CITY COUNCIL
Albert Vallecillo, Mayor
Bill Biasi, Mayor Pro-Tempore
Councilmembers: Richard Casavecchia,
Jesse Loren, and Carol Scianna

REGULAR CITY COUNCIL MEETING

City Hall, Council Chamber
318 First Street, Winters, CA 95695
May 5, 2026
6:30 PM

Meeting Information
Winters City Council meetings are conducted in person at City Hall Council Chambers accessible via the Abbey St. side entrance. As a courtesy, and technology permitting, members of the public may continue to participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, City Council meetings will continue despite technical difficulties for participants using the teleconferencing option.

Zoom: +16699006833 US Meeting ID: 872 2612 5768

Passcode: 422143

https://us02web.zoom.us/j/87226125768?pwd=X1J9lQSwQFAUZp2UubsAgxQbo95rql.1

If you are joining the meeting via Zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. The chair will call you by name or phone number when it is your turn to comment. Speakers will be limited to 3:00 minutes.

If you choose not to observe the City Council meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Monday prior to the City Council meeting. Please submit your comment to the City Clerk at cityclerk@cityofwinters.org. All public comments submitted to the City Clerk will be summarized and read into record but will not be read verbatim due to time limitations.

General Information: If you have questions about this agenda please call the City Clerk's office at 530-794-6702. View City Council meetings, obtain agendas and agenda packets on the internet: http://www.cityofwinters.org/city-council-meetings. City Council agenda packets and any attachments to the agenda that are not available online may be viewed at the City Clerk's Office at City Hall - 318 First Street.

Assistance: In compliance with the Americans with Disabilities Act, if you need special assistance, a disability-related modification or accommodation, agenda materials in an

alternative format, or auxiliary aids to participate in this meeting, please contact the Office of the City Clerk at 530-794-6702 or cityclerk@cityofwinters.org as soon as possible. Providing at least 72 hours notice will help ensure that reasonable arrangements can be made.

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA
The Mayor and Council may change the order of the Agenda or request discussion of a Consent Item.

1. SPECIAL PRESENTATIONS

A. Proclamation - National Mental Health Awareness Month
Proclamation - Mental Health Awareness Month
B. Proclamation Recognizing May 2026 as Older Americans Month
Proclamation - Older Americans.docx

2. PUBLIC COMMENT (Items not on the agenda)
This time is reserved for members of the public to address the City Council on items that are not on the Agenda and are within the subject matter jurisdiction of the City Council. Comments are limited to 3 minutes. Comments for items on the Open Session agenda will be taken when the item is called in Open Session. City Council is prohibited by law from taking any action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the City Council does not respond to public comment at this time.

3. CONSENT CALENDAR
All items listed under the Consent Calendar are considered and acted upon by one Motion.
Anyone may request an item be removed for separate consideration.

A. Minutes of the Regular City Council Meeting Held April 21, 2026
City Council Minutes April 21,2026.docx
B. Adopt and waive (Second Reading) of Ordinance No. 2026-05 adopting regulations required by Assembly Bill 1236 pertaining to the streamlining and ministerial approval of Electric Vehicle Charging Systems & Stations in the City of Winters.
Electric Vehicle Charging Station Ord. SR-5-5-26.docx
Attachment 1 - Ordinance EV Charging Systems and Stations.pdf
Attachment 2 - EV Charging Station Permit Checklist-Winters.pdf
Attachment 3 - Assembly Bill 1236.pdf
C. Second Reading of Ordinance 2026-03 amending Chapter 17.98, Accessory Dwelling Units (ADUs), of the Municipal Code regarding

Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) to comply with recent changes in State Law; and finding the action to be statutorily exempt from CEQA under Section 21080.17 of the Public Resources Code.

Staff Report - Accessory Dwelling Unit.docx

Attachment 1 - ADU Code Updates with City Attorney revisions 2026.docx
Attachment 1, Exhibit A, ADU Code Updates with City Attorney revisions clean copy 2026.docx

4. PUBLIC HEARINGS

5. DISCUSSION ITEMS

A. Conduct Second Reading and Adopt Ordinance 2026-02 Establishing the Winters Downtown Entertainment Zone (Social District) and Approval of Management Plan
Staff Report - Winters Downtown Entertainment District.doc
Attachment 1 - Ordinance 2026-02 Entertainment Zone Clean.docx
Attachment 1, Exhibit A, Ordinance 2026-02 Entertainment Zone Redlined.docx
Attachment 2 - Social District Management Plan
Attachment 3 - Map of Entertainment Zone Boundaries
Attachment 4 - Neighbor Notice
Letter from Winters Chamber of Commerce

B. Animal Services Community Survey – Results Update and Request for Direction

Staff Report Animal Service Survey Results
Attachment 1 - Survey results tablulation

6. CITY MANAGER'S REPORT

7. COUNCIL COMMENTS-IDEAS, QUESTIONS, AB1234 REPORTS
This item is for information only and is not eligible for action at this time.

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the regular meeting of the Winters City Council was posted on the public bulletin board at City Hall, 318 First Street and posted to the City of Winters website at cityofwinters.org.

Zorina Treat, Deputy City Clerk

A PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF WINTERS

Whereas, May is Older Americans Month, a time for us to recognize and honor The City of Winters Older Americans Population, older adults, and their immense influence on every facet of American society; and

Whereas, through their wealth of life experience and wisdom, older adults guide our younger generations and carry forward abundant cultural and historical knowledge; and

Whereas, older Americans improve our communities through intergenerational relationships, community service, civic engagement, and many other activities; and

Whereas**, communities benefit when people of all ages, abilities, and backgrounds have the opportunity to participate and live independently; and**

Whereas, The City of Winters must ensure that older Americans have the resources and support needed to stay involved in their communities — reflecting our commitment to inclusivity and connectedness; and

NOW, THEREFORE, BE IT RESOLVED on behalf of the City of Winters, we do hereby recognize the month of do hereby proclaim May 2026 as Older Americans Month.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Winters hereby

PASSED AND ADOPTED, this _____ Day of, 20_____.

_____
Council Member Richard Casavecchia

_____
Council Member Jesse Loren

_____
Councilmember Carol Scianna

_____
Mayor Pro Tem Bill Biasi

_____
Mayor Albert Vallecillo

Minutes of the Regular Council Meeting Held April 21, 2026

Mayor Albert Vallecillo called the meeting to order at 6:30 PM

Present: Council Members Richard Casavecchia, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

Absent: Council Member Loren

Staff: City Manager Jeremy Craig, Assistant City Attorney Brian Hughes, Contract Planner Dave Dowswell, Senior Contract Planner Kelly Mumper, Deputy City Clerk Zorina Treat.

PLEDGE OF ALLEGIANCE

Contract Planner Dave Dowswell led the Pledge of Allegiance

APPROVAL OF THE AGENDA

Motion by Council Member Scianna, seconded by Council Member Casavecchia, to approve the agenda as amended. Public Hearing item 4A, Surplus Land Act, was removed from the agenda, and consent item 3B was moved to discussion. The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

NOES: None

ABSENT: Council Member Jesse Loren

SPECIAL PRESENTATIONS

1.A. Proclamation Recognizing National Library Week April 19 - 25, 2026

Mayor Vallecillo presented a proclamation recognizing April 19–25 as National Library Week. Faith Ambrosini, the new community librarian, was present to accept the proclamation.

1.B. Proclamation Recognizing the month of April as Child Abuse Prevention Month

Mayor Vallecillo issued a proclamation designating April as Child Abuse Prevention Month. Marisa Green, Director of Social Services for Yolo County, attended the meeting to accept the honor on behalf of the county.

1.C. Presentation of the Sacramento-Yolo Mosquito & Vector Control District

Luz Maria Robles delivered the annual mosquito control update, noting that a hot, wet spring may intensify the season. She emphasized the Fight the Bite campaign, mosquito habitats, and the use of mosquito fish to help control mosquitoes.

Kate Laddish provided public comment.

PUBLIC COMMENT (Items not on the agenda)

Kate Laddish provided public comment.

CONSENT CALENDAR

3.A. Minutes of the Regular City Council Meeting Held on April 7, 2026

3.B. Street Closure Request - Fourth Friday Car Show (4/24, 5/22, 6/26, 7/24, 8/28, 9/25)

Council Member Scianna requested the item be removed from the Consent Calendar for discussion. Staff presented the request, while Andy Gomez of Andy's Custom Auto Glass and Chris Turkovich, representing the Chamber of Commerce, provided clarification. The Council reviewed potential operational impacts.

Kate Laddish, Corinne Martinez and Chris Turkovich provided public comment.

Motion by Council Member Scianna, seconded by Council Member Casavecchia, to approve fourth Friday, excluding the 4/24 date. The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo
NOES: None
ABSENT: Council Members Jesse Loren

3.C. Award of Professional Services Contract for Tractor Parade Event Coordinator

Motion by Council Member Scianna, Seconded by Mayor Pro Tem Biasi, to approve the amended Consent calendar, moving Item 3B (Street Closure Request), to Discussion Items (Item 5A). The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo

NOES: None
ABSENT: Council Members Jesse Loren

PUBLIC HEARINGS

4.A. Review request to initiate the Surplus Land Act Surplus Land Act Process for City owned property at Taylor Street and Moody Slough Road (APN: 030-220-061-000) and provide Staff Direction.

Public Hearing item 4.A. was removed from the agenda with no future date specified.

4.B. Introduction (First Reading) of Ordinance No. 2026-05 adopting regulations required by Assembly Bill 1236 pertaining to the streamlining and ministerial approval of Electric Vehicle Charging Systems & Stations in the City of Winters.

Senior Planner Kelly Mumper presented Ordinance 2026-05 to codify a ministerial permit process for electric vehicle charging stations in compliance with Assembly Bill 1236. The ordinance formalizes existing practices and includes requirements for applicant materials and environmental compliance.

Public hearing opened at 7:16 p.m.

There was no public comment.

Public hearing closed at 7:16 p.m.

Motion by Mayor Pro Tem Biasi, Seconded by Council Member Casavecchia, move to introduce and waive, the first reading of Ordinance 2026-05, electric vehicle charging stage systems and stations and direct staff to publish summary ordinance of the winners in the Winters Express at least five days prior to the second reading and adoption of proposed ordinance, and that we find it categorically exempt from CEQA. The motion carried by the following vote:

AYES: Council Members Richard Casavecchia, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo
NOES: None
ABSENT: Council Member Jesse Loren

4.C. Public Hearing to introduce and Waive First Reading of Ordinance 2026-03 amending Chapter 17.98, Accessory Dwelling Units (ADUs), of the Municipal Code regarding

Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) to comply with recent changes in State Law; and finding the action to be statutorily exempt from CEQA under Section 21080.17 of the Public Resources Code.

Planner Dowswell presented Ordinance 2026-03 to update local regulations for ADUs and JADUs in compliance with recent state laws, including streamlining approvals and removing outdated provisions. The updates clarify definitions and improve consistency within the municipal code.

Public hearing opened at 7:23 p.m.

There was no public comment.

Public hearing closed at 7:23 p.m.

Motion by Council Member Scianna, Seconded by Council Member Casavecchia, move to introduce and waive, the first reading of Ordinance 2026-03, Amending Section 17.04.140 and Chapter 17.98 of the Winters Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and Finding the Action to Be Statutorily Exempt from CEQA Under Section 21080.17 of the Public Resources Code. The motion carried by the following vote:

AYES:	Council Members Richard Casavecchia, Carol Scianna, Mayor Pro Tem Bill Biasi, Mayor Albert Vallecillo
NOES:	None
ABSENT:	Council Members Jesse Loren

DISCUSSION ITEMS

Consent Item 3.B.

CITY MANAGER'S REPORT

City Manager Jeremy Craig provided updates on Youth Day week as well as the upcoming weekend events. The opening ceremonies for Youth Day will take place downtown, featuring a brief use of the main stage and microphone. The Duck Derby has been postponed to late May. The Farmer’s Market is set to begin on Sunday, April 26.

COUNCIL COMMENTS-IDEAS, QUESTIONS, AB1234 REPORTS

Verbal updates were provided by Council Members.

ADJOURNMENT

The meeting adjourned at 8:00 PM.

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: May 5, 2026

THROUGH: Jeremy Craig, City Manager

FROM: Kelly Mumper, Contract Planner

SUBJECT: Adoption (2nd Reading) of Ordinance No. 2026-05 adopting regulations required by Assembly Bill 1236 pertaining to the streamlining and ministerial approval of Electric Vehicle Charging Systems & Stations in the City of Winters.

RECOMMENDATION:

1) Adopt and waive the 2nd reading of Ordinance 2026-05, Electric Vehicle Charging Systems & Stations.

2) Direct staff to publish a post adoption summary ordinance in the Winters Express within 15 days of adopting of the proposed ordinance.

BACKGROUND:

The Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities. Existing law, the Electric Vehicle Charging Stations Open Access Act, prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified.

The bill requires a city, county, or city and county to approve an application for the

installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

The bill provides for appeal of that decision to the planning commission, as specified. The bill provides that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill requires electric vehicle charging stations to meet specified standards. The bill requires a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for electric vehicle charging stations, as specified. The bill requires a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017. The bill authorizes the city, county, or city and county, in developing the ordinance, to refer to guidelines contained in a specified guidebook. The bill also authorized the adoption of an ordinance that modifies the checklists and standards found in the guidebook due to unique conditions. By increasing the duties of local officials, this bill creates a state-mandated local program.

DISCUSSION:

On April 21, 2026, a public hearing and regularly scheduled City Council Meeting was conducted and the City of Winters City Council Voted 4-0 to introduce and waive the first reading of the Electric Vehicle Charging Station and Systems Ordinance and found the action to be exempt from the California Environmental Quality Act (CEQA).

The City of Winters was contacted by the Office of Planning and Research and informed that the City of Winters had yet to submit evidence of compliance with Assembly Bill 1236 (AB1236). While the City of Winters treated all current Electric Vehicle Charging Systems & Stations in the City of Winters with the same standards as (AB1236), the City of Winters Municipal Code lacked the codified language. By adopting this ordinance, the City of Winters will become fully complaint with (AB1236).

ENVIRONMENTAL ANALYSIS:

The ordinance is Categorically Exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(B)(3) of the CEQA Guidelines, because adoption of the proposed ordinance amendment is covered by the general rule that CEQA applies only to projects causing a significant effect on the environment, and this project does not have the potential for causing a significant effect on the environment.

FISCAL IMPACT:

City staff time preparing the draft, Public Hearing Notices, Code Publishing fees are charged at $26.00 per page.

ATTACHMENTS:

1) Ordinance No. 2026-XX (Exhibit A).
2) City of Winters EV Charging Station Building Permit Checklist.
3) Assembly Bill 1236 Bill Text PDF.

ORDINANCE NO. 2026–05
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING CHAPTER 15.110 (ELECTRIC VEHICLE CHARGING SYSTEMS & STATIONS) OF THE WINTERS MUNICIPAL CODE

WHEREAS, the City of Winters ("City) has authority to adopt this ordinance pursuant to the general police power granted to cities by Article XI, Section 7 of the California Constitution.

WHEREAS, Chapter 15 of the Winters Municipal Code regulates Buildings and Construction; and

WHEREAS, the Office of Planning and Research informed the Community Development Department of noncompliance with Assembly Bill 1236 via email to staff; and

WHEREAS, the City Council held a public hearing on April 21, 2026, on the proposed ordinance to allow public testimony and comment; and

WHEREAS, staff submitted the public hearing notice to the Winters Express on March 27, 2026, and was subsequently published on April 1, 2026; and

WHEREAS, the City Council desires to amend the Winters Municipal Code to gain compliance with Assembly Bill 1236 and Government Code 65850.7 as it pertains to Electric Vehicle Charging Systems & Stations to be consistent with state law.

THE CITY COUNCIL OF THE CITY OF WINTERS DOES ORDAIN AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to add various sections of the text in the Winters Municipal Code necessary to ministerially regulate the permitting of Electric Vehicle Charging Systems & Stations.

Section 2. Addition to Chapter 15.110. Chapter 15 (Electric Vehicle Charging Systems & Stations) of Title 15 (Buildings and Construction) of the Winters Municipal Code is hereby amended in its entirety to read as set forth in Exhibit "A" attached hereto and incorporated herein by reference.

Section 3. Conflicting Laws. To the extent that there is any conflict between the provisions of this Ordinance and any provision of the Winters Municipal Code, an ordinance, or a resolution or policy, all such conflicting provisions shall be superseded by this Ordinance.

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are severable. This City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

Section 5. CEQA. The City Council finds that no further environmental review is necessary for the project under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (Common Sense Exemption) of Title 14 of the California Code of Regulations (State CEQA Guidelines) because adoption of the ordinance has no potential for resulting in physical change in the environment, directly or indirectly, as it clarifies and furthers the intent and scope of the City's existing not permit or authorize new or increased intensity of uses.

Section 6. Effective Date and Publication. The City Clerk shall certify to the adoption of this Ordinance, and the City Clerk shall cause this Ordinance to be posted or published as prescribed by law. This Ordinance shall take effect thirty (30) days following its adoption.

INTRODUCED on the ____ day of _____, 2026, and **PASSED AND ADOPTED** by the City Council of the City of Winters on this _____ day of _____, 2026, by the following vote:
AYES:
NOES:
ABSENT:
ABSTAIN:
CITY OF WINTERS

_____

Albert Vallecillo, Mayor
ATTEST:

_____

Jeremy Craig, City Clerk

Exhibit "A"

Ordinance No. 2026-05

Chapter 15.110 ELECTRIC VEHICLE CHARGING SYSTEMS & STATIONS

15.110.10 Definitions.

(a) "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electric Code and delivers electricity from a source outside an electric vehicle into a plug-in vehicle.

(b) "Electronic submittal" means the utilization of one or more of either electronic mail, the internet, or facsimile.

(c) "Feasible method to satisfactorily mitigate" or "avoid the specific adverse impact" includes, but is not limited to, any cost-effective method, condition or mitigation imposed by the city on another similarly situated application in a prior successful application for a similar permit.

(d) "Specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. (Ord. 2026-05).

15.110.020 Purpose.

The purpose of this chapter is to promote and encourage the use of electric vehicles by creating an expedited, streamlined permitting process for electric vehicle charging stations while promoting public health and safety and preventing specific adverse impacts in the installation and use of such charging stations. (Ord. 2026-05).

15.110.030 Applicability.

Section 65850.7 of the California Government Code provides that every city, county or city and county shall adopt an ordinance that creates an expedited, streamlined permitting process for electric vehicle charging stations.

(a) This chapter applies to the permitting of all electric vehicle charging systems in all areas of the city limits.

(b) Electric vehicle charging systems legally established or permitted prior to the effective date of the chapter are not subject to the requirements of this chapter unless physical modifications or alterations are undertaken that materially change the size, type or components of an electric vehicle charging system in such a way as to require

new permitting. Routine operation and maintenance or like-kind replacements shall not require a permit. (Ord. 2026-05).

15.110.040 Electric vehicle charging system requirements.

(a) All electric vehicle charging systems shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electric Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories, and rules of Public Utilities Commission regarding safety and reliability.

(b) Installation of electric vehicle charging stations shall be incorporated into load calculations of all new or existing electrical services and shall meet the requirements of the California Electric Code. Electric vehicle charging equipment shall be considered a continuous load.

(c) Anchorage of either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy, and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

(d) Electric vehicle charging stations shall be located on a parcel appropriately zoned for such use, as determined by the director of the planning and building services department. Any determination by the planning and building services department director that an electric vehicle charging station is not allowed on a particular parcel as a result of that parcel's zoning is appealable to the city council in accordance with Chapter 2.44 (Hearings and Appeals). The requirements detailed in this chapter for the acceptance and issuance of a building permit application for an electric vehicle charging station shall not commence until after the city council has rendered its decision on said appeal filed pursuant to Chapter 2.44 (Hearings and Appeals). (Ord. 2026-05).

