructure, and single-family homes have been expended; and

WHEREAS, even though federal funding for affordable housing comprises a significant portion of California's resources to support affordable housing, federal spending has been on the decline in recent years; and

WHEREAS, between 2003 and 2015, Community Development Block Grant (CDBG) and HOME funds allocated to California by the U.S. Department of Housing and Urban Development (HUD) to produce affordable housing units have declined by 51 percent and 66 percent respectively; and

WHEREAS, last year the Legislature passed and Governor Brown signed SB 3 (Beall), which placed the \$4 billion Veterans and Affordable Housing Bond Act on the November 6, 2018 general election ballot; and

WHEREAS, the Veterans and Affordable Housing Bond Act will provide funding to support multifamily housing, higher density housing near transit, infill infrastructure, farmworker housing, first-time home buyer assistance, and veteran home loans; and

THEREFORE BE IT RESOLVED that the City of Woodland hereby supports the Veterans and Affordable Housing Bond Act on the November 6, 2018 ballot to infuse much needed funding to support important affordable housing projects and spur housing construction statewide; and

THEREFORE BE IT FURTHER RESOLVED that the City of Woodland supports and can be listed as a member of the Affordable Housing Now coalition.

PASSED AND ADOPTED by the City Council this 1st day of May, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Enrique Fernandez, Mayor

ATTEST:

APPROVED AS TO FORM:

Ana B. Gonzalez, City Clerk

Kara K. Ueda, City Attorney

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
OPPOSING THE TAX FAIRNESS, TRANSPARENCY AND ACCOUNTABILITY
ACT OF 2018**

WHEREAS, California's cities, counties and special districts follow strict guidelines and existing state law regarding the establishment of reasonable fees and the required voter approval of all local taxes; and

WHEREAS, there is a signature-gathering campaign for a state ballot measure currently sponsored by the California Business Roundtable that would severely harm the ability of local governments to continue to provide quality services by imposing onerous roadblocks to raising local revenue to address community needs, services and infrastructure improvements; and

WHEREAS, it is important for local community members, in concert with their duly- elected officials—rather than a special interest group in Sacramento--to determine the services and funding levels appropriate for their own cities; and

WHEREAS, the proposed ballot measure would allow businesses to escape from their existing obligations to pay the full cost of services that they request and receive from local agencies and benefit from; and

WHEREAS, the proposed ballot measure would then shift the burden of these uncovered costs from business interests to local general funds supported by taxpayers, and thereby reduce general funds available to support police, fire, park, planning, and other community services.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City of Woodland hereby opposes the Tax Fairness, Transparency and Accountability Act of 2018 sponsored by the California Business Roundtable on the grounds that this measure would harm the ability of local communities to adequately fund services; and

APPROVED AND ADOPTED by the Council on ____ __, 2018.