15.110.050 Duties of the Chief Building Official.

(a) All documents required for the submission of an electric vehicle charging system application shall be made available to the public on the city's website.

(b) Within thirty days of the effective date of the ordinance codified in this chapter, the planning and building services department shall make a checklist of all requirements with which electric vehicle charging systems shall comply to be eligible for expedited review available to the public.

(c) The electric vehicle charging system permit process and checklist shall substantially conform to the recommendations contained in the most recent version of the Plug-in Electric Vehicle Infrastructure Permitting Checklist contained in the Zero-Emission Vehicles in California: Community Readiness Guidebook adopted by the Governor's Office of Planning and Research.

(d) The Chief Building Official shall allow the electronic submittal of the electric vehicle charging station application. (Ord. 2026-05).

15.110.060 Permit review requirements.

(a) Review of the permit application shall be limited to the Chief Building Official‘s review of whether the application meets local, state, and federal health and safety requirements. The application shall be administratively reviewed by the Chief Building Official as a nondiscretionary permit.

(b) The city shall not condition approval of an application on the approval of an association, as that term is defined by Civil Code Section 4080.

(c) An application for an electric vehicle charging station shall be deemed complete and the permit available for issuance, when the Chief Building Official determines that the application satisfies all requirements found in the checklist.

(d) If an application is deemed incomplete, a written plan check correction notice will be available to the applicant within ten working days, detailing all deficiencies in the application and any additional information or documentation required to be eligible for expedited permit issuance shall be given to the applicant for resubmission. If, at any time, legislation is adopted that requires review for acceptance and issuance of a permit in less time than indicated in this section, the Chief Building Official shall comply with said legislation. The checklist provided by the planning and building services department pursuant to Section 15.110.050, and any other pertinent information pertaining to submittal of an application, shall indicate any new time limits that may be established by the legislature after adoption of this chapter.

(e) The Chief Building Official, in consultation with the city Planner and building services department, may require an applicant to apply for a use permit if the Chief Building Official finds, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health and safety. Any such use permit shall be submitted and will be considered in accordance with Chapter 17.20 (Use Permits) of this code.

(1) If the applicant is not satisfied with the Chief Building Official’s determination that a use permit is required, he/she may, within thirty days after such action, appeal in writing to the planning commission by filing an appeal with the planning and building service department and paying the fee established by the city council for appeals to the planning commission.

(A) Public Hearing. Within sixty days of filing an appeal with the planning and building services department, the appeal shall be scheduled for public hearing before the planning commission. Notice of the hearing shall be given by publication at least one time in a newspaper of general circulation, and by mail or delivery to the subject property owner and applicant and to all record owners of property immediately adjacent

to the subject property, at least ten days prior to the hearing. If there is no newspaper in general circulation, the notice will be posted in at least three public locations, as determined by the director of the planning and building services department. Any appeal hearing shall be de novo.

(B) Appeal to the City Council. Any interested party not satisfied with the planning commission's decision may appeal to the city council within ten days of the planning commission's action regarding the appeal. Such an appeal shall be submitted in writing to the city clerk, along with the appropriate fee established by the city council for appeals and shall detail the basis for the appeal. Whenever possible, the city council shall hold a public hearing on the appeal within sixty days of receipt by the clerk. Notice of the hearing shall be given by publication at least one time in a newspaper of general circulation, and by mail or delivery to the subject property owner and to all record owners of property immediately adjacent to the subject property, at least ten days prior to the hearing. If there is no newspaper in general circulation, the notice will be posted in at least three public locations, as determined by the director of the planning and building services department. Any appeal hearing shall be de novo.

(f) If a use permit is required, the application for the use permit may be denied if the planning commission, or city council on appeal, makes written findings, based on substantial evidence in the record, that the proposed installation would have a specific, adverse impact upon the public health or safety and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. Such findings shall include the basis for the rejection of potential feasible alternatives for preventing the specific, adverse impact. (Ord. 2026-05).

City of Winters Electric Vehicle Charging Station
Permitting Checklist

<table>
<tr><th></th><th>Residential</th><th>Non-Residential</th></tr>
<tr><td rowspan="2">Phase 1
Pre-Work
Contractor</td><td>✓ Understands intended use of the EVSE (i.e. personal)</td><td>✓ Obtain an address for the location
✓ Determine the ownership of the site and/or authorization to install equipment at site
✓ Understands intended use of the EVSE (i.e., fleet, employee, customer, visitor, etc.)
✓ Determine number of vehicles charging and connectors per charging station
✓ Determine source of power and authorization to use source</td></tr>
<tr><td colspan="2">✓ Determine type of vehicle(s) to be charged at EVSE
✓ Evaluate mounting type options (i.e., bollard, pole-mount, wall-mount, ceiling-mount)
✓ Clarify communication requirements (i.e., Ethernet, cellular, Wi-Fi, none or other)
✓ Determine the NEMA Enclosure type
✓ Determine the physical dimensions of the space(s)
✓ Inspect the type of circuit breaker panel board intended for the installation</td></tr>
<tr><td>Phase 2
Pre-Work
Customer</td><td colspan="2">✓ Identify incentives or rate structures through the utility
✓ Determine size of electrical service at the site
✓ Identify and contact applicable local permit office(s) to identify specific requirements, including local fire, environmental, construction, building, concealment and engineering requirements
✓ Identify incentives available through local, state or federal programs
✓ Contact insurance company to acquire additional insurance or separate coverage as needed
✓ Hire the contractor and verify credentials with all subcontractors; ensure electrical contractor's license for electrical work is current</td></tr>
<tr><td>Phase 3
On-Site
Evaluation</td><td colspan="2">✓ Verify EVSE meets UL requirements and is listed by UL or another nationally recognized testing laboratory
✓ Verify EVSE has an appropriate NEMA rated enclosure (NEC 110.28) based on environment and customer needs, such as weatherization or greater levels of resistance to water and corrosive agents
✓ Determine the level or charger meets customer's PEV requirements (most vehicles require the maximum of a 240V/32A (40A breaker)
✓ Based on proposed EVSE location, determine if cord length will reach a vehicle's charging inlet without excessive slack and does not need to be more than 25' in length (NEC 625.17)
✓ Cord management methodologies have been considered to reduce the risk of tripping hazards and accidental damage to the connector
✓ Mounting type selection based on requirements to meet site guidelines
✓ Determine whether EVSE communication options are beneficial to customer and/or local utility</td></tr>
</table>

Phase 4 **On-Site Survey**	✓ Ensure overhead doors and vehicle parking spot do not conflict with EVSE location ✓ Place EVSE in a location convenient to charging port on vehicle and typical orientation of the vehicle in garage (i.e., backed in or head-first) ✓ Ensure functionality of lighting in the garage to meet NEC code 210-70	✓ Space(s) should be visible to drivers and pedestrians ✓ Determine proximity to building entrance (could be considered an incentive for PEV use) ✓ Select spaces proximate to existing transformer or panel with sufficient electrical capacity ✓ EVSE installation should maintain a minimum parking space length to comply with local zoning requirements ✓ If available, use wider spaces to reduce the risk of cord damage and minimize the intersection of cords with walking paths ✓ Ensure sufficient lighting at proposed space(s) to reduce the risk of tripping and damage to charging station from vehicle impact or vandalism; light levels above two foot candles are recommended ✓ Address accessibility requirements (refer to the Plug-In Electric Vehicle Infrastructure and Equipment Accessibility section of the Guidebook for more information) ✓ Determine availability of space for informative signing ✓ EVSE with multiple cords should be placed to avoid crossing other parking spaces ✓ All available charging station mounting options should be considered and optimized for the space ✓ Determine if hazardous materials were located at the site PARKING DECKS ✓ Place EVSE towards the interior of a parking deck to avoid weather-related impacts on equipment PARKING LOTS ✓ Avoid existing infrastructure and landscaping to mitigate costs, potential hazards and other negative impacts ON-STREET ✓ Install on streets with high foot and vehicle traffic to mitigate vandalism ✓ Avoid existing infrastructure to mitigate costs, potential hazards and other negative impacts ✓ Address accessibility requirements (refer to the Plug-In Electric Vehicle Infrastructure and Equipment Accessibility section of the Guidebook for more information)

		✓ For pull-in spaces, EVSE should be placed in front of the space and either centered on the space if placed between two spaces (if two connectors are available); EVSE with more than two connectors should not be used in on-street applications ✓ For parallel parking locations, the charging station should be installed at the front third of the parked vehicle and based on the direction of traffic flow; EVSE with a single connector is recommended to reduce potential trip hazards
	✓ Mount the connector at a height between 36" and 48" from the ground (NEC 625.29) unless otherwise indicated by the manufacturer ✓ Install wall or pole-mount stations and enclosures at a height between 36" and 48" ✓ Ensure sufficient space exists around electrical equipment for safe operation and maintenance (NEC 110.26); recommended space is 30" wide, 3' deep and 6'6" high ✓ Minimize tripping hazards and utilize cord management technologies when possible ✓ Equipment operating above 50 volts must be protected against physical damage (NEC 110.27); ensure the vehicle is out of the line of vehicle travel and use wheel stops or other protective measures ✓ EVSE must be located such that ADA routes maintain a pathway of 36" at all times	
Phase 4 **Contractor Installation Preparation**	✓ Price quote submitted to customer and approved including utility upgrades ✓ Order equipment ✓ Provide stamped engineering calculations as needed ✓ Provide site plan modification with diagrams as necessary ✓ Complete all necessary service upgrades and/or new service assessments ✓ Complete permit applications as required by local permitting department ✓ Ensure permit is approved and collected ✓ Schedule all necessary contract work (i.e., boring, concrete and/or paving restoration) and utility work (i.e., utility marking, service upgrade, new service and/or meter pull) ✓ Ensure utility marking of existing power lines, gas lines or other infrastructure is completed and utilize "call before you dig" services	
Phase 5 **Installation**	✓ Residential garages may permit the use of nonmetallic-sheathed cable in lieu of conduit	✓ Run conduit from power source to station location ✓ For EVSE greater than 60 amperes, a separate disconnect is required (NEC 625.23) and should be installed concurrently with conduit and visible from the EVSE
	✓ Post permit at site in visible location ✓ Remove material to run conduit and/or wiring (i.e., drywall, insulation, pavers, concrete, pavement, earth, etc. ✓ Contractors are encouraged to examine requirement for installation sites and types of wiring in Chapter 3 of the NEC ✓ Pull wiring; charging stations require a neutral line and a ground line and equipment is considered to be a continuous load	

	✓ Conductors should be sized to support 125% of the rated equipment load (NEC 625.21) ✓ Preparing mounting surface and install per equipment manufacturer instructions ✓ Floor-mount: typically requires a concrete foundation with J-bolts on station base; place with space to allow conductors to enter through the base ✓ Wall/pole/ceiling-mount: install brackets for mounting of the equipment ✓ Install bollard(s) and/or wheel stop(s) as needed ✓ Install informative signage to identify the EVSE and potential trip hazards ✓ Install additional electrical panels or subpanels as needed ✓ Install service upgrades, new service and/or new meter as needed; utility may also pull a meter to allow for charging station wires to be connected to a panel ✓ Make electrical connection ✓ Perform finish work to repair existing infrastructure, surfaces and landscaping
Phase 6 **Inspection**	✓ An initial electrical inspection by applicable building, fire, environmental and electrical authorities should occur after conduit has been run and prior to connecting equipment and running wires; if necessary, contractor should correct any issues and schedule a second rough inspection ✓ If required, the inspector will perform a final inspection to ensure compliance with NEC and other codes adopted within the jurisdiction by inspecting wiring, connections, mounting and finish work ✓ Contractor should verify EVSE functionality
Additional Resources	✓ National Codes and Standards ✓ American National Standards Institute (ANSI) ✓ National Fire Protection Association (NFPA) ✓ Underwriters Laboratories, Inc. (UL) ✓ International Association of Electrical Inspectors (IAEI) ✓ International Code Council (ICC) ✓ NECA-NEIS Standards ✓ NECA and NFPA Webinars ✓ Electrical Vehicle Infrastructure Training Program (EVITP) Installer Training Course/Certification

STATE OF CALIFORNIA
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

Assembly Bill No. 1236

CHAPTER 598

An act to add Section 65850.7 to the Government Code, relating to local ordinances.

[Approved by Governor October 8, 2015. Filed with Secretary of State October 8, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1236, Chiu. Local ordinances: electric vehicle charging stations.

The Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities. Existing law, the Electric Vehicle Charging Stations Open Access Act, prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified.

The bill would require a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The bill would provide for appeal of that decision to the planning commission, as specified. The bill would provide that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill would require electric vehicle charging stations to meet specified standards. The bill would require a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for electric vehicle charging stations, as specified. The bill would require a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017. The bill would authorize the city, county, or city and county, in developing the ordinance, to refer to guidelines contained in a specified guidebook. The bill would also authorize the adoption of an ordinance that modifies the checklists and standards found in the guidebook due to unique conditions. By increasing the duties of local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

SECTION 1. Section 65850.7 is added to the Government Code, to read:

65850.7. (a) The Legislature finds and declares all of the following:

(1) The implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is not a municipal affair, as that term is used in Section 5 of Article XI of the California Constitution, but is instead a matter of statewide concern.

(2) It is the intent of the Legislature that local agencies not adopt ordinances that create unreasonable barriers to the installation of electric vehicle charging stations and not unreasonably restrict the ability of homeowners and agricultural and business concerns to install electric vehicle charging stations.

(3) It is the policy of the state to promote and encourage the use of electric vehicle charging stations and to limit obstacles to their use.

(4) It is the intent of the Legislature that local agencies comply not only with the language of this section, but also the legislative intent to encourage the installation of electric vehicle charging stations by removing obstacles to, and minimizing costs of, permitting for charging stations so long as the action does not supersede the building official's authority to identify and address higher priority life-safety situations.

(b) A city, county, or city and county shall administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit. Review of the application to install an electric vehicle charging station shall be limited to the building official's review of whether it meets all health and safety requirements of local, state, and federal law. The requirements of local law shall be limited to those standards and regulations necessary to ensure that the electric vehicle charging station will not have a specific, adverse impact upon the public health or safety. However, if the building official of the city, county, or city and county makes a finding, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health or safety, the city, county, or city and county may require the applicant to apply for a use permit.

(c) A city, county, or city and county may not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis

for the rejection of potential feasible alternatives of preventing the adverse impact.

(d) The decision of the building official pursuant to subdivisions (b) and (c) may be appealed to the planning commission of the city, county, or city and county.

(e) Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific, adverse impact upon the public health or safety at the lowest cost possible.

(f) (1) An electric vehicle charging station shall meet applicable health and safety standards and requirements imposed by state and local permitting authorities.

(2) An electric vehicle charging station shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

(g) (1) On or before September 30, 2016, every city, county, or city and county with a population of 200,000 or more residents, and, on or before September 30, 2017, every city, county, or city and county with a population of less than 200,000 residents, shall, in consultation with the local fire department or district and the utility director, if the city, county, or city and county operates a utility, adopt an ordinance, consistent with the goals and intent of this section, that creates an expedited, streamlined permitting process for electric vehicle charging stations. In developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. An application that satisfies the information requirements in the checklist, as determined by the city, county, or city and county, shall be deemed complete. Upon confirmation by the city, county, or city and county of the application and supporting documents being complete and meeting the requirements of the checklist, and consistent with the ordinance, a city, county, or city and county shall, consistent with subdivision (b), approve the application and issue all required permits or authorizations. However, the city, county, or city and county may establish a process to prioritize competing applications for expedited permits. Upon receipt of an incomplete application, a city, county, or city and county shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance. An application submitted to a city, county, or city and county that owns and operates an electric utility shall demonstrate compliance with the utility's interconnection policies prior to approval.

(2) The checklist and required permitting documentation shall be published on a publicly accessible Internet Web site, if the city, county, or city and county has an Internet Web site, and the city, county, or city and county shall allow for electronic submittal of a permit application and associated documentation, and shall authorize the electronic signature on

all forms, applications, and other documentation in lieu of a wet signature by an applicant. In developing the ordinance, the city, county, or city and county may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Office of Planning and Research. A city, county, or city and county may adopt an ordinance that modifies the checklists and standards found in the guidebook due to unique climactic, geological, seismological, or topographical conditions. If a city, county, or city and county determines that it is unable to authorize the acceptance of an electronic signature on all forms, applications, and other documents in lieu of a wet signature by an applicant, the city, county, or city and county shall state, in the ordinance required under this subdivision, the reasons for its inability to accept electronic signatures and acceptance of an electronic signature shall not be required.

(h) A city, county, or city and county shall not condition approval for any electric vehicle charging station permit on the approval of an electric vehicle charging station by an association, as that term is defined in Section 4080 of the Civil Code.

(i) The following definitions shall apply to this section:

(1) "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by a city, county, or city and county on another similarly situated application in a prior successful application for a permit.

(2) "Electronic submittal" means the utilization of one or more of the following:

(A) Email.

(B) The Internet.

(C) Facsimile.

(3) "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

(4) "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: May 5, 2026

FROM: David Dowswell, Contract Planner

SUBJECT: Second Reading Ordinance No. 2026-03 amending Chapter 17.98, Accessory Dwelling Units (ADUs), of the Municipal Code regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) to comply with recent changes in State Law; and finding the action to be statutorily exempt from CEQA under Section 21080.17 of the Public Resources Code.

RECOMMENDATION: Staff recommends that the City Council:

1. Receive the staff report.
2. Conduct a public hearing on the Ordinance No. 2026-03.
3. Close the public hearing
4. Introduce and waive first reading of Ordinance 2026-03 Amending Section 17.04.140 and Chapter 17.98 of the Winters Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and Finding the Action to Be Statutorily Exempt from CEQA Under Section 21080.17 of the Public Resources Code.

BACKGROUND:

In recent years, the California Legislature has approved, and the Governor has signed into law several bills amending various sections of the Government Code to impose new limits on local authority to regulate ADUs and JADUs. In 2024, the California Legislature approved, and the Governor signed into law, AB 2533 and SB 1211 furthering amending state ADU law, summarized below.

AB 2533 prohibited a local agency from denying a permit for an unpermitted ADU

or JADU that was constructed before January 1, 2020, if the unpermitted ADU or JADU was built to comply with the standards in Section 17920.3 of the Health and Safety Code. It also stated that a homeowner applying to legalize an unpermitted ADU or JADU that was constructed before January 1, 2020, shall not be required to pay impact fees. Upon applying to legalize an unpermitted ADU or JADU an inspector of the local agency may inspect for compliance with the health and safety standards.

SB 1211 added a new definition: "'Livable space' means a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation." (See amended Gov. Code, § 66313(e).

SB 543 – Elimination of Impact Fees for ADUs and JADUs
SB 543 limits the maximum size of a Junior ADU to 500 square feet of livable interior space. The new bill requires that within 60 days of adopting a new ordinance regulating ADUs and JADUs the city submit it to the Department of Housing and Community Development for review and require changes to be made to the ordinance to ensure compliance with state law. The City's existing ordinance prohibits the city from charging impact fees on an ADU that is less than 750 square feet. The new law also prohibits charging fees on a JADU with less than 500 square feet of livable interior space. Lastly, the new bill does not require the state to reimburse a local agency for certain costs mandated by the state regarding ADUs and JADUs.

AB 976 – Eliminates Owner-Occupancy
AB 976 eliminates the requirement that the property owner must live in the primary dwelling or ADU or JADU.

On February 24, 2026, the Planning Commission at a public hearing considered the proposed ordinance amending Chapter 17.98 Accessory Dwelling Units of the Municipal Code. At the conclusion of the hearing the Planning Commission recommended unanimously that the City Council adopt the amended ordinance (Attachment A).

ANALYSIS: The proposed ordinance amends Chapter 17.98 Accessory Dwelling Units of the Municipal Code to comply with the most recent changes to State ADU Law.

Key changes to the ADU regulations include:

- Prohibits cities/counties from collecting impact fees on ADUs with less than 750 square feet and JADUs with less than 500 square feet of livable interior

space.

- Prohibits cities/counties from requiring an owner-occupancy agreement stating that the owner will live in either the primary dwelling or ADU/JADU unless the JADU shares sanitation facilities with the primary dwelling.
- Requires cities/counties to submit within 60 days of adopting a new ordinance regulating ADUs and JADUs the city submit it to the Department of Housing and Community Development for review and require changes be made to the ordinance to ensure compliance with state law.

The attached draft ordinance (Attachment A) includes changes to the City of Winters Municipal Code Chapter 17.98, Accessory Dwelling Units, substantially in the form attached.

Since the Planning Commission meeting a change has been made to the draft ordinance. Section 17.98.030 Definitions has been deleted as the city already has each of these definitions in Chapter 17.04 Introductory Provisions and Definitions of the Municipal Code. Some other minor changes were made: the Purpose and Intent section was edited to reflect the current language for this section, Also, some minor changes deleting the references to Class 1 and Class 2 ADUs were made to Section 17.98.040.

ENVIRONMENTAL ASSESSMENT: Under California Public Resources Code section 21080.17, CEQA does not apply to the adoption of an ordinance by a city or county implementing the provisions of Article 2 of Chapter 13 of Division 1 of Title 7 of the Government Code, which is California's ADU law, and which also regulates JADUs, as defined by section 66313. Therefore, the adoption of the proposed ordinance is statutorily exempt from CEQA in that it implements state ADU law.

In addition to being statutorily exempt from CEQA, the proposed ordinance is also categorically exempt from CEQA under the Class 3 exemption set forth in State CEQA Guidelines section 15303. The Class 3 exemption categorically exempts from CEQA, among other things, the construction and location of new, small structures and the conversion of existing small structures from one use to another. Section 15303 specifically lists the construction of appurtenant accessory structures and garages as examples of activity that expressly falls within this exemption. The ordinance is categorically exempt under the Class 3 exemption because the ordinance regulates the conversion of existing structures into, and the new construction of, ADUs and JADUs, which are, by definition, structures that are accessory to a primary dwelling on the lot.

PROJECT NOTIFICATION: A notice advertising for the public hearing on this

application was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law and was published in the Winters Express on April 8, 2026, ten days prior to the hearing.

ATTACHMENTS:

A. Draft Ordinance 2026-03 with proposed edits and clean version with edits accepted

ORDINANCE NO. 2026-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS AMENDING CHAPTER 17.98 OF THE WINTERS MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND FINDING THE ACTION TO BE STATUTORILY EXEMPT FROM CEQA UNDER SECTION 21080.17 OF THE PUBLIC RESOURCES CODE

WHEREAS, the City of Winters, California (the "City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, the Planning and Zoning Law authorizes cities to act by ordinance to provide for the creation and regulation of accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs"); and

WHEREAS, Government Code sections 66310–66342 (the "State ADU Law") impose limits on local authority to regulate ADUs and JADUs; and

WHEREAS, the City implements State ADU Law via Winters Municipal Code Chapter 17.98, Accessory Dwelling Units (the "ADU Ordinance"); and

WHEREAS, in recent years, the City has amended the ADU Ordinance as necessary to remain consistent with changes in State ADU Law. Most recently, the City amended the ADU Ordinance via City Council Ordinance No. 2025-03; and

WHEREAS, SB 543 and AB 976 took effect on January 1, 2026, which among other things, limits the maximum size of a JADU livable space to 500 square feet, prohibits cities/counties from collecting impact fees on ADUs less than 750 square feet and JADUs of less than 500 square feet, prohibits cities/counties from requiring owner-occupancy agreement for ADUs or JADUs and requires cities/counties to submit within 60 days of adopting a new ordinance regulating ADUs and JADUs to the Department of Housing and Community Development for review and require changes be made to the ordinance to ensure compliance with state law.

WHEREAS, this proposed Ordinance updates the ADU Ordinance to comply with recent changes to State ADU Law and to make other specified adjustments in order to augment the ADU Ordinance for the benefit of staff and the general public; and

WHEREAS, on February 24, 2026, the Planning Commission held a duly noticed public hearing and considered the staff report, recommendations by staff, and public testimony concerning the Ordinance. Following the hearing, the Planning Commission recommended that the City Council adopt the Ordinance; and

WHEREAS, on April 21, 2026, the City Council conducted a duly noticed public hearing on the Ordinance and considered the staff report, recommendations by staff, and public testimony concerning the Ordinance; and

WHEREAS, all legal prerequisites to the adoption of this Ordinance have occurred.

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

SECTION 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Amendment. Chapter 17.98 of the Winters Municipal Code is hereby amended in its entirety as set forth in Exhibit A, attached hereto and incorporated herein by this reference.

SECTION 3. CEQA. Under California Public Resources Code section 21080.17, the California Environmental Quality Act ("CEQA") does not apply to the adoption of an ordinance by a city implementing the provisions of section 65852.1 or section 66314 of the Government Code, which is California's State ADU Law and which also regulates JADUs, as defined by Government Code section 66313. Therefore, the Ordinance is statutorily exempt from CEQA in it implements State ADU Law.

SECTION 4. General Plan. The City Council hereby finds that the adoption of the Ordinance is consistent with the General Plan as a matter of law under Government Code section 66314(c).

SECTION 5. HCD Submittal. In accordance with Government Code section 66326, the City Clerk is directed to submit a copy of this Ordinance to the California Department of Housing and Community Development within 60 days after adoption.

SECTION 6. Severability. Each of the provisions of this Ordinance is severable from all other provisions. If any article, section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

SECTION 8. Publication. The City Clerk is hereby directed to certify the adoption of this Ordinance and shall cause the same to be published as required by law.

INTRODUCED at a regular meeting of the City Council of the City of Winters, California, on the 21st day of April, 2026 and thereafter **ADOPTED** at a regular meeting of the City Council held on this 18th day of April, 2026 by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED

Albert Vallecillo, Mayor

ATTEST:

Jeremy Craig, City Clerk

Exhibit A

Chapter 17.98

ACCESSORY DWELLING UNITS

Sections:

17.98.010 Purpose and intent.
17.98.020 Effect of conforming.

17.98.030 Approvals.
17.98.040 Statutorily regulated .
17.98.050 General requirements.
17.98.060 Specific requirements.
17.98.070 Fees.
17.98.080 Nonconforming zoning code conditions, building code violations, and unpermitted structures.

17.98.010 Purpose and intent.

The purpose of this chapter is to permit accessory dwelling units in single-family and multifamily residential zoning districts consistent with state law (California Government Code Sections **65852.2** through **65852.22**). This chapter is intended to expand housing opportunities by increasing the number of housing units available within existing neighborhoods while maintaining the primarily "single-family" residential character of the area. Accessory dwelling units, which include junior accessory dwelling units, are intended to provide livable housing at lower cost while providing greater security, companionship, and family support for the occupants, consistent with the general plan. An accessory dwelling unit must comply with all of the provisions in this title, except as modified in this chapter.**17.98.020 Effect of conforming.** An ADU or JADU that conforms to the standards in this section will not be:

A. Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.

B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

C. Considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Required to correct a nonconforming zoning condition, as defined in subsection 17.98.080 0 below. This does not prevent the city from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

17.98.030 Approvals. The following approvals apply to ADUs and JADUs created under this section:

A. **Ministerial ADU and Building Permits Required**. Every ADU and JADU requires an ADU permit and a building permit. The city will review and approve permit applications in accordance with subsection C below.

B. **Processing Fee**. The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city's ADU ordinance. The ADU-permit processing fee is determined by the community development director and approved by the city council by resolution.

C. **Process and Timing.**

1. **Completeness.**

a. **Determination in 15 days.** The city will determine whether an application to create or serve an ADU or JADU is complete and will provide written notice of the determination to the applicant within 15 business days after the city receives the application submittal.

b. **Incomplete items.** If the city's determination under Section 17.98.040C.1.a above is that the application is incomplete, the city's notice must list the incomplete items and describe how the application can be made complete.

c. **Cure.** After receiving a notice that the application is incomplete, the applicant may cure and address the items that were deemed by the city to be incomplete.

d. **Subsequent submittals.** If the applicant submits additional information to address incomplete items, within 15 business days of the subsequent submittal the city will determine in writing whether the additional information remedies all the incomplete items that the city identified in its original notice. The city may not require the application to include an item that was not included in the original notice.

e. **Deemed complete.** If the city does not make a timely determination as required by this subsection 1, the application or resubmitted application is deemed complete for the purposes of Section 17.98.040C.3 below.

f. **Appeal of incompleteness.** An applicant may appeal the city's determination that the application is incomplete by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the completeness

determination and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

2. **No discretion or hearing.** Ministerial permits for an ADU or JADU are considered and approved without discretionary review or a hearing.

3. **Deadline to approve or deny ministerial approvals.** The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a complete application. If the city has not approved or denied the complete application within 60 days, the application is deemed approved unless either:

   a. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or

   b. When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

4. **Denial.** If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by Section 17.98.040C.3 above.

5. **Appeal of denial.** An applicant may appeal the city's denial of the application by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the denial and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

6. **Concurrent review of demolition.** A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

17.98.040 Statutorily regulated .

A. **Statutorily Regulated.** ADUs and JADUs are approved under Government Code section 66323. If an ADU or JADU complies with each of the general requirements in Section 0 below, it is allowed in each of the scenarios provided in this Section 17.98.050A. An ADU and JADU approved under subsection A.1 may be combined with an ADU approved under subsection A.2, and ADUs approved under subsection A.3 may be combined with ADUs approved under subsection A.4.

1. **Converted on Lot with Single-Family:** One ADU as described in this subsection A.1 and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

    a. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and

    b. Has exterior access that is independent of that for the single-family dwelling; and

    c. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

    d. The JADU complies with the requirements of Government Code sections 66333 through 66339.

2. **Limited Detached on Lot with Single-Family:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies each of the following limitations:

    a. The side- and rear-yard setbacks are at least four feet.

    b. The total floor area is 800 square feet of livable space or smaller.

    c. The peak height above grade does not exceed the applicable height limit in Section 17.98.060B below.

3. **Converted on Lot with Multifamily:** One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection A.3, at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

4. **Limited Detached on Lot with Multifamily:** No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:

    a. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.

b. The peak height above grade does not exceed the applicable height limit provided in Section 17.98.060B below.

c. If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.

B. **Locally Regulated.** ADUs are approved under Government Code sections 66314–66322. Except for ADUs approved under subsection A above, all ADUs are subject to the general requirements set forth in Sections 17.98.050.

17.98.050 General requirements. The following requirements apply to all ADUs and JADUs:

A. **Zoning**.

1. An ADU approved under Section 17.98.050A may be created on a lot in a residential or mixed-use zone.

2. An ADU approved under Section 17.98.050B above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

3. In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.

B. **Height**.

1. Except as otherwise provided by subsections B.2 and B.3 below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.

2. A detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 18 feet in height if it is located within one-half mile walking distance of a major transit stop or high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. The ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

3. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.

4. An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection B.4 may not exceed two stories.

5. For purposes of this subsection B, height is measured from existing legal grade or the level of the lowest floor, whichever is lower, to the peak of the structure.

C. **Fire Sprinklers.**

1. Fire sprinklers are required in an ADU or JADU if sprinklers are required in the primary residence.

2. The construction of an ADU or JADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

D. **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

E. **No Separate Conveyance.** An ADU or JADU may be rented, but, except as otherwise provided in Government Code section 66341, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

F. **Septic System.** If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

G. **Owner Occupancy.**

1. **ADUs.** ADUs are not subject to an owner-occupancy requirement.

2. **JADUs**.

a. **Generally.** As required by state law, JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence.

b. **Exceptions.** The owner-occupancy requirement in this subsection G.2 does not apply in either of the following situations:

(i) The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).

(ii) The property is entirely owned by another governmental agency, land trust, or housing organization.

H. **Deed Restriction.** Prior to issuance of a certificate of occupancy for an JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the community development director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:

1. The JADU may not be sold separately from the primary dwelling.

2. The JADU is restricted to the approved size and to other attributes allowed by this section.

3. The deed restriction runs with the land and may be enforced against future property owners.

4. The deed restriction may be removed if the owner eliminates the JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

5. The deed restriction is enforceable by the director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the JADU in violation of the recorded restrictions or abatement of the illegal unit.

I. **Building and Safety.**

1. **Must comply with building code.** Subject to subsection I.2 below, all ADUs and JADUs must comply with all local building code requirements.

2. **No change of occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or enforcement officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection I.2 prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

J. **Certificate of Occupancy Timing.**

1. **Generally.** No certificate of occupancy for an ADU or JADU may be issued before the certificate of occupancy is issued for the primary dwelling unit.

2. **Limited Exception for State-declared Emergencies.** Notwithstanding subsection J.1 above, a certificate of occupancy for an ADU may be issued before a certificate of occupancy for the primary dwelling if each of the following requirements are met:

   a. The county is subject to a proclamation of a state of emergency made by the California Governor on or after February 1, 2025.

   b. The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation.

   c. The ADU has been issued construction permits and has passed all required inspections.

   d. The ADU is not attached to the primary dwelling.

17.98.060 Specific requirements. The following requirements apply only to ADUs approved under Section 17.98.050B above. This Section 0 does not apply to ADUs or JADUs approved under Section 17.98.050A above.

A. **Maximum Size.**

1. The maximum size of a detached or attached ADU subject to this Section is 850 square feet of interior livable space for a studio or one-bedroom unit and 1,000 square feet of interior livable space for a unit with two or more bedrooms.

2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.

3. Application of other development standards in this Section, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection A.2 above or of an FAR, front setback, lot coverage limit, or open-space requirement may require the ADU have less than 800 square feet of interior livable space.

B. **Setbacks.**

1. ADUs that are subject to this Section must conform to 4-foot side and rear setbacks. ADUs that are subject to this Section must conform to a maximum of 20-foot front setbacks, subject to Section A.3 above.

2. No setback is required for an ADU that is subject to this Section if the ADU is constructed in the same location and to the same dimensions as an existing structure.

C. **Lot Coverage.** No ADU subject to this Section may cause the total lot coverage of the lot to exceed 45 percent for two-story buildings and 50 percent for one-story buildings, subject to subsection A.3 above.

D. **Minimum Open Space.** No ADU subject to this Section may cause the total percentage of open space of the lot to fall below 45 percent for two-story buildings and 50 percent for one-story buildings, subject to subsection A.3 above.

E. **Passageway.** No passageway, as defined by Section 17.98.0300 above, is required for an ADU.

F. **Parking.**

1. Generally. One off-street parking space is required for each ADU or bedroom, whichever is less. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.98.0300 above.

2. Exceptions. No parking under subsection F.1 is required in the following situations:

a. The ADU is located within one-half mile walking distance of public transit, as defined in Section 17.98.0300 above.

b. The ADU is located within an architecturally and historically significant historic district.

c. The ADU is part of the proposed or existing primary residence or an accessory structure.

d. When on-street parking permits are required but not offered to the occupant of the ADU.

e. When there is an established car share vehicle stop located within one block of the ADU.

f. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections F.2.a through e above.

3. No Replacement. When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

G. **Architectural Requirements.**

1. The materials and colors of the exterior walls, roof, and windows and doors must be the same as those of the primary dwelling.

2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

5. The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.

6. No window or door of the ADU may have a direct line of sight to an adjoining residential property. Each window and door must either be located where there is no direct line of sight or screened using fencing, landscaping, or privacy glass to prevent a direct line of sight.

7. All windows and doors in an ADU less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

H. **Historical Protections.** An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.

I. **Allowed Stories.** No ADU subject to this Section may have more than one story, except that an ADU that is attached to the primary dwelling may have the stories allowed under Section 17.98.060B.4 of this section.

17.98.070 Fees. The following requirements apply to all ADUs and JADUs that are approved under Section 17.98.050A or B above.

A. **Impact Fees.**

1. No impact fee is required for a JADU or for an ADU that has less than 750 square feet of interior livable space. For purposes of this subsection A, “impact fee” means a “fee” under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact fee” here does not include any connection fee or capacity charge for water or sewer service.

2. A JADU or ADU with less than 500 square feet of interior livable space does not increase assessable space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and is therefore not subject to school fees under Education Code section 17620.

3. Any impact fee that is required for an ADU that has 750 square feet or more of interior livable space must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. **Utility Fees.**

1. If an ADU or JADU is constructed with a new single-family home, a separate utility connection directly between the ADU or JADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

2. Except as described in subsection B.1, JADUs and converted ADUs on a single-family lot that are created under Section 17.98.050A.1 above are not required to have a new or separate utility connection directly between the JADU or ADU and the utility. Nor is a connection fee or capacity charge required. Notwithstanding the rest of this paragraph, a direct utility connection is required for separate conveyance of an ADU when separate conveyance is allowed under this code.

3. Except as described in subsection B.1, all ADUs that are not covered by subsection B.2 require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.

a. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

b. The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

Section 17.98.080 Nonconforming zoning code conditions, building code violations, and unpermitted structures.

A. **Generally.** The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

B. **Unpermitted ADUs and JADUs constructed before 2020.**

1. **Permit to Legalize.** As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, unless denial is based on either of the following grounds:

   a. The ADU or JADU violates applicable building standards, or

   b. The ADU or JADU does not comply with state ADU or JADU law or this ADU ordinance (Chapter 17.98).

2. **Exceptions:**

   a. Notwithstanding subsection B.1 above, the city may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the city makes a finding that correcting a violation is necessary to comply with the standards specified in California Health and Safety Code section 17920.3.

   b. Subsection B.1 above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

Exhibit A

Chapter 17.98

ACCESSORY DWELLING UNITS

Sections:

17.98.010 Purpose and intent.
17.98.020 Effect of conforming.
17.98.030 Approvals.
17.98.040 Statutorily regulated .
17.98.050 General requirements.
17.98.060 Specific requirements.
17.98.070 Fees.
17.98.080 Nonconforming zoning code conditions, building code violations, and unpermitted structures.

17.98.010 Purpose and intent.

The purpose of this chapter is to permit accessory dwelling units in single-family and multifamily residential zoning districts consistent with state law (California Government Code Sections **65852.2** through **65852.22**). This chapter is intended to expand housing opportunities by increasing the number of housing units available within existing neighborhoods while maintaining the primarily "single-family" residential character of the area. Accessory dwelling units, which include junior accessory dwelling units, are intended to provide livable housing at lower cost while providing greater security, companionship, and family support for the occupants, consistent with the general plan. An accessory dwelling unit must comply with all of the provisions in this title, except as modified in this chapter.**17.98.020 Effect of conforming.** An ADU or JADU that conforms to the standards in this section will not be:

A. Deemed to be inconsistent with the city's general plan and zoning designation for the lot on which the ADU or JADU is located.

B. Deemed to exceed the allowable density for the lot on which the ADU or JADU is located.

C. Considered in the application of any local ordinance, policy, or program to limit residential growth.

D. Required to correct a nonconforming zoning condition, as defined in subsection 17.98.080 **Error! Reference source not found.**. This does not prevent the city from enforcing compliance with applicable building standards in accordance with Health and Safety Code section 17980.12.

17.98.030 Approvals. The following approvals apply to ADUs and JADUs created under this section:

A. **Ministerial ADU and Building Permits Required**. Every ADU and JADU requires an ADU permit and a building permit. The city will review and approve permit applications in accordance with subsection C below.

B. **Processing Fee**. The city may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the city's ADU ordinance. The ADU-permit processing fee is determined by the community development director and approved by the city council by resolution.

C. **Process and Timing.**

1. **Completeness.**

a. **Determination in 15 days.** The city will determine whether an application to create or serve an ADU or JADU is complete and will provide written notice of the determination to the applicant within 15 business days after the city receives the application submittal.

b. **Incomplete items.** If the city's determination under Section 17.98.040C.1.a above is that the application is incomplete, the city's notice must list the incomplete items and describe how the application can be made complete.

c. **Cure.** After receiving a notice that the application is incomplete, the applicant may cure and address the items that were deemed by the city to be incomplete.

d. **Subsequent submittals.** If the applicant submits additional information to address incomplete items, within 15 business days of the subsequent submittal the city will determine in writing whether the additional information remedies all the incomplete items that the city identified in its original notice. The city may not require the application to include an item that was not included in the original notice.

e. **Deemed complete.** If the city does not make a timely determination as required by this subsection 1, the application or resubmitted application is deemed complete for the purposes of Section 17.98.040C.3 below.

f. **Appeal of incompleteness.** An applicant may appeal the city's determination that the application is incomplete by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the completeness

determination and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

2. **No discretion or hearing.** Ministerial permits for an ADU or JADU are considered and approved without discretionary review or a hearing.

3. **Deadline to approve or deny ministerial approvals.** The city must approve or deny an application to create an ADU or JADU within 60 days from the date that the city receives a complete application. If the city has not approved or denied the complete application within 60 days, the application is deemed approved unless either:

   a. The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or

   b. When an application to create an ADU or JADU is submitted with a permit application to create a new single-family or multifamily dwelling on the lot, the city may delay acting on the permit application for the ADU or JADU until the city acts on the permit application to create the new single-family or multifamily dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.

4. **Denial.** If the city denies an application to create an ADU or JADU, the city must provide the applicant with comments that include, among other things, a list of all the defective or deficient items and a description of how the application may be remedied by the applicant. Notice of the denial and corresponding comments must be provided to the applicant within the 60-day time period established by Section 17.98.040C.3 above.

5. **Appeal of denial.** An applicant may appeal the city's denial of the application by submitting a written appeal to the city clerk. The planning commission will review the written appeal and affirm or reverse the denial and provide a final written determination to the applicant within 60 business days after receipt of the appeal.

6. **Concurrent review of demolition.** A demolition permit for a detached garage that is to be replaced with an ADU is reviewed with the application for the ADU and issued at the same time.

17.98.040 Statutorily regulated .

A. **Statutorily Regulated.** ADUs and JADUs are approved under Government Code section 66323. If an ADU or JADU complies with each of the general requirements in Section 0 below, it is allowed in each of the scenarios provided in this Section 17.98.050A. An ADU and JADU approved under subsection A.1 may be combined with an ADU approved under subsection A.2, and ADUs approved under subsection A.3 may be combined with ADUs approved under subsection A.4.

1. **Converted on Lot with Single-Family:** One ADU as described in this subsection A.1 and one JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:

    a. Is either: within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or (in the case of an ADU only) within the existing space of an accessory structure, plus up to 150 additional square feet if the expansion is limited to accommodating ingress and egress; and

    b. Has exterior access that is independent of that for the single-family dwelling; and

    c. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.

    d. The JADU complies with the requirements of Government Code sections 66333 through 66339.

2. **Limited Detached on Lot with Single-Family:** One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling, if the detached ADU satisfies each of the following limitations:

    a. The side- and rear-yard setbacks are at least four feet.

    b. The total floor area is 800 square feet of livable space or smaller.

    c. The peak height above grade does not exceed the applicable height limit in Section 17.98.060B below.

3. **Converted on Lot with Multifamily:** One or more ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including but not limited to storage rooms, boiler rooms, passageways, attics, basements, or garages, if each converted ADU complies with state building standards for dwellings. Under this subsection A.3, at least one converted ADU is allowed within an existing multifamily dwelling, up to a quantity equal to 25 percent of the existing multifamily dwelling units.

4. **Limited Detached on Lot with Multifamily:** No more than two detached ADUs on a lot with a proposed multifamily dwelling, or up to eight detached ADUs on a lot with an existing multifamily dwelling, if each detached ADU satisfies all of the following:

    a. The side- and rear-yard setbacks are at least four feet. If the existing multifamily dwelling has a rear or side yard setback of less than four feet, the city will not require any modification to the multifamily dwelling as a condition of approving the ADU.

b. The peak height above grade does not exceed the applicable height limit provided in Section 17.98.060B below.

c. If the lot has an existing multifamily dwelling, the quantity of detached ADUs does not exceed the number of primary dwelling units on the lot.

B. **Locally Regulated.** ADUs are approved under Government Code sections 66314–66322. Except for ADUs approved under subsection A above, all ADUs are subject to the general requirements set forth in Sections 17.98.050.

17.98.050 General requirements. The following requirements apply to all ADUs and JADUs:

A. **Zoning**.

1. An ADU approved under Section 17.98.050A may be created on a lot in a residential or mixed-use zone.

2. An ADU approved under Section 17.98.050B above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

3. In accordance with Government Code section 66333(a), a JADU may only be created on a lot zoned for single-family residences.

B. **Height**.

1. Except as otherwise provided by subsections B.2 and B.3 below, a detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 16 feet in height.

2. A detached ADU created on a lot with an existing or proposed single family or multifamily dwelling unit may not exceed 18 feet in height if it is located within one-half mile walking distance of a major transit stop or high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. The ADU may be up to two additional feet in height (for a maximum of 20 feet) if necessary to accommodate a roof pitch on the ADU that is aligned with the roof pitch of the primary dwelling unit.

3. A detached ADU created on a lot with an existing or proposed multifamily dwelling that has more than one story above grade may not exceed 18 feet in height.

4. An ADU that is attached to the primary dwelling may not exceed 25 feet in height or the height limitation imposed by the underlying zone that applies to the primary dwelling, whichever is lower. Notwithstanding the foregoing, ADUs subject to this subsection B.4 may not exceed two stories.

5. For purposes of this subsection B, height is measured from existing legal grade or the level of the lowest floor, whichever is lower, to the peak of the structure.

C. **Fire Sprinklers.**

1. Fire sprinklers are required in an ADU or JADU if sprinklers are required in the primary residence.

2. The construction of an ADU or JADU does not trigger a requirement for fire sprinklers to be installed in the existing primary dwelling.

D. **Rental Term.** No ADU or JADU may be rented for a term that is shorter than 30 days. This prohibition applies regardless of when the ADU or JADU was created.

E. **No Separate Conveyance.** An ADU or JADU may be rented, but, except as otherwise provided in Government Code section 66341, no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

F. **Septic System.** If the ADU or JADU will connect to an onsite wastewater-treatment system, the owner must include with the application a percolation test completed within the last five years or, if the percolation test has been recertified, within the last 10 years.

G. **Owner Occupancy.**

1. **ADUs.** ADUs are not subject to an owner-occupancy requirement.

2. **JADUs**.

a. **Generally.** As required by state law, JADUs are generally subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence.

b. **Exceptions.** The owner-occupancy requirement in this subsection G.2 does not apply in either of the following situations:

(i) The JADU has separate sanitation facilities (i.e., does not share sanitation facilities with the existing primary dwelling unit structure).

(ii) The property is entirely owned by another governmental agency, land trust, or housing organization.

H. **Deed Restriction.** Prior to issuance of a certificate of occupancy for an JADU, a deed restriction must be recorded against the title of the property in the County Recorder's office and a copy filed with the community development director. The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the city and must provide that:

1. The JADU may not be sold separately from the primary dwelling.

2. The JADU is restricted to the approved size and to other attributes allowed by this section.

3. The deed restriction runs with the land and may be enforced against future property owners.

4. The deed restriction may be removed if the owner eliminates the JADU, as evidenced by, for example, removal of the kitchen facilities. To remove the deed restriction, an owner may make a written request of the Director, providing evidence that the JADU has in fact been eliminated. The Director may then determine whether the evidence supports the claim that the JADU has been eliminated. Appeal may be taken from the Director's determination consistent with other provisions of this Code. If the JADU is not entirely physically removed, but is only eliminated by virtue of having a necessary component of an JADU removed, the remaining structure and improvements must otherwise comply with applicable provisions of this Code.

5. The deed restriction is enforceable by the director or his or her designee for the benefit of the city. Failure of the property owner to comply with the deed restriction may result in legal action against the property owner, and the city is authorized to obtain any remedy available to it at law or equity, including, but not limited to, obtaining an injunction enjoining the use of the JADU in violation of the recorded restrictions or abatement of the illegal unit.

I. **Building and Safety.**

1. **Must comply with building code.** Subject to subsection I.2 below, all ADUs and JADUs must comply with all local building code requirements.

2. **No change of occupancy.** Construction of an ADU does not constitute a Group R occupancy change under the local building code, as described in Section 310 of the California Building Code, unless the building official or enforcement officer makes a written finding based on substantial evidence in the record that the construction of the ADU could have a specific, adverse impact on public health and safety. Nothing in this subsection I.2 prevents the city from changing the occupancy code of a space that was uninhabitable space or that was only permitted for nonresidential use and was subsequently converted for residential use in accordance with this section.

J. **Certificate of Occupancy Timing.**

1. **Generally.** No certificate of occupancy for an ADU or JADU may be issued before the certificate of occupancy is issued for the primary dwelling unit.

2. **Limited Exception for State-declared Emergencies.** Notwithstanding subsection J.1 above, a certificate of occupancy for an ADU may be issued before a certificate of occupancy for the primary dwelling if each of the following requirements are met:

   a. The county is subject to a proclamation of a state of emergency made by the California Governor on or after February 1, 2025.

   b. The primary dwelling was substantially damaged or destroyed by an event referenced in the Governor's state of emergency proclamation.

   c. The ADU has been issued construction permits and has passed all required inspections.

   d. The ADU is not attached to the primary dwelling.

17.98.060 Specific requirements. The following requirements apply only to ADUs approved under Section 17.98.050B above. This Section 0 does not apply to ADUs or JADUs approved under Section 17.98.050A above.

A. **Maximum Size.**

1. The maximum size of a detached or attached ADU subject to this Section is 850 square feet of interior livable space for a studio or one-bedroom unit and 1,000 square feet of interior livable space for a unit with two or more bedrooms.

2. An attached ADU that is created on a lot with an existing primary dwelling is further limited to 50 percent of the floor area of the existing primary dwelling.

3. Application of other development standards in this Section, such as FAR or lot coverage, might further limit the size of the ADU, but no application of the percent-based size limit in subsection A.2 above or of an FAR, front setback, lot coverage limit, or open-space requirement may require the ADU have less than 800 square feet of interior livable space.

B. **Setbacks.**

1. ADUs that are subject to this Section must conform to 4-foot side and rear setbacks. ADUs that are subject to this Section must conform to a maximum of 20-foot front setbacks, subject to Section A.3 above.

2. No setback is required for an ADU that is subject to this Section if the ADU is constructed in the same location and to the same dimensions as an existing structure.

C. **Lot Coverage.** No ADU subject to this Section may cause the total lot coverage of the lot to exceed 45 percent for two-story buildings and 50 percent for one-story buildings, subject to subsection A.3 above.

D. **Minimum Open Space.** No ADU subject to this Section may cause the total percentage of open space of the lot to fall below 45 percent for two-story buildings and 50 percent for one-story buildings, subject to subsection A.3 above.

E. **Passageway.** No passageway, as defined by Section 17.98.030**Error! Reference source not found.**, is required for an ADU.

F. **Parking.**

1. Generally. One off-street parking space is required for each ADU or bedroom, whichever is less. The parking space may be provided in setback areas or as tandem parking, as defined by Section 17.98.030**Error! Reference source not found.**.

2. Exceptions. No parking under subsection F.1 is required in the following situations:

a. The ADU is located within one-half mile walking distance of public transit, as defined in Section 17.98.030**Error! Reference source not found.**.

b. The ADU is located within an architecturally and historically significant historic district.

c. The ADU is part of the proposed or existing primary residence or an accessory structure.

d. When on-street parking permits are required but not offered to the occupant of the ADU.

e. When there is an established car share vehicle stop located within one block of the ADU.

f. When the permit application to create an ADU is submitted with an application to create a new single-family or new multifamily dwelling on the same lot, provided that the ADU or the lot satisfies any other criteria listed in subsections F.2.a through e above.

3. No Replacement. When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction

of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.

G. **Architectural Requirements.**

1. The materials and colors of the exterior walls, roof, and windows and doors must be the same as those of the primary dwelling.

2. The roof slope must match that of the dominant roof slope of the primary dwelling. The dominant roof slope is the slope shared by the largest portion of the roof.

3. The exterior lighting must be limited to down-lights or as otherwise required by the building or fire code.

4. The ADU must have an independent exterior entrance, apart from that of the primary dwelling.

5. The interior horizontal dimensions of an ADU must be at least 10 feet wide in every direction, with a minimum interior wall height of seven feet.

6. No window or door of the ADU may have a direct line of sight to an adjoining residential property. Each window and door must either be located where there is no direct line of sight or screened using fencing, landscaping, or privacy glass to prevent a direct line of sight.

7. All windows and doors in an ADU less than 30 feet from a property line that is not a public right-of-way line must either be (for windows) clerestory with the bottom of the glass at least six feet above the finished floor, or (for windows and for doors) utilize frosted or obscure glass.

H. **Historical Protections.** An ADU that is on or within 600 feet of real property that is listed in the California Register of Historic Resources must be located so as to not be visible from any public right-of-way.

I. **Allowed Stories.** No ADU subject to this Section may have more than one story, except that an ADU that is attached to the primary dwelling may have the stories allowed under Section 17.98.060B.4 of this section.

17.98.070 Fees. The following requirements apply to all ADUs and JADUs that are approved under Section 17.98.050A or B above.

A. **Impact Fees.**

1. No impact fee is required for a JADU or for an ADU that has less than 750 square feet of interior livable space. For purposes of this subsection A, “impact fee” means a “fee” under the Mitigation Fee Act (Gov. Code § 66000(b)) and a fee under the Quimby Act (Gov. Code § 66477). “Impact

fee" here does not include any connection fee or capacity charge for water or sewer service.

2. A JADU or ADU with less than 500 square feet of interior livable space does not increase assessable space by 500 square feet for purposes of Education Code section 17620(a)(1)(C), and is therefore not subject to school fees under Education Code section 17620.

3. Any impact fee that is required for an ADU that has 750 square feet or more of interior livable space must be charged proportionately in relation to the square footage of the primary dwelling unit. (E.g., the floor area of the ADU, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling.)

B. **Utility Fees.**

1. If an ADU or JADU is constructed with a new single-family home, a separate utility connection directly between the ADU or JADU and the utility and payment of the normal connection fee and capacity charge for a new dwelling are required.

2. Except as described in subsection B.1, JADUs and converted ADUs on a single-family lot that are created under Section 17.98.050A.1 above are not required to have a new or separate utility connection directly between the JADU or ADU and the utility. Nor is a connection fee or capacity charge required. Notwithstanding the rest of this paragraph, a direct utility connection is required for separate conveyance of an ADU when separate conveyance is allowed under this code.

3. Except as described in subsection B.1, all ADUs that are not covered by subsection B.2 require a new, separate utility connection directly between the ADU and the utility for any utility that is provided by the city. All utilities that are not provided by the city are subject to the connection and fee requirements of the utility provider.

   a. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system.

   b. The portion of the fee or charge that is charged by the city may not exceed the reasonable cost of providing this service.

Section 17.98.080 Nonconforming zoning code conditions, building code violations, and unpermitted structures.

A. **Generally.** The city will not deny an ADU or JADU application due to a nonconforming zoning condition, building code violation, or unpermitted structure on the lot that does not present a threat to the public health and safety and that is not affected by the construction of the ADU or JADU.

B. **Unpermitted ADUs and JADUs constructed before 2020.**

1. **Permit to Legalize.** As required by state law, the city may not deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, unless denial is based on either of the following grounds:

a. The ADU or JADU violates applicable building standards, or

b. The ADU or JADU does not comply with state ADU or JADU law or this ADU ordinance (Chapter 17.98).

2. **Exceptions:**

a. Notwithstanding subsection B.1 above, the city may deny a permit to legalize an existing but unpermitted ADU or JADU that was constructed before January 1, 2020, if the city makes a finding that correcting a violation is necessary to comply with the standards specified in California Health and Safety Code section 17920.3.

b. Subsection B.1 above does not apply to a building that is deemed to be substandard in accordance with California Health and Safety Code section 17920.3.

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE:May 5th, 2026

FROM: Jeremy Craig, City Manager

SUBJECT: Conduct Second Reading and Adopt Ordinance 2026-02 Establishing the Winters Downtown Entertainment Zone (Social District) and Approval of Management Plan

RECOMMENDATION:

Staff recommends that the City Council conduct the second reading and adopt Ordinance 2026-02 establishing the Winters Downtown Entertainment Zone (Social District);

Staff further recommends City Council approve the Management Plan for the Winters Downtown Social District.

BACKGROUND:

PRIOR ACTIONS - The City Council received presentations on the Entertainment District at its March 3rd City Council meeting and conducted the first reading and public hearing of the ordinance at its March 17th Council meeting. At the 17th meeting, the Council amended the proposed boundaries of the district to lower the northern boundary to Abbey Street and include only 400 Railroad Street of the next block in the district boundaries. Those changes have been made to the map and ordinance language to reflect the updated boundaries.

The City Council further discussed the Entertainment District at its April 7th meeting. The council further discussed the matter and instructed that information be sent out to properties that directly border the district, notifying them of the proposed district formation. That notice is attachment 4 to this report.

State Enabling Legislation

In September 2024, Governor Gavin Newsom signed Senate Bill 969 (Wiener), which expanded California's entertainment zone program statewide. Previously limited to San Francisco under SB 76 (2023), this new law authorizes any city or county in California to establish entertainment zones—also known as "social districts"—where patrons may purchase alcoholic beverages from licensed establishments and consume them in designated outdoor public spaces such as streets, sidewalks, and public rights-of-way.

SB 969 was designed to help California communities recover from the economic impacts of the COVID-19 pandemic by activating public spaces and increasing foot traffic to downtown commercial districts. Similar programs in states such as Ohio, Michigan, and Virginia have demonstrated success in revitalizing downtown areas and supporting local businesses.

Why This Program Benefits Winters

Downtown Winters already serves as a vibrant gathering place for residents and visitors, featuring locally owned restaurants, wineries, breweries, and unique shops. The Winters Downtown Social District builds on this foundation by:

- Supporting Local Businesses: Allowing licensed establishments to sell beverages for outdoor consumption creates additional revenue opportunities, particularly during special events, the farmers market, and the summer concert series.
- Enhancing Downtown Vitality: The program transforms downtown streets into a welcoming, pedestrian-friendly environment that encourages visitors to linger, shop, and dine.
- Strengthening Community Identity: The Social District positions Winters as a forward-thinking, family-friendly destination while maintaining the small-town character residents value.
- Economic Stimulus: Increased foot traffic benefits all downtown merchants, not just those selling alcoholic beverages, creating a multiplier effect throughout the local economy.

DISCUSSION:

Ordinance Overview

The proposed ordinance (Chapter 12.20) establishes the legal framework for the Winters Downtown Entertainment Zone in compliance with California Business and Professions Code Sections 23039.5 and 25690, as amended by SB 969. Key provisions include:

Geographic Boundaries: Beginning at the intersection of First Street and Russell Street, running north to Abbey Street (including 400 Railroad Street (APN003-155-005), then

east to Elliott Street, then south to East Main Street, then west to Railroad Avenue, then south to Russell Street, and then west to First Street.

Hours of Operation: - Friday through Sunday, 12:00 p.m. to 11:59 p.m. (March 1 – October 31) - Thursday evenings, 12:00 p.m. to 11:59 p.m. (June, July, and August only—to accommodate the summer concerts in the park series)

Permitted Beverages: All types of alcoholic beverages may be sold by participating licensed establishments, subject to individual ABC license restrictions.

Container Requirements: All beverages must be served in approved non-glass, non-metal containers (compostable or reusable cups).

Smoking Prohibition: Smoking is prohibited throughout the Entertainment Zone except in alleyways, consistent with existing City policy.

Management Plan

The Management Plan provides detailed operational requirements to ensure the program runs safely and effectively. Key elements include:

Age Verification: Participating businesses must verify that patrons are 21 years of age or older through valid government-issued photo identification. Upon verification, patrons receive a standardized wristband that allows them to carry open containers within the district.

Participating Businesses: Twelve downtown establishments have confirmed participation, including Buckhorn Steakhouse, Putah Creek Cafe, Preserve, Hotel Winters, Berryessa Gap Vineyards, Hooby's Brewing, and several others.

Program Administration: The Winters Chamber of Commerce will serve as the Social District Lead, coordinating participating businesses and serving as the point of contact for the program.

Safety and Security: Each participating business is responsible for the safety of its patrons. Any violent incidents or calls for police service must be reported to the Winters Chief of Police within 24 hours.

Signage: Clear boundary markers will be posted at all entry points, instructing patrons not to carry alcoholic beverages beyond the district perimeter.

Required Consultation with Law Enforcement

In compliance with SB 969, staff consulted with the Winters Police Department regarding potential health and safety impacts, proposed boundaries, hours of operation, permitted beverages, and approved containers. [Include summary of any feedback received.

Biennial Review Requirement

State law requires the City to review the Entertainment Zone's operation every two years in consultation with the Winters Police Department. This review will assess whether the zone is being maintained in a manner that protects public health and safety. Reports from this review will be made available to the California Department of Alcoholic Beverage Control upon request.

ATTACHMENTS

1. Ordinance No. 2026-02 – Entertainment Zone Ordinance
2. Winters Downtown Social District Management Plan
3. Map of Entertainment Zone Boundaries

FISCAL IMPACT:

Startup costs for required signage and wristbands will be funded from the economic development budget. Ongoing operating costs will be borne by the district.

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WINTERS ADDING CHAPTER 12.20 TO TITLE 12 OF THE WINTERS MUNICIPAL CODE AND ESTABLISHING AN ENTERTAINMENT ZONE

WHEREAS, Senate Bill 969 (2024) authorizes the City of Winters ("City") to establish an entertainment zone, by ordinance, which allows for consumption of one or more types of alcoholic beverages on public streets, sidewalks, or public rights-of-way, subject to certain requirements, including providing specific information relating to the entertainment zone to the California Department of Alcoholic Beverage Control ("ABC"); and

WHEREAS, the City notified the City of Winters Police Department ("Winters Police Department") and request feedback on both of the following: (1) potential health and safety impacts that might be generated by the entertainment zone and strategies to mitigate those impacts; and (2) the entertainment zone's proposed boundaries, days and hours of operation, types of alcoholic beverages permitted, and approved nonglass and nonmetal containers; and

WHEREAS, the City must also establish a process or procedure by which persons in possession of alcoholic beverages in the entertainment zone may be readily identifiable as being 21 years of age or older; and

WHEREAS, upon establishing or modifying an entertainment zone, the City must also provide all of the following to ABC: (1) a copy of the ordinance establishing or modifying the entertainment zone; (2) information as may be necessary to identify the boundaries of the entertainment zone; (3) the days and hours of operation of the entertainment zone; (4) the types of alcoholic beverages permitted within the entertainment zone; and (5) the approved nonglass and nonmetal containers in which alcoholic beverages may be authorized; and

WHEREAS, the City shall review the operation of the entertainment zone every two (2) years following the adoption of the entertainment zone to ensure that the entertainment zone is being maintained in a manner that protects the health and safety of the general public; and

WHEREAS, the City must conduct this review in consultation with the Winters Police Department, and any reports produced during this review shall be made available to ABC upon request.

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

SECTION 1. Recitals. The above recitals are hereby declared to be true and correct findings of the City Council of the City of Winters.

SECTION 2. Addition. Chapter 12.20 is hereby added to Title 12 of the Winters Municipal Code, as provided in Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. Severability. The provisions of this Ordinance are severable, and the invalidity, unenforceability, or unconstitutionality of any section, portion, or part of this Ordinance shall not affect the validity of the remainder of the Ordinance.

SECTION 4. CEQA. The City Council hereby finds and determines that the Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3)("common sense exemption") of the CEQA Guidelines because there no possibility that the general policymaking and/or administrative activity in the Ordinance will have a significant effect on the environment.

SECTION 5. Publication. The City Clerk shall certify to the adoption of this Ordinance and the City Clerk shall cause this Ordinance or a summary thereof to be published as required by law.

SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after adoption.

PASSED AND ADOPTED by the City Council of the City of Winters on this __th day of _____, 2026, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

CITY OF WINTERS

_____

Albert Vallecillo, Mayor

ATTEST:

_____

Jeremy Craig, City Clerk

EXHIBIT A

CHAPTER 12.20:
ENTERTAINMENT ZONE

12.20.010 Purpose
12.20.020 Definitions.
12.20.030. Entertainment Zone Controls.
12.20.040 Implementation.
12.20.050. Entertainment Zone Location.
12.20.060. Entertainment Zone Event Hours
12.20.070 Entertainment Zone Insurance and Indemnity Requirements
12.20.080 Biennial Review

12.20.010 Purpose.

The purpose of this chapter is to implement Senate Bill 969 (2024) through the establishment and regulation of entertainment zones to allow the purchase of open container alcoholic beverages from local wineries, breweries and on-sale licensees (such as bars, restaurants, etc.) for consumption outside in common spaces such as public streets, sidewalks, , or public rights-of-way during certain hours .

12.20.020 Definitions.

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For the purposes of this chapter, the following definitions shall apply:

(a) "ABC" means the California Department of Alcoholic Beverage Control.

(b) "Alcoholic beverage" has the same meaning as set forth in Section 23004 of the California Business and Professions Code.

(c) "City Council" means the City Council of the City of Winters.

(d) "City Manager" means the City Manager or his or her designee.

(e) "Entertainment Zone" has the same meaning as set forth in Section 23039.5 of the California Business and Professions Code, as may be amended from time to time, with the location described under Section 12.20.050.

(f) "Entertainment Zone Event" means an event during which the consumption of one or more types of alcoholic beverages is authorized on public streets, sidewalks, or public

rights-of-way that occurs within the boundaries of an Entertainment Zone established in accordance with this Chapter and within the hours permitted as described under Section 12.20.060, in compliance with ABC requirements, and if applicable, the requirements of a special event permit.

(g) "Management Plan" means a plan approved by the City Council for the management and regulation of the Entertainment Zone and Entertainment Zone Events.

(h) "Open container" means any bottle, can, jug, box, or other receptacle that is open or has been opened and contains any alcoholic beverage. The open container shall not be glass or metal.

12.20.030 Entertainment Zone Controls.

(a) All commercial entities and organizations sponsoring any Entertainment Zone Event or selling alcoholic beverages at an Entertainment Zone Event shall comply with all applicable state and local laws and regulations, including but not limited to the following:

(1) All applicable ABC license and permitting requirements;

(2) Sections 23357, 23358, and 23396 of the California Business and Professions Code, as may be amended from time to time, regulating licensed beer manufacturers, licensed winegrowers, and on-sale licensees, respectively;

(3) All other laws governing the sale and consumption of alcoholic beverages and any and all permits and licenses issued pursuant thereto;

(4) Any applicable Management Plan(s) issued by the City Council under this Chapter;

(5) All permit conditions and requirements for special events, including street closures imposed under Section 12.04.020.

(b) Open alcoholic beverages may be consumed only within an Entertainment Zone during an Entertainment Zone Event, subject to any other restrictions imposed by state or local law.

(c) All open alcoholic beverages consumed during an Entertainment Zone Event shall be purchased only from a licensed premises located within the Entertainment Zone that is authorized under California Business and Professions Code Section 23357, 23358, or 23396, as may be amended from time to time, to permit consumers to leave the premises with open containers of alcoholic beverages for consumption off the premises, or a commercial entity or organization that is authorized by an ABC special event permit or license to make such sales within the Entertainment Zone.

(d) Smoking shall be banned in the Entertainment Zone, except in alleys.

12.20.040 Implementation.

(a) The City Manager has the authority to issue administrative policies and rules for the implementation of this Chapter.

(b) Within 30 days of the effective date of this Chapter, the City Manager shall issue rules for the implementation of this Chapter. The City may revise these rules from time to time as it deems appropriate.

(c) Within 30 days of the establishment or modification of an Entertainment Zone, the City Manager shall do the following:

(1) in consultation with the Winters Police Department, provide all of the following information to ABC pursuant to Section 25690 of the California Business and Professions Code:

(A) A copy of the ordinance establishing or modifying the Entertainment Zone;

(B) Information as may be necessary to identify the boundaries of the Entertainment Zone;

(C) The days and hours of operation of the Entertainment Zone and Entertainment Zone Events;

(D) The types of alcoholic beverages permitted within the Entertainment Zone; and

(E) The approved nonglass and nonmetal containers in which alcoholic beverages may be authorized; and

(2) issue a Management Plan for the Entertainment Zone, as follows:

(A) The Management Plan shall establish a process or procedure to readily identify individuals purchasing, consuming, or possessing alcoholic beverages within the Entertainment Zone as being 21 years of age or older;

(B) The Management Plan shall require that any person, commercial entity or organization seeking a City permit for an Entertainment Zone Event shall comply with all insurance requirements applicable to that permit, and all rules and regulations authorized by the City; and

(C) The Management Plan may include requirements not otherwise imposed by state or local law, including but not limited to additional requirements for permissible beverage containers, additional restrictions on the hours of operation for Entertainment Zone Events, and any other time, place, and manner restrictions; and

(D) Upon issuance or revision of a Management Plan, the City Manager shall transmit a copy of that Management Plan to ABC.

(c) Any holder of an ABC license or permit that wishes to allow customers to leave the premises with open containers of alcoholic beverages for consumption off the premises within an Entertainment Zone during an Entertainment Zone Event shall provide to the City a copy of the notice required under Sections 23357, 23358, or 23396 of the California Business and Professions Code, as applicable, at the same time such notice is provided to ABC.

12.20.050 Purpose. Entertainment Zone Location.

(a) Pursuant to California Business and Professions Code Sections 23039.5 and 25690, the City Council hereby designates and establishes the following boundaries as the Winters Downtown Entertainment Zone.

Winters Downtown Entertainment Zone - All public streets, public rights-of-way, and sidewalks in front of storefronts and establishments holding permits or licenses from ABC located within the zone created by the following perimeter:

a. Beginning at the intersection of First Street and Russell Street, running north to Abbey Street (including 400 Railroad Street (APN003-155-005), then east to Elliott Street, then south to East Main Street, then west to Railroad Avenue, then south to Russell Street, and then west to First Street.

12.20.060 Entertainment Zone Event Hours.

(a) Outdoor consumption of alcoholic beverages within the Winters Downtown Entertainment Zone is authorized only during City downtown street closure dates during Friday through Sunday, March 1 through October 31 of each year from 12:00 p.m. to 11:59 p.m., inclusive. During the months of June, July and August, the Winters Downtown Entertainment Zone will expand its hours to include Thursday evenings from 12:00 p.m. to 11:59 p.m., inclusive, subject to any additional limitations imposed by any one or more of the following:

a. Any ABC permit or license; or

b. The management plan approved for the Entertainment Zone; or

12.20.070 Entertainment Zone Insurance and Indemnity Requirements.

(a) The Entertainment Zone does not affect, alter, or change the City's general permit process for special events downtown, even if within the Entertainment Zone. The Entertainment Zone does not in any way permit activities that are not expressly authorized herein. All applicants must abide by the City's special event permitting process prior to any special event.

(b) Prior to issuance of a City permit for a special event in the Winters Downtown Entertainment Zone during an Entertainment Zone Event, the permit applicant shall submit evidence of general liability insurance coverage, which at a minimum must comply with the requirements set forth by the City's special event policy governing insurance requirements for City permits.

(c) No person shall conduct a special event in the Winters Downtown Entertainment Zone during an Entertainment Zone Event without the insurance required by this section being in full force and effect.

(d) The permit holder shall defend, indemnify and hold harmless the City, its officers, employees, and agents from and against all actions, losses, damages, liability, costs, and expenses of every type and description, including attorney's fees, arising directly or indirectly, in whole or in part, from the acts or omissions of the permit holder or its officers, employees, or agents.

12.20.080 Biennial Review.

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Every year, the City Council shall review the operation of the Entertainment Zone to ensure that the zone is being maintained in a manner that protects the health and safety of the general public. This review shall be conducted in consultation with the Winters Police Department and the City Manager. Any findings or reports produced during this review shall be made available to ABC upon request. The review shall include a discussion of the general operational results and a survey of businesses within the Entertainment Zone which shall include criteria deemed relevant by the City.

ORDINANCE NO. 2026-02

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WHEREAS, the City notified the City of Winters Police Department ("Winters Police Department") and request feedback on both of the following: (1) potential health and safety impacts that might be generated by the entertainment zone and strategies to mitigate those impacts; and (2) the entertainment zone's proposed boundaries, days and hours of operation, types of alcoholic beverages permitted, and approved nonglass and nonmetal containers; and

WHEREAS, the City must also establish a process or procedure by which persons in possession of alcoholic beverages in the entertainment zone may be readily identifiable as being 21 years of age or older; and

WHEREAS, upon establishing or modifying an entertainment zone, the City must also provide all of the following to ABC: (1) a copy of the ordinance establishing or modifying the entertainment zone; (2) information as may be necessary to identify the boundaries of the entertainment zone; (3) the days and hours of operation of the entertainment zone; (4) the types of alcoholic beverages permitted within the entertainment zone; and (5) the approved nonglass and nonmetal containers in which alcoholic beverages may be authorized; and

WHEREAS, the City shall review the operation of the entertainment zone every two (2) years following the adoption of the entertainment zone to ensure that the entertainment zone is being maintained in a manner that protects the health and safety of the general public; and

WHEREAS, the City must conduct this review in consultation with the Winters Police Department, and any reports produced during this review shall be made available to ABC upon request.

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

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SECTION 3. Severability. The provisions of this Ordinance are severable, and the invalidity, unenforceability, or unconstitutionality of any section, portion, or part of this Ordinance shall not affect the validity of the remainder of the Ordinance.

SECTION 4. CEQA. The City Council hereby finds and determines that the Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3)("common sense exemption") of the CEQA Guidelines because there no possibility that the general policymaking and/or administrative activity in the Ordinance will have a significant effect on the environment.

SECTION 5. Publication. The City Clerk shall certify to the adoption of this Ordinance and the City Clerk shall cause this Ordinance or a summary thereof to be published as required by law.

SECTION 6. Effective Date. This Ordinance shall take effect thirty (30) days after adoption.

PASSED AND ADOPTED by the City Council of the City of Winters on this __th day of _____, 2026, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

CITY OF WINTERS

_____

Albert Vallecillo, Mayor

ATTEST:

_____

Jeremy Craig, City Clerk

EXHIBIT A

CHAPTER 12.20:
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The purpose of this chapter is to implement Senate Bill 969 (2024) through the establishment and regulation of entertainment zones to allow the purchase of open container alcoholic beverages from local wineries, breweries and on-sale licensees (such as bars, restaurants, etc.) for consumption outside in common spaces such as public streets, sidewalks, , or public rights-of-way during certain hours .

12.20.020 Definitions.

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(c) "City Council" means the City Council of the City of Winters.

(d) "City Manager" means the City Manager or his or her designee.

(e) "Entertainment Zone" has the same meaning as set forth in Section 23039.5 of the California Business and Professions Code, as may be amended from time to time, with the location described under Section 12.20.050.

(f) "Entertainment Zone Event" means an event during which the consumption of one or more types of alcoholic beverages is authorized on public streets, sidewalks, or public

rights-of-way that occurs within the boundaries of an Entertainment Zone established in accordance with this Chapter and within the hours permitted as described under Section 12.20.060, in compliance with ABC requirements, and if applicable, the requirements of a special event permit.

(g) "Management Plan" means a plan approved by the City Council for the management and regulation of the Entertainment Zone and Entertainment Zone Events.

(h) "Open container" means any bottle, can, jug, box, or other receptacle that is open or has been opened and contains any alcoholic beverage. The open container shall not be glass or metal.

12.20.030 Entertainment Zone Controls.

(a) All commercial entities and organizations sponsoring any Entertainment Zone Event or selling alcoholic beverages at an Entertainment Zone Event shall comply with all applicable state and local laws and regulations, including but not limited to the following:

(1) All applicable ABC license and permitting requirements;

(2) Sections 23357, 23358, and 23396 of the California Business and Professions Code, as may be amended from time to time, regulating licensed beer manufacturers, licensed winegrowers, and on-sale licensees, respectively;

(3) All other laws governing the sale and consumption of alcoholic beverages and any and all permits and licenses issued pursuant thereto;

(4) Any applicable Management Plan(s) issued by the City Council under this Chapter;

(5) All permit conditions and requirements for special events, including street closures imposed under Section 12.04.020.

(b) Open alcoholic beverages may be consumed only within an Entertainment Zone during an Entertainment Zone Event, subject to any other restrictions imposed by state or local law.

(c) All open alcoholic beverages consumed during an Entertainment Zone Event shall be purchased only from a licensed premises located within the Entertainment Zone that is authorized under California Business and Professions Code Section 23357, 23358, or 23396, as may be amended from time to time, to permit consumers to leave the premises with open containers of alcoholic beverages for consumption off the premises, or a commercial entity or organization that is authorized by an ABC special event permit or license to make such sales within the Entertainment Zone.

(d) Smoking shall be banned in the Entertainment Zone, except in alleys.

12.20.040 Implementation.

(a) The City Manager has the authority to issue administrative policies and rules for the implementation of this Chapter.

(b) Within 30 days of the effective date of this Chapter, the City Manager shall issue rules for the implementation of this Chapter. The City may revise these rules from time to time as it deems appropriate.

(c) Within 30 days of the establishment or modification of an Entertainment Zone, the City Manager shall do the following:

(1) in consultation with the Winters Police Department, provide all of the following information to ABC pursuant to Section 25690 of the California Business and Professions Code:

(A) A copy of the ordinance establishing or modifying the Entertainment Zone;

(B) Information as may be necessary to identify the boundaries of the Entertainment Zone;

(C) The days and hours of operation of the Entertainment Zone and Entertainment Zone Events;

(D) The types of alcoholic beverages permitted within the Entertainment Zone; and

(E) The approved nonglass and nonmetal containers in which alcoholic beverages may be authorized; and

(2) issue a Management Plan for the Entertainment Zone, as follows:

(A) The Management Plan shall establish a process or procedure to readily identify individuals purchasing, consuming, or possessing alcoholic beverages within the Entertainment Zone as being 21 years of age or older;

(B) The Management Plan shall require that any person, commercial entity or organization seeking a City permit for an Entertainment Zone Event shall comply with all insurance requirements applicable to that permit, and all rules and regulations authorized by the City; and

(C) The Management Plan may include requirements not otherwise imposed by state or local law, including but not limited to additional requirements for permissible beverage containers, additional restrictions on the hours of operation for Entertainment Zone Events, and any other time, place, and manner restrictions; and

(D) Upon issuance or revision of a Management Plan, the City Manager shall transmit a copy of that Management Plan to ABC.

(c) Any holder of an ABC license or permit that wishes to allow customers to leave the premises with open containers of alcoholic beverages for consumption off the premises within an Entertainment Zone during an Entertainment Zone Event shall provide to the City a copy of the notice required under Sections 23357, 23358, or 23396 of the California Business and Professions Code, as applicable, at the same time such notice is provided to ABC.

12.20.050 Purpose. Entertainment Zone Location.

(a) Pursuant to California Business and Professions Code Sections 23039.5 and 25690, the City Council hereby designates and establishes the following boundaries as the Winters Downtown Entertainment Zone.

Winters Downtown Entertainment Zone - All public streets, public rights-of-way, and sidewalks in front of storefronts and establishments holding permits or licenses from ABC located within the zone created by the following perimeter:

a. Beginning at the intersection of First Street and Russell Street, running north to Abbey Street (including 400 Railroad Street (APN003-155-005), then east to Elliott Street, then south to East Main Street, then west to Railroad Avenue, then south to Russell Street, and then west to First Street.

12.20.060 Entertainment Zone Event Hours.

(a) Outdoor consumption of alcoholic beverages within the Winters Downtown Entertainment Zone is authorized only during City downtown street closure dates during Friday through Sunday, March 1 through October 31 of each year from 12:00 p.m. to 11:59 p.m., inclusive. During the months of June, July and August, the Winters Downtown Entertainment Zone will expand its hours to include Thursday evenings from 12:00 p.m. to 11:59 p.m., inclusive, subject to any additional limitations imposed by any one or more of the following:

a. Any ABC permit or license; or

b. The management plan approved for the Entertainment Zone; or

12.20.070 Entertainment Zone Insurance and Indemnity Requirements.

(a) The Entertainment Zone does not affect, alter, or change the City's general permit process for special events downtown, even if within the Entertainment Zone. The Entertainment Zone does not in any way permit activities that are not expressly authorized herein. All applicants must abide by the City's special event permitting process prior to any special event.

(b) Prior to issuance of a City permit for a special event in the Winters Downtown Entertainment Zone during an Entertainment Zone Event, the permit applicant shall submit evidence of general liability insurance coverage, which at a minimum must comply with the requirements set forth by the City's special event policy governing insurance requirements for City permits.

(c) No person shall conduct a special event in the Winters Downtown Entertainment Zone during an Entertainment Zone Event without the insurance required by this section being in full force and effect.

(d) The permit holder shall defend, indemnify and hold harmless the City, its officers, employees, and agents from and against all actions, losses, damages, liability, costs, and expenses of every type and description, including attorney's fees, arising directly or indirectly, in whole or in part, from the acts or omissions of the permit holder or its officers, employees, or agents.

12.20.080 Biennial Review.

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Every year, the City Council shall review the operation of the Entertainment Zone to ensure that the zone is being maintained in a manner that protects the health and safety of the general public. This review shall be conducted in consultation with the Winters Police Department and the City Manager. Any findings or reports produced during this review shall be made available to ABC upon request. The review shall include a discussion of the general operational results and a survey of businesses within the Entertainment Zone which shall include criteria deemed relevant by the City.

Downtown Winters Social District Management Plan

Proposed

SECTION I: WINTERS DOWNTOWN SOCIAL DISTRICT PROGRAM OVERVIEW..... 2
SECTION II: WINTERS DOWNTOWN SOCIAL DISTRICT ORDINANCE 2
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SECTION I: WINTERS DOWNTOWN SOCIAL DISTRICT PROGRAM OVERVIEW

1. About Winters Downtown Social District

The City of Winters ("City") Downtown Social District is a designated area in Downtown Winters where people may buy one or more types of alcoholic drinks (i.e., "open container" beverages and alcoholic drinks "to-go") from participating licensed local bars, restaurants, wineries, and breweries, and consume them outside in designated common spaces like sidewalks, streets and public rights-of-way within the Winters Downtown Social District, during certain authorized hours. The sale, transport, and consumption of such alcoholic drinks must be in accordance with Sections 23357, 23358, and 23396 of the California Business and Professions Code, California Department of Alcoholic Beverage Control ("ABC") regulations, and any other applicable state and local laws.

This Winters Downtown Social District Management Plan ("Management Plan") sets out additional requirements for all participating businesses that are licensed beer manufacturers, licensed winegrowers, or on-sale licensees ("Participating Businesses") to follow when operating during a Social District Event within the Social District as set forth under Winters Municipal Code Chapter 12.20.

Program Objectives

Guiding objectives for the Winters Downtown Social District Program ("Program") include:

a. Activate Downtown Winters as a Social District subject to the requirements set forth under Winters Municipal Code Chapter 12.20;

b. Increase revenue for restaurants, wineries, breweries, and other merchants in Downtown Winters;

c. Catalyze broader economic stimulus; and

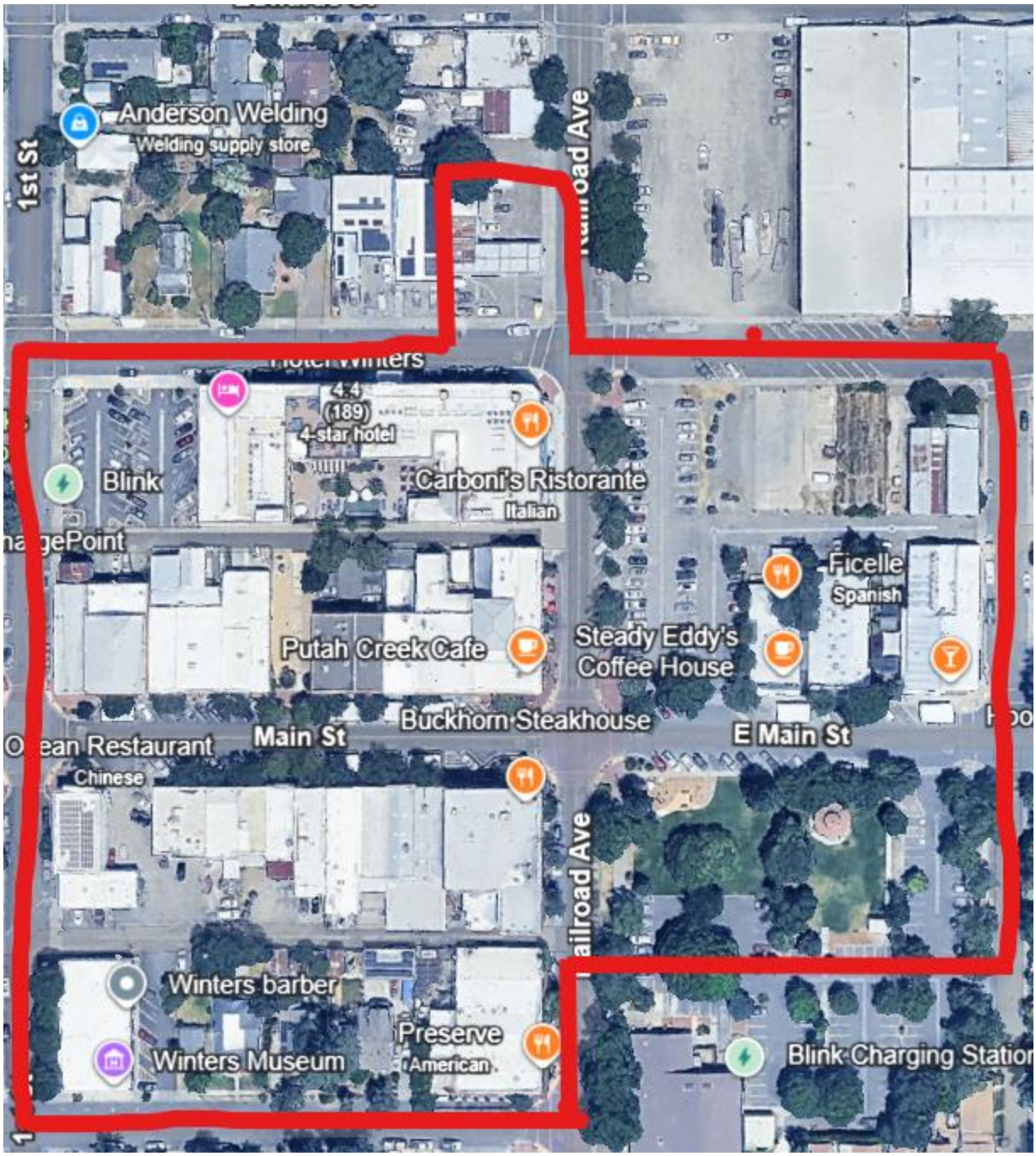
d. Amplify the perception of Downtown Winters as a vibrant entertainment hub.

SECTION II: WINTERS DOWNTOWN SOCIAL DISTRICT ORDINANCE

1. City Ordinance Section 12.20

Winters Municipal Code Chapter 12.20 specifies the location, hours, controls, and requirements for all Social District Events occurring within the Winters Downtown Social District.

(A) **Social District Location** - The boundaries of the Winters Downtown Social District are depicted and described below in accordance with Winters Municipal Code section 12.20.



Winters Downtown Social District – All public streets, sidewalks, and public rights-of-way in front of storefronts and establishments holding permits or licenses from ABC abutting in the area depicted in red outline above, within the following perimeter:

Beginning at the intersection of First Street and Russell Street, running north to Abbey Street (including 400 Railroad Street (APN003-155-005), then east to Elliott Street, then south to East Main Street, then west to Railroad Avenue, then south to Russell Street, and then west to First Street.

(B) **Hours of a Social District Event -** Outdoor consumption of alcoholic beverages within the Winters Downtown Social District is authorized only Friday through Sunday, March 1 through October 31 of each year, from 12:00 p.m. to 11:59 p.m., inclusive. During the months of June,

July, and August, the Social District Event hours will expand to include Thursday evenings from 12:00 p.m. to 11:59 p.m., inclusive (to accommodate the summer concerts in the park series), subject to any additional limitations imposed by any or more of the following:

a. Any ABC permit or license;

b. This Management Plan.

(C) **Social District Controls** – All Participating Businesses selling alcoholic beverages at a Social District Event shall comply with all applicable state and local laws and regulations, including but not limited to the following:

a. All applicable ABC license and permitting requirements;

b. Sections 23357, 23358, and 23396 of the California Business and Professions Code, as may be amended from time to time, regulating licensed beer manufacturers, licensed winegrowers, and on-sale licensees, respectively;

c. All other laws governing the sale and consumption of alcoholic beverages and any and all permits and licenses issued pursuant thereto;

d. This Management Plan.

(D) Open alcoholic beverages may be consumed only within the Social District during a Social District Event, when purchased by a Participating Business, and subject to any other restrictions imposed by state or local law.

SECTION III: WINTERS DOWNTOWN SOCIAL DISTRICT VISION

1. Overview

The Winters Downtown Social District is part of a broader strategy for the City's economic development goals. Four main objectives of the Winters Downtown Social District are:

- Supporting local businesses by seeking street closures to coincide with Social District Events, outdoor dining, and entertainment that attract locals and visitors
- Continuing to build momentum toward Winters Downtown being seen in the region as a premier dining and entertainment location
- Create an atmosphere to encourage additional participation and investment in the Winters Downtown area and, in turn, the broader Winters community
- Banning smoking except in the Winters Downtown Social District, except for alleyways.

2. Operators

The Winters Downtown Social District is operated in partnership by the following groups:

a. <u>Social District Lead</u>

As Winters Downtown Social District Lead, the Chamber of Commerce coordinates the Participating Businesses and community partners to manage the Winters Downtown Social District in alignment with this Management Plan and serves as the Point of Contact for inquiries (see Section IV.2)

b. Participating Businesses

Participating Businesses may serve alcoholic beverages in open non-metal and non-glass containers allowed by their license types only within the Winters Downtown Social District during a Social District Event as authorized by Winters Municipal Code Chapter [12.20], and subject to the terms, conditions, and requirements of their ABC license, applicable laws, and this Management Plan.

3. Activation and Programming of the Winters Downtown Social District

a. Events

The streets within the Winters Downtown Social District shall close during Social District Events as specified above. The goal is to allow alcoholic beverages to be enjoyed by patrons at live music events, the farmers market, during outdoor dining, and along sidewalks and streets by Participating Businesses operating in the Winters Downtown Social District.

Events that seek to operate in the street, sidewalk, or public right-of-way within the Winters Downtown Social District during Social District Events (i.e., when the street is closed on the days and hours specified in this Management Plan) must obtain a special events permit from the City for their event prior to event operations or functions.

4. Economic Development and Community Benefits

a. Maximizing Economic Benefit for Participating Businesses

The Winters Downtown Social District Lead will prioritize strategies that enhance economic benefits for Participating Businesses selling alcoholic beverages during Social District Events by promoting activities that drive traffic and interest to participating businesses.

b. The City will work with the Winters Chamber of Commerce and interested organizations and individuals to encourage participation in the Winters Downtown Social District and the events occurring inside the zone.

SECTION IV: WINTERS DOWNTOWN SOCIAL DISTRICT OPERATING REQUIREMENTS

1. Compliance, Modification, and Evaluation

The provisions in this Management Plan are mandatory conditions for the operation of the Winters Downtown Social District.

The City of Winters reserves the right in its sole discretion to publish an updated management plan with revised operating requirements at any time.

Additionally:

- Any Participating Business holding a liquor license that fails to comply with these operating requirements will be reported to the Winters Police Department, which may transmit the information to the ABC. Non-compliance could result in the business's future ineligibility to participate in any Social District Event.

- The City Council shall evaluate the Winters Downtown Social District's compliance with the conditions of this Management Plan every two years following adoption of Chapter 12.20 to ensure that the Winters Downtown Social District is being maintained in a manner that protects the health and safety of the general public. This evaluation shall be conducted in consultation with the Winters Police Department. Any reports produced during this evaluation shall be made available to ABC upon request. Both the Social District Lead and Participating Businesses must promptly respond to requests for information during this evaluation process.

2. Social District Lead and Point of Contact

The Social District Lead must serve as the designated Point of Contact that should be contacted with inquiries about the operation of the Winters Downtown Social District or any Social District Event. The designated Social District Lead and Point of Contact for the Winters Downtown Social District is:

Winters Chamber of Commerce
Address:
Email:
Phone:

3. Participating Businesses

Only licensed restaurants, bars, breweries, and wineries are eligible to participate in selling open containers for consumption during a Social District Event within the Social District. The following establishments are eligible to participate in the Social District:

- Buckhorn Steakhouse, 210 Railroad Ave.
- Putah Creek Cafe, 1 Main St.
- Chuys Taqueria, 208 Railroad Ave.
- Steady Eddy's Coffee House, 5 E. Main St., Suite A

- Ficelle, 5 E. Main St., Suites C & F
- Preserve, 200 Railroad Ave.
- Hotel Winters, 316 Railroad Ave.
- Burger Bros, 43 Main St.
- Berryessa Gap Vineyards, 15 Main St.
- Peekaboo Hills Winery, 304 Railroad Ave. (Turkovich Family Wines LLC)
- Winters Wine Co, 22 Main St.
- Hooby's Brewing, 9 E. Main St., Suites H, I, J & K

Any other businesses wishing to participate must initially and annually notify the City of Winters and ABC as set forth under Chapter [12.20] of the Winters Municipal Code.

. Participating

a. Event Notification

In order to host an event in the Social District, at least 45 days prior to the event, the applicant must submit a completed special events application to the City of Winters. The City of Winters reserves the right in its sole discretion to approve special events applications and/or permits.

Website

The Social District Lead will provide the following accurate, up-to-date information of the Social District and/or Social District Event on a public website or event page:

- Location of the Winters Downtown Social District and basic information, such as days and hours of operation of Social District Events
- Management Plan
- Calendar or list of upcoming events
- Contact information for the Winters Downtown Social District Lead
- Link to the City's dedicated Winters Downtown Social District webpage

4. Health and Safety Measures

a. Age Verification

Patrons of all ages may be admitted into the Winters Downtown Social District. Alcohol-serving businesses may admit patrons under the age of 21 only if allowed by their liquor license.

When staff of a Participating Business sells an alcoholic beverage during a Social District Event, it shall verify that the patron is at least 21 years of age through a valid, unexpired, government-issued photo identification card. Upon confirmation that the patron is at least 21 years of age, the Participating Business shall issue a wristband identifying that person as 21 years of age or over. All Participating Businesses, commercial entities or organizations sponsoring a Social District Event or selling any type of alcoholic beverage within the Social District must use a single style of wristband agreed upon prior to the operation of the Social District or any Social District Event, to readily identify anyone 21 years of age or over.

During any Social District Event, every patron purchasing any type of alcoholic beverage for consumption in the Social District, or in possession of or consuming any alcoholic beverage purchased from a Participating Business within the Social District must be wearing a wristband identifying them as 21 years of age or over.

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b. Safety and Security

Every Participating Business, commercial entity or organization in a Social District Event within the Social District is responsible for the safety and security of their patrons, premises, and surrounding area.

Within 24 hours of any violent incident, or any time the Winters Police Department responds to a call for service at an establishment or event within the Social District, any business or entity connected to that incident or call for service shall complete and send an incident report to the Winters' Chief of Police.

c. Signage

The boundaries of the Winters Downtown Social District must be clearly marked by easily visible signage posted at every intersection along its perimeter. This signage must instruct patrons not to carry any alcoholic beverages outside of the Winters Downtown Social District (e.g., "No Alcoholic Beverages Permitted Beyond This Point").

Signs must be illuminated well enough to be sufficiently visible after dusk during Social District Events.

d. Smoking Ban

In accordance with the Winters Municipal Code, smoking is prohibited in the Winters Downtown Social District, except in alleyways.

5. Cup Requirements

a. Material

All alcoholic beverages served for open consumption in the Winters Downtown Social District must be in a compostable or similar reusable cup.

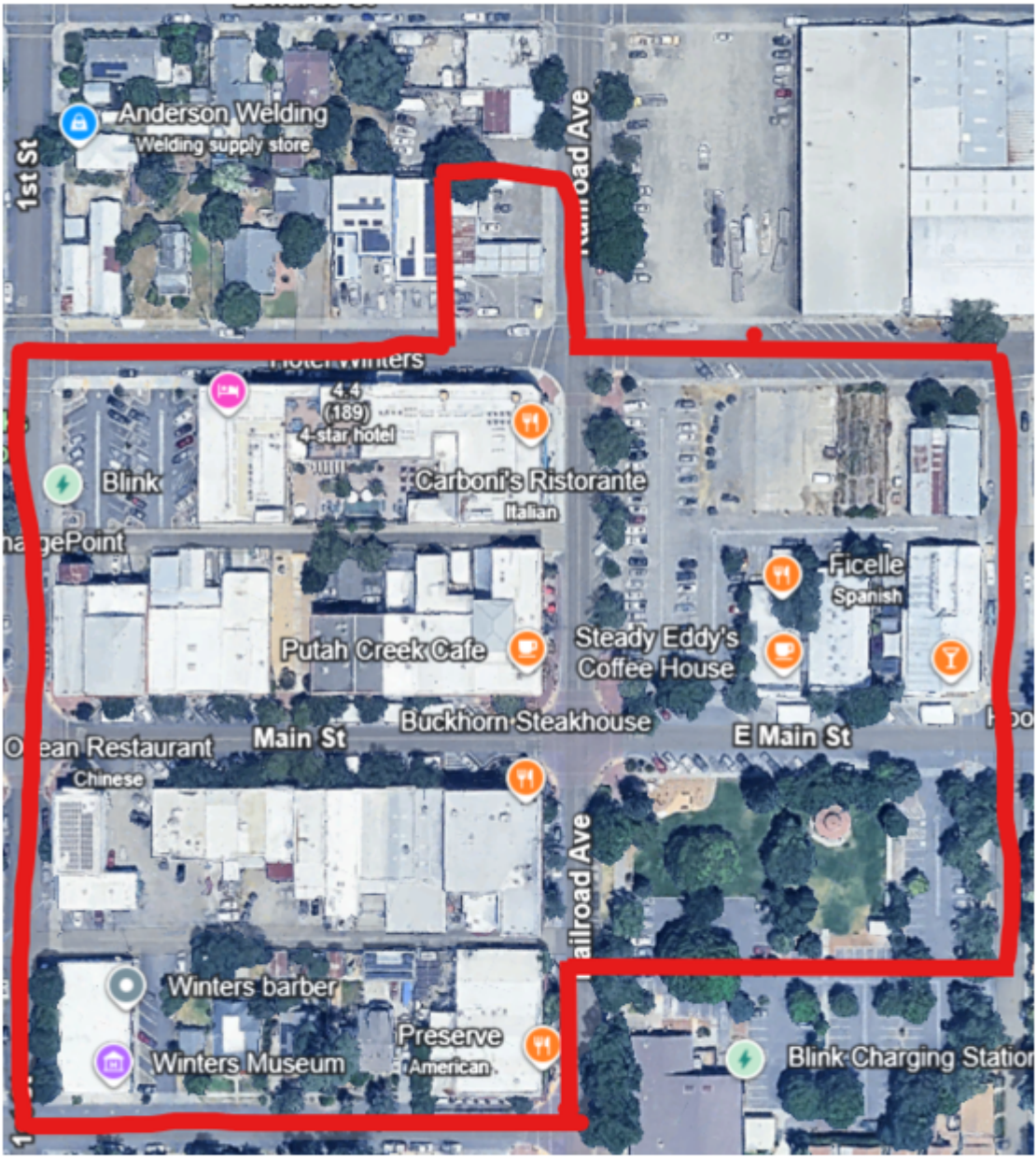
No alcoholic beverage may be served for open consumption in the Social District in any metal or glass container.

b. Disposal

The City and Participating Businesses will provide sufficient receptacles for patrons to dispose of their compostable cups or to return their reusable cups before exiting the Social District .

6. Insurance

Any Social District Event occurring inside the Social District must complete the special events permits process with the City of Winters and provide the required insurance as set forth under Chapter [12.20] of the Winters Municipal Code prior to the event.


Anderson Welding
Welding supply store
1st St
4.4
(189)
4-star hotel
Blink
Carboni's Ristorante
Italian
Ficelle
Spanish
Putah Creek Cafe
Steady Eddy's
Coffee House
Buckhorn Steakhouse
Main St
E Main St
Chinese
Winters barber
Winters Museum
Preserve
American
Blink Charging Station

CITY OF WINTERS

NOTICE TO NEIGHBORING PROPERTY OWNERS

PROPOSED SOCIAL DISTRICT

Dear Neighbor,

The City of Winters is considering establishing a Social District in downtown Winters. Because your property is located adjacent to or within the proposed district boundaries, we want to ensure you have accurate, clear information before the City Council takes action.

WHAT IS A SOCIAL DISTRICT?

A Social District is an officially designated outdoor area — authorized under California *Senate Bill 969* — where adults may purchase an alcoholic beverage from a participating licensed business and carry it within a defined common consumption area. Think of it as an extension of the outdoor dining and strolling experience already enjoyed in many California downtowns. For example, purchasing a glass of wine at Berryessa Gap and sitting at the pergola outside the business.

✓ IT IS…

- A state-authorized program under SB 969
- Limited to a clearly defined geographic boundary
- Restricted to participating licensed businesses
- Subject to ongoing City oversight and management
- Designed to support downtown vitality and local businesses
- Open only during specified, permitted hours

✗ IT IS NOT…

- A "party zone" or unregulated gathering space
- Open to the general public to bring outside alcohol
- An elimination of existing ABC license rules
- A permanent, irrevocable designation — the City retains authority to modify or rescind
- Expected to generate noise, litter, or safety concerns beyond current conditions
- A change to residential zoning or neighboring property rights

YOUR VOICE MATTERS

The City Council will consider this item at its regular meeting on **Tuesday, May 5, 2025**, beginning at **6:30p.m.**

318 First Street, Winters, CA | City Council Chambers

Members of the public are welcome to attend and provide comments.. Written comments may be submitted in advance to City Hall.

QUESTIONS?

Contact City Hall at **(530) 795-4233** or visit **www.cityofwinters.org** for more information, including the full staff report when it becomes available.

PLEASE NOTE THE CORRECTED DAY OF THE WEEK

THE ORIGINAL NOTICE YOU RECEIVED REFERRED INCORRECTLY TO MONDAY, MAY 5TH

THE CORRECT DAY IS TUESDAY, MAY 5TH

Winters Chamber of Commerce
22 Main Street Winters, CA 95694
April 30, 2026

Mayor and Members of the Winters City Council
Winters City Hall
318 First St.
Winters, Ca 95694

RE: Letter of Support for the Downtown Social District (Entertainment Zone)

Dear Mayor and Council Members,

The Winters Chamber of Commerce respectfully requests your approval of the proposed Downtown Winters Entertainment Zone—what our members have come to know and recommend branding as the Winters Downtown Social District. On behalf of the businesses we represent, we urge the Council to formalize this district before the temporary COVID-era measures expire in June 2026.

Background: How We Got Here

During the pandemic, the City took bold, pragmatic steps to support downtown businesses by allowing alcohol license holders on Main Street to temporarily expand their licensed service areas in accordance with ABC changes aligned to one of the Governor's emergency orders and by closing Main Street to vehicle traffic. Those changes were meant to be temporary lifelines. Instead, they have become a blueprint for a more vibrant, walkable downtown. What emerged was not merely expanded seating, but a true community gathering space that has since become a signature feature of our commercial core. Since the beginning days of the Covid pandemic and continuing to today the downtown business community has worked hand and hand with the community and the City to transform the core downtown into a space that is safe, inviting, and enjoyable. This area has become the town square that our entire community benefits from and has become the envy of our region.

Why Formalizing the Social District Benefits All Downtown Businesses

The Chamber strongly supports the formation of the Social District to make permanent the progress that has been made over the last six years. The Chamber understands the economic returns extend far beyond the restaurants, bars, wineries and breweries that hold alcohol licenses.

- Increased Foot Traffic for Everyone. When visitors come downtown for the Social District atmosphere, they do not stop at one establishment. They shop at retail stores, buy coffee and dessert from cafés, browse galleries, and pick up goods from neighboring service providers. The district creates a destination, and destinations generate spontaneous spending up and down the block.
- Longer Dwell Time, Greater Sales. A lively, pedestrian-safe downtown encourages people to stay longer. The longer visitors remain downtown, the more likely they are to patronize multiple businesses in a single visit. For retailers and specialty shops, this translates directly into higher transaction volumes.
- A Stronger Collective Brand. The Social District gives downtown Winters a distinct identity as a community hub. That reputation helps every business owner when they market themselves to out-of-town visitors, event planners, and prospective new tenants. A dynamic streetscape raises the profile and property values of the entire commercial district.
- Protecting Investments Already Made. Over the past several years, local businesses have invested in outdoor fixtures, staffing, and programming to make this shared space successful. Allowing the temporary provisions to expire in June would strand those investments and force downtown to retreat from a model that is already working.
- Resilience and Year-Round Activation. A formal Entertainment Zone gives the City and the business community a predictable framework to host pop-up markets, live music, holiday events, and art walks activities that drive revenue during otherwise slower periods.
- Stability and Oversight- The Social District formation codifies rules, and regulations that makes the management and oversight of the area more clear and stable.

Models of Success

The first Entertainment Zones established in the state of California are in San Francisco. San Francisco established its first Entertainment Zone in September of 2024. It now has 16 established Entertainment zones with no reported increases in alcohol related incidents. This is a quote from San Francisco Downtown Development Center.

"In 2024, the Front Street District became one of the first locations in California to allow outdoor consumption of alcohol on public streets. The early results have been entirely positive, says Robbie Silver, president and chief executive officer of the Downtown San Francisco Partnership. In some corners of the country, skeptics have questioned the public health downsides and public safety risks of relaxing alcohol rules.

But for Downtown San Francisco, the loosening of alcohol consumption rules has created no problems. In fact, it has offered a welcome counterbalance to many news stories about the death of downtown, which has indeed suffered from lower office occupancy rates and less foot traffic since the pandemic. 'We've had no issues whatsoever,' Silver says." **As of April 2026, there is no published evidence from San Francisco officials, SFPD, or peer-reviewed public-health analysis demonstrating a rise in alcohol-related incidents attributable to the establishment**

of entertainment zones. City statements and early reports describe the zones as manageable, while advocacy groups warn of theoretical risks and call for better monitoring rather than citing confirmed increases.

The city of Mountain View, CA passed their Entertainment Zone Management Plan in April of 2026.

California isn't the only state with Entertainment Zones. The town of Escanaba, Michigan has an established Social District.

Our Commitment to Partnership

The Chamber and its members recognize that success requires collaboration. We stand ready to work with the City on reasonable guidelines regarding public safety, waste management, noise mitigation, and traffic control. Our goal is to ensure the Social District remains a welcoming, family-friendly environment that reflects the values of our entire community.

The Request

Approving the Entertainment Zone ordinance before the June deadline will provide the certainty our business owners need to plan, hire, and invest. It will preserve what has become one of the most successful economic development tools our downtown has seen in years.
Thank you for your continued leadership in making Downtown Winters a place where small businesses thrive and that is an asset to the entire community.

Respectfully submitted,

Carla Wroten
President
Winters Chamber of Commerce

CITY COUNCIL
STAFF REPORT

TO: Honorable Mayor and Councilmembers

DATE: May 5, 2026

FROM: Jeremy Craig, City Manager

SUBJECT: Animal Services Community Survey – Results Update and Request for Direction

RECOMMENDATION:

Staff recommends that the City Council receive and file this report summarizing the results of the Animal Services Community Survey conducted in response to Council direction at the April 7, 2026, regular meeting, and provide direction on whether to send a letter of support for exploring a Joint Powers Authority (JPA) option for animal services or to maintain it as a county contracted service.

BACKGROUND:

At its April 7, 2026, the Council received a presentation from Yolo County Animal Services on a study evaluating the best way to manage animal services across the County. After that presentation, the City Council directed staff to conduct a community survey to gather resident input on animal services priorities. The survey was intended to inform future Council deliberations regarding the City's animal services delivery model, including whether to continue contracting with Yolo County, explore a regional Joint Powers Authority (JPA), or pursue an alternative service.

The survey was distributed through the City's website, social media channels, and other community outreach methods. As of Thursday, April 30, 2026, the survey received 89 responses.

DISCUSSION:

Staff has compiled the following summary of survey results across the six quantitative questions and the open-ended comment field.

Q1 – Place of Residence

Most respondents identified as City of Winters residents, with additional responses from Yolo/Solano County residents surrounding Winters and from other Yolo County cities. A small number identified as "None of the above." This distribution indicates that the survey captured primarily the City's core service population.

Q2 – Most Important Area of Animal Services

The largest share of respondents selected "All the above are important" when asked which area of animal services matters most to them, reflecting broad community interest across service categories. Among individual service areas, sheltering and adoption services and field services and animal law enforcement also received notable support.

Q3 – Importance of Specific Shelter Services

Respondents rated five shelter-related service elements. Animal shelter, housing, and adoption programs were rated “Very Important” by the largest share of respondents. Lost and found assistance, vaccination clinics, and foster and volunteer programs also received strong “Very Important” ratings, with relatively few respondents rating any element as “Not Important.”

Q4 – Access to Affordable Preventive Animal Care

This question generated among the strongest responses in the survey. An overwhelming majority — approaching 80 percent — selected “Very Important – the City should prioritize low-cost options.” Very few respondents selected “Somewhat Important” or “Not a Priority.” This result is strongly reinforced by the open-ended comments (see below).

Q5 – Importance of Specific Field Services

Among field service categories, rabies control and quarantine, and animal cruelty and neglect investigations were rated “Very Important” by the highest share of respondents. Response to nuisance animal complaints, ordinance enforcement, and public health-related animal control also rated highly. These results reflect community concern about both public safety and quality-of-life issues related to animal control.

Q6 – Preferred Service Delivery Approach

When asked how animal services should be delivered if the City were to make a change, responses were relatively distributed across four options. A plurality expressed no preference and deferred to the Council’s judgment. Responses also included continuing to contract with Yolo County, joining a regional JPA with neighboring cities, and exploring in-house services. No single alternative model commanded a clear majority, though the JPA and in-house options together suggest openness to change among a significant portion of respondents.

Q7 – Open-Ended Comments (43 Responses)

Forty-three of 89 respondents provided written comments. Staff identified the following key themes:

- Low-Cost Spay and Neuter Services. By far the most frequently raised issue, this theme appeared in nearly half of all written comments. Respondents expressed urgency about the lack of affordable spay-and-neuter options, connecting it directly to the prevalence of stray animals — particularly feral cats — in Winters. Multiple respondents specifically called for high-volume, low-cost spay-and-neuter (HQHVSN) programs.
- Stray and Feral Cat Population. Several respondents described visible, ongoing problems with feral and stray cats in their neighborhoods, including sanitation issues. Some expressed frustration with TNR (trap-neuter-return) as an insufficient long-term solution.

- Leash Law and Off-Leash Dog Enforcement. Multiple respondents raised concerns about off-leash dogs in parks and neighborhoods, including Three Oaks Park specifically. Several noted that enforcement is inadequate given existing staffing levels.
- Support for Yolo County Animal Services. At least one commenter expressed strong support for maintaining and improving the existing Yolo County partnership rather than transitioning to a new model, citing positive personal experience with the shelter and concern about the costs of creating competing programs.
- Concerns About Yolo County Budget. One respondent noted that Yolo County faces significant budget shortfalls (approximately $13 million in reductions), which may affect the shelter's capacity to deliver services.
- Microchipping and Lost Pet Resources. A commenter noted the absence of microchipping services for animals in Winters as a gap affecting the return of lost pets to owners.
- Other Issues. Individual comments raised topics including irresponsible dog breeding, unlicensed in-home boarding operations, the need for low-cost euthanasia services, and squirrel control.

FISCAL IMPACT:

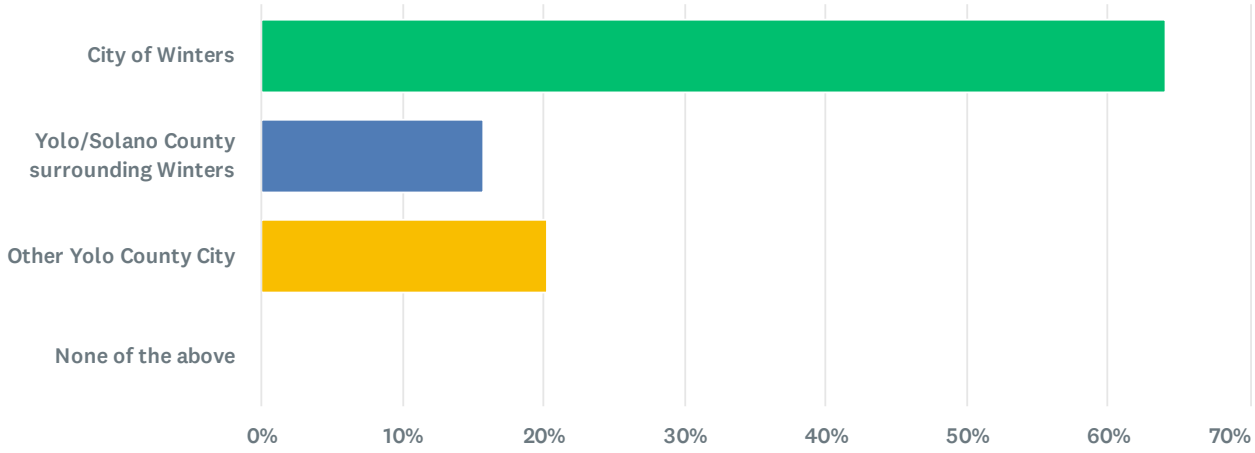
There is no direct fiscal impact associated with receiving and filing this survey report. Any future decisions regarding changes to the animal services delivery model may carry fiscal implications, which will be presented to Council at the time of that analysis.

ATTACHMENTS:

Attachment 1 – Animal Services Survey result tabulations

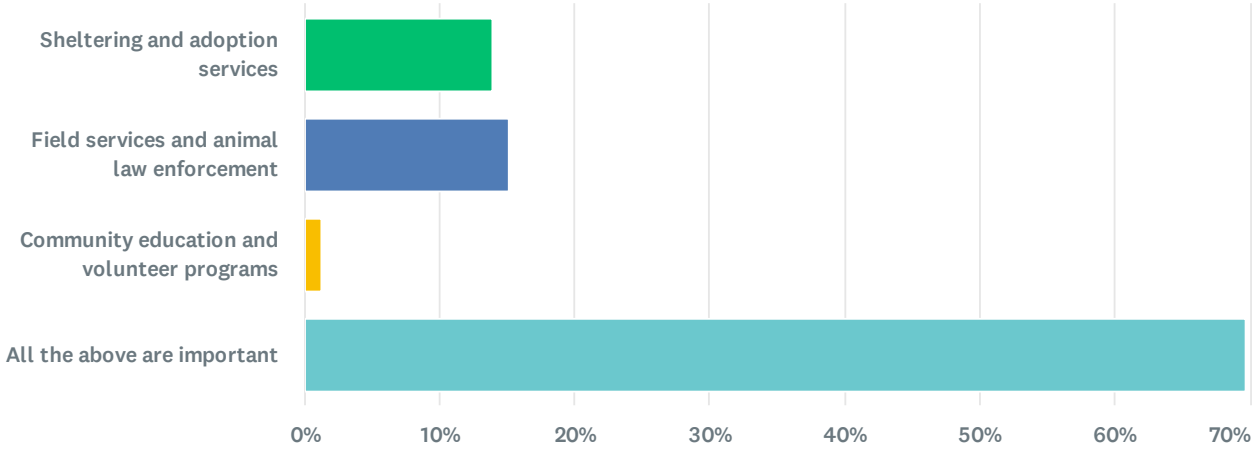
Q1 89 responses

Where is your place of residence?



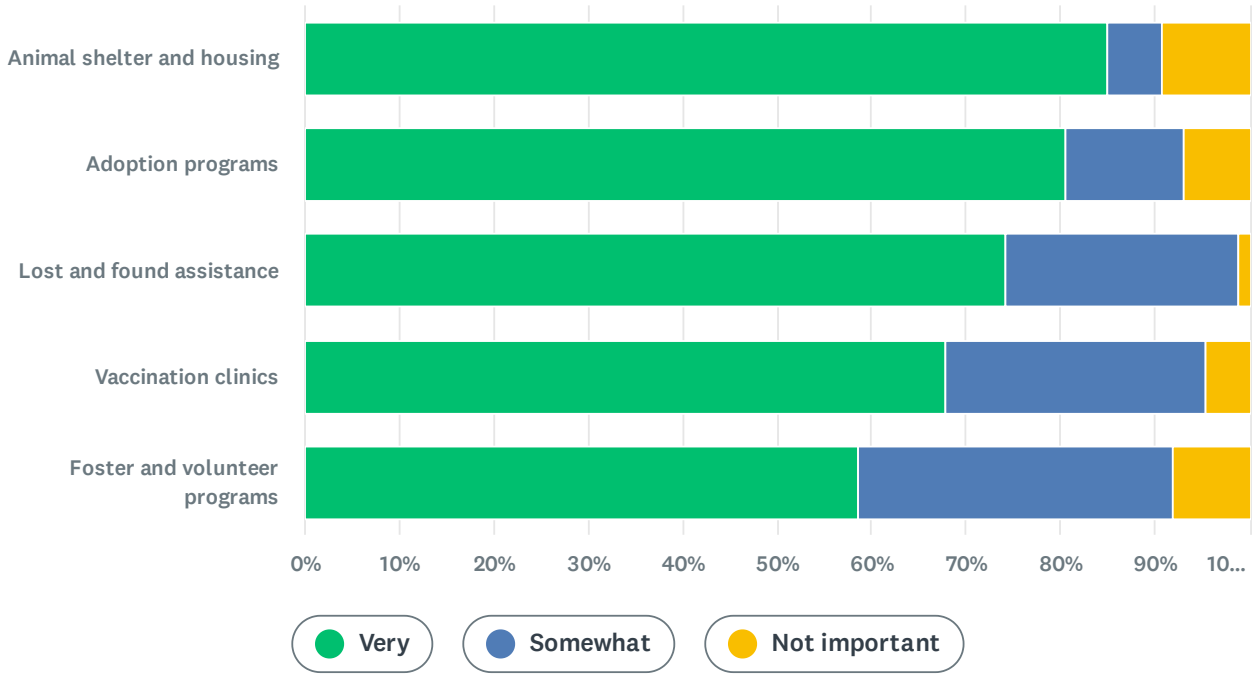
Q2 86 responses

Which area of animal services is most important to you?



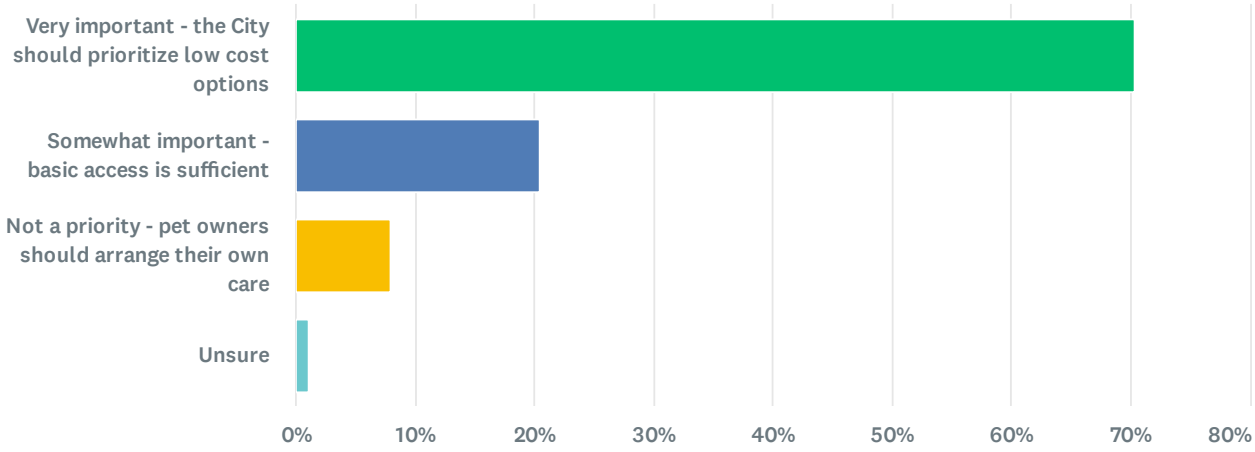
Q3 87 responses

How important are each of the following to you?



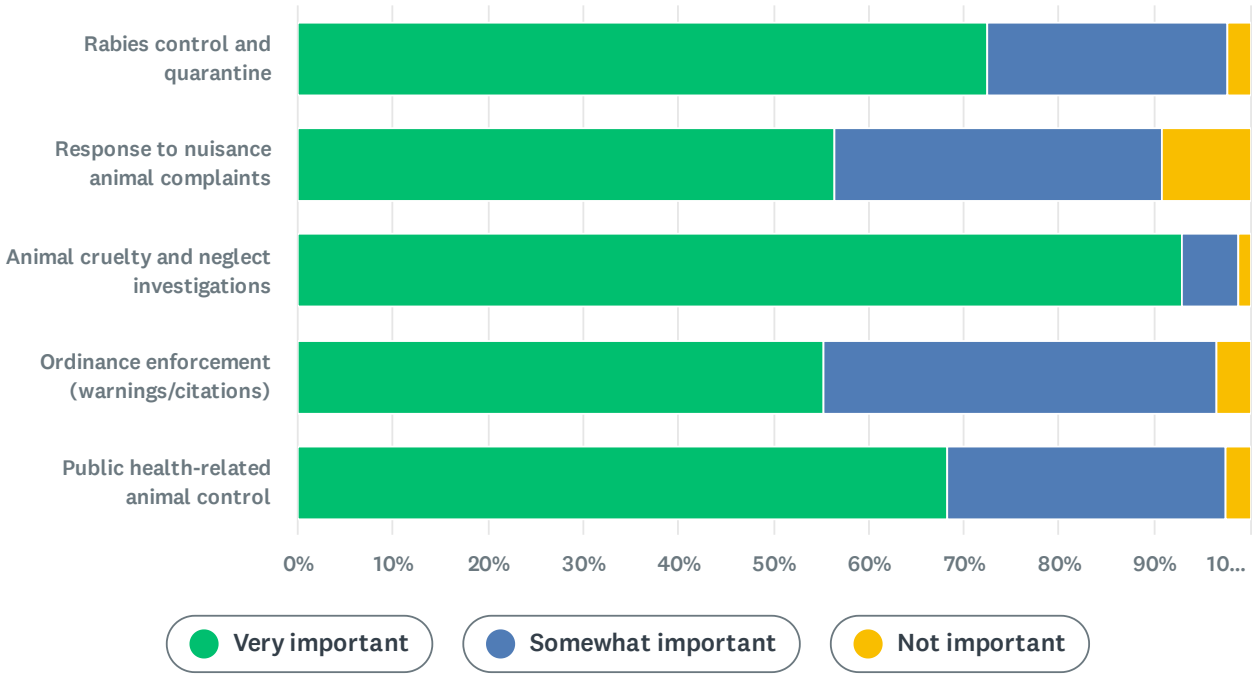
Q4 88 responses

How important is access to affordable preventive animal care in our community?



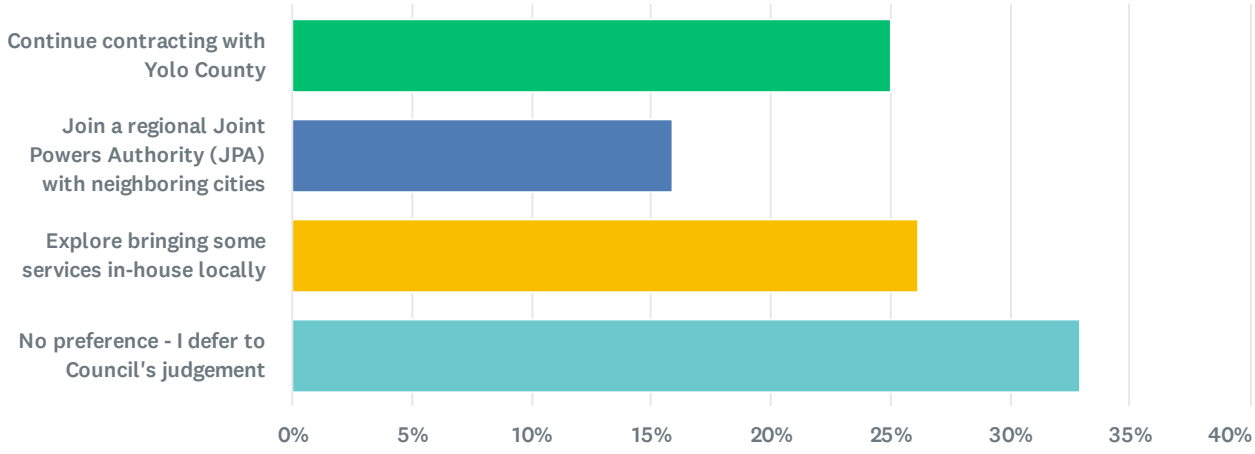
Q5 87 responses

How importantare each of the following field services to you?



Q6 88 responses

If the City were to change how animal services are delivered, which approach would you prefer?



Q7 Is there anything else you'd like the City Council to know about animal services in Winters?

Answered: 43 Skipped: 46

#	RESPONSES	DATE
1	Yo necessities Servicio para mis gatos	4/29/2026 10:07 PM

2	Low cost Shots neuter spade clinic	4/29/2026 8:24 PM
3	Would like to see more low cost spay and neuter services. Dealing with a lot of stray cats around my home	4/29/2026 7:59 PM
4	More low cost spay and neuter	4/29/2026 5:46 PM
5	The services I have received from YOLO County Animal Services are excellent. I've had help trapping loose dogs and dealing with stuck wildlife. The officers are kind and supportive when I have seen them in the community. The most important thing right now with the cost of animal care is helping people keep their pets in the face of tough economic times. Instead of abandoning our Yolo shelter, the cities should be supporting it and not starting up new competitive and costly ramp up programs. The pressure on animal services post pandemic and in this economy are exponential. I've adopted pets from the Yolo shelter, called animal control, used their services, and donated to the animal food pantry. The Yolo shelter and services are ours here in Yolo County. Whatever the issues are, support the service, make it better, and support our community.	4/29/2026 12:49 PM
6	high volume, low cost spay and neuter services	4/29/2026 11:47 AM
7	More enforcement of off leash dogs and owners not picking up after their dogs	4/29/2026 11:24 AM
8	More low cost spay and neuter!	4/29/2026 10:05 AM
9	Yolo County is doing a poor job in the animal services department so finding a different solution is important to me.	4/29/2026 9:52 AM
10	we need liw cost spay for stray cats.	4/29/2026 8:42 AM
11	I wish nuisance animals and complaints could be dealt with better	4/29/2026 7:35 AM
12	We should prioritize high volume low cost spay and neuter clinics and programs	4/29/2026 7:04 AM
13	There needs to be a program to get rid of all the stray cats! My street alone has at least 50 because neighbors keep letting them out to mate instead of getting them fixed. Cat urine and feces is everywhere and it's unsanitary. TNR isn't good enough because they just come back and keep making the neighborhood disgusting.	4/29/2026 6:41 AM
14	High volume, low cost spay/neuter!	4/29/2026 4:17 AM
15	It is essential to increase low cost, frequent, and accessible, spay and neuter programs	4/29/2026 3:32 AM
16	We are in need of spay and neuter services urgently	4/28/2026 10:44 PM
17	We need to support the animal shelter. Low cost Spay and Neuter Clinic for Yolo County residents.	4/28/2026 9:25 PM
18	There is a great need for low cost and cost assisted spay and neuter for pets and feral cats.	4/28/2026 9:24 PM
19	Need to address in home boarding. One lady takes up to 50 dogs over holidays, no kennel license, not paying Yolo Co taxes like legit facilities.	4/28/2026 9:20 PM
20	Need assistance with feral cat spay and neuter	4/28/2026 8:51 PM
21	Nope. Whatever is checked is important. Please listen to the people!!	4/28/2026 8:50 PM
22	Just want to bring to light the yellow County budget is in the negative and they have to reduce about $13 million. I don't know exactly how that's going to affect the shelter, but something to keep in mind.	4/28/2026 8:13 PM
23	The lack of low cost spay and neuter clinics is a large driver of unwanted and stray animals. Additionally no microchips for animals in Winters means you can't get animals back to thir owners easily. Every day there are complaints about off leash dogs and you can't expect the one police officer working to deal with the animals on top of dealing with service calls from a population of 8,000 people	4/28/2026 7:38 PM
24	We need to find a way to fund Yolo County Animal Services with the money they need to do their job. I admin a Davis-Woodland pets lost and found page. This is my passion.	4/28/2026 7:26 PM
25	It is incredibly important to have the leash laws enforced. As an owner of a senior (friendly, but with a heart related medical condition) dog it is very concerning to have off-leash dogs run up	4/28/2026 7:15 PM

	to us while walking the neighborhoods. I understand that people think their dogs are “friendly”, but it’s not always about just their dog. It’s disrespectful and potentially dangerous to allow interaction without consent.	
26	Desperately need low-cost spay and neuter services.	4/28/2026 7:12 PM
27	I would like better enforcement of local ordinances related to pets, in particular the leash law. Almost daily there are off-leash dogs at Three Oaks Park (they are not in the dog parks).	4/28/2026 7:08 PM
28	We need high volume, low cost spay and neuter services for all of Yolo County! And also low cost euthanasia services offered where the owner can remain in the room with their pet when they need to say goodbye to them.	4/28/2026 6:09 PM
29	Making affordable animals care from shots to population control with trapping and release program.	4/28/2026 5:15 PM
30	yes. you forgot the most important thing: high volume/low cost spay and neuter.	4/28/2026 4:17 PM
31	I have two dogs and it would be nice if we had lower cost options in town. MVP is VERY expensive. Maybe a contract with a mobile vet would be nice.	4/28/2026 4:07 PM
32	Please work on getting rid of all the squirrels that are taking over our town. I find that much more important than this.	4/28/2026 3:37 PM
33	There needs to be much more done locally! Enforcement of leash laws and control of loose dogs! Also, more help with ferel cats which is a huge problem in Winters and would be worse without some local volunteers who do a lot!	4/28/2026 3:26 PM
34	Enforcement of allowed number of pets within city limits, citing of continuous loose dogs	4/28/2026 3:11 PM
35	Would like some low cost services for owners who can’t afford the high costs of neutering or spaying there pets.	4/28/2026 2:13 PM
36	We need more access to HQHVSN and community cat programs	4/28/2026 2:02 PM
37	Cost, Quality, Responsiveness High fines for people breeding dogs irresponsibly	4/28/2026 12:58 PM
38	One of the biggest pet challenges in Winters is the amount of animals who get out of confinement. Check the FB pages for lost pets. If there was a way towards better education or resources to keep pets safe in their homes/enclosures. Save animals from getting hit, from resources to look for them and the potential for negative animal interactions (people and pets).	4/28/2026 12:32 PM
39	Please focus on cost effective solutions and work within our budget.	4/28/2026 11:33 AM
40	I think its especially important to provide low-cost vaccination clinics and spaying clinics that are easy to access. Possibly once per quarter offer in Winters, otherwise allow Winters residents to access those services at a central location.	4/28/2026 11:04 AM
41	Owners with dogs off-leash. Owners who just let their dogs out to roam and relieve themselves.	4/28/2026 10:57 AM
42	Force the county to drastically improve its facilities and management team. The person at the helm is not a competent manager. Give her another job and hire someone talented and creative. Get UCDavis involved.	4/28/2026 10:44 AM
43	Please expedite this process. Our local animals are a priority and need this kind of support.	4/28/2026 10:07 AM

STATE OF CALIFORNIA
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

Assembly Bill No. 1236

CHAPTER 598

An act to add Section 65850.7 to the Government Code, relating to local ordinances.

[Approved by Governor October 8, 2015. Filed with Secretary of State October 8, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1236, Chiu. Local ordinances: electric vehicle charging stations.

The Planning and Zoning Law, among other things, requires the legislative body of each county and city to adopt a general plan for the physical development of the county or city and authorizes the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities. Existing law, the Electric Vehicle Charging Stations Open Access Act, prohibits the charging of a subscription fee on persons desiring to use an electric vehicle charging station, as defined, and prohibits a requirement for persons to obtain membership in any club, association, or organization as a condition of using the station, except as specified.

The bill would require a city, county, or city and county to approve an application for the installation of electric vehicle charging stations, as defined, through the issuance of specified permits unless the city or county makes specified written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The bill would provide for appeal of that decision to the planning commission, as specified. The bill would provide that the implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is a matter of statewide concern. The bill would require electric vehicle charging stations to meet specified standards. The bill would require a city, county, or city and county with a population of 200,000 or more residents to adopt an ordinance, by September 30, 2016, that creates an expedited and streamlined permitting process for electric vehicle charging stations, as specified. The bill would require a city, county, or city and county with a population of less than 200,000 residents to adopt this ordinance by September 30, 2017. The bill would authorize the city, county, or city and county, in developing the ordinance, to refer to guidelines contained in a specified guidebook. The bill would also authorize the adoption of an ordinance that modifies the checklists and standards found in the guidebook due to unique conditions. By increasing the duties of local officials, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

SECTION 1. Section 65850.7 is added to the Government Code, to read:

65850.7. (a) The Legislature finds and declares all of the following:

(1) The implementation of consistent statewide standards to achieve the timely and cost-effective installation of electric vehicle charging stations is not a municipal affair, as that term is used in Section 5 of Article XI of the California Constitution, but is instead a matter of statewide concern.

(2) It is the intent of the Legislature that local agencies not adopt ordinances that create unreasonable barriers to the installation of electric vehicle charging stations and not unreasonably restrict the ability of homeowners and agricultural and business concerns to install electric vehicle charging stations.

(3) It is the policy of the state to promote and encourage the use of electric vehicle charging stations and to limit obstacles to their use.

(4) It is the intent of the Legislature that local agencies comply not only with the language of this section, but also the legislative intent to encourage the installation of electric vehicle charging stations by removing obstacles to, and minimizing costs of, permitting for charging stations so long as the action does not supersede the building official's authority to identify and address higher priority life-safety situations.

(b) A city, county, or city and county shall administratively approve an application to install electric vehicle charging stations through the issuance of a building permit or similar nondiscretionary permit. Review of the application to install an electric vehicle charging station shall be limited to the building official's review of whether it meets all health and safety requirements of local, state, and federal law. The requirements of local law shall be limited to those standards and regulations necessary to ensure that the electric vehicle charging station will not have a specific, adverse impact upon the public health or safety. However, if the building official of the city, county, or city and county makes a finding, based on substantial evidence, that the electric vehicle charging station could have a specific, adverse impact upon the public health or safety, the city, county, or city and county may require the applicant to apply for a use permit.

(c) A city, county, or city and county may not deny an application for a use permit to install an electric vehicle charging station unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis

for the rejection of potential feasible alternatives of preventing the adverse impact.

(d) The decision of the building official pursuant to subdivisions (b) and (c) may be appealed to the planning commission of the city, county, or city and county.

(e) Any conditions imposed on an application to install an electric vehicle charging station shall be designed to mitigate the specific, adverse impact upon the public health or safety at the lowest cost possible.

(f) (1) An electric vehicle charging station shall meet applicable health and safety standards and requirements imposed by state and local permitting authorities.

(2) An electric vehicle charging station shall meet all applicable safety and performance standards established by the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

(g) (1) On or before September 30, 2016, every city, county, or city and county with a population of 200,000 or more residents, and, on or before September 30, 2017, every city, county, or city and county with a population of less than 200,000 residents, shall, in consultation with the local fire department or district and the utility director, if the city, county, or city and county operates a utility, adopt an ordinance, consistent with the goals and intent of this section, that creates an expedited, streamlined permitting process for electric vehicle charging stations. In developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which electric vehicle charging stations shall comply to be eligible for expedited review. An application that satisfies the information requirements in the checklist, as determined by the city, county, or city and county, shall be deemed complete. Upon confirmation by the city, county, or city and county of the application and supporting documents being complete and meeting the requirements of the checklist, and consistent with the ordinance, a city, county, or city and county shall, consistent with subdivision (b), approve the application and issue all required permits or authorizations. However, the city, county, or city and county may establish a process to prioritize competing applications for expedited permits. Upon receipt of an incomplete application, a city, county, or city and county shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance. An application submitted to a city, county, or city and county that owns and operates an electric utility shall demonstrate compliance with the utility's interconnection policies prior to approval.

(2) The checklist and required permitting documentation shall be published on a publicly accessible Internet Web site, if the city, county, or city and county has an Internet Web site, and the city, county, or city and county shall allow for electronic submittal of a permit application and associated documentation, and shall authorize the electronic signature on

all forms, applications, and other documentation in lieu of a wet signature by an applicant. In developing the ordinance, the city, county, or city and county may refer to the recommendations contained in the most current version of the "Plug-In Electric Vehicle Infrastructure Permitting Checklist" of the "Zero-Emission Vehicles in California: Community Readiness Guidebook" published by the Office of Planning and Research. A city, county, or city and county may adopt an ordinance that modifies the checklists and standards found in the guidebook due to unique climactic, geological, seismological, or topographical conditions. If a city, county, or city and county determines that it is unable to authorize the acceptance of an electronic signature on all forms, applications, and other documents in lieu of a wet signature by an applicant, the city, county, or city and county shall state, in the ordinance required under this subdivision, the reasons for its inability to accept electronic signatures and acceptance of an electronic signature shall not be required.

(h) A city, county, or city and county shall not condition approval for any electric vehicle charging station permit on the approval of an electric vehicle charging station by an association, as that term is defined in Section 4080 of the Civil Code.

(i) The following definitions shall apply to this section:

(1) "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by a city, county, or city and county on another similarly situated application in a prior successful application for a permit.

(2) "Electronic submittal" means the utilization of one or more of the following:

(A) Email.

(B) The Internet.

(C) Facsimile.

(3) "Electric vehicle charging station" or "charging station" means any level of electric vehicle supply equipment station that is designed and built in compliance with Article 625 of the California Electrical Code, as it reads on the effective date of this section, and delivers electricity from a source outside an electric vehicle into a plug-in electric vehicle.

(4) "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.

O