



# CITY OF WHEATLAND

## CITY COUNCIL MEETING STAFF REPORT

April 28, 2020

**SUBJECT:** City Council consideration of General Plan Amendments and Zoning Amendments to implement programs from the City of Wheatland 4-Year (2017-2021) Housing Element Update.

**PREPARED BY:** Tim Raney, Community Development Director

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### Recommendation

Staff recommends that the City Council: (1) introduce the attached ordinance amending Section 18.27.060 of the Wheatland Zoning Code, creating Chapter 18.55 of the Wheatland Zoning Code, rezoning three properties totaling 21.75 acres (APNs 015-500-008-000, 015-360-001-000, and 015-350-012-000), and rezoning a 2.24-acre property (APN 015-500-018-000) to include the Emergency Shelter Combining District and (2) waive the full reading of the ordinance.

### Background and Discussion

The California Department of Housing and Community Development (HCD) determined the City of Wheatland's 5<sup>th</sup> Cycle (2013-2021) Housing Element Update did not meet the State's requirements because it did not fully accommodate the need for housing for lower-income households during the previous planning period (4<sup>th</sup> Cycle).

After coordinating with HCD and discussing potential alternatives to receive certification, city staff prepared the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update, which included the following revised programs:

- Amend the General Plan to allow a maximum dwelling units per acre (du/ac) increase from 16 du/ac to 30 du/ac in the High-Density Residential Land Use Designation (Housing Element Program 2);
- Amend the General Plan Map for three properties totaling 21.75 acres to High-Density Residential (Housing Element Program 12);
- Amend the Zoning Code to allow a maximum du/ac increase from 18 du/ac to 30 du/ac in the (Multi-family) R-3 Zoning District (Housing Element Program 3);
- Rezone three properties totaling 21.75 acres to the R-3 Zoning District (Housing Element Program 11); and

- Create an Emergency Shelter Combining District, which would permit emergency shelters without a conditional use permit or other discretionary action in accordance with SB 745 (Housing Element Program 4).

These programs identifying General Plan Amendments and Zoning Amendments are required to be implemented prior to HCD certifying the Wheatland Housing Element. A certified Housing Element is required in order for the City to be eligible for several grants from the State. On December 11, 2019, the City of Wheatland's Senate Bill (SB) 2 grant application was approved; however, because the City's housing element is not yet certified, HCD is not allowing the \$160,000.00 grant funds to be disbursed to the City. The State has also shown that they will subject cities to litigation if that city does not have a certified housing element that meets all the statutory requirements.

### **CEQA Review**

The City prepared an IS/MND for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update and Associated General Plan Amendment and Zoning Amendment in accordance with the California Environmental Quality Act (CEQA).

The Housing Element IS/MND determined that the Draft City of Wheatland 4-Year (2013-2021) Housing Element Update and Associated General Plan Amendment and Zoning Amendment would not result in a significant effect on the environment with implementation of mitigation measures and because the project does not include any specific development proposals, nor does the project grant any entitlements for development.

On March 10, 2020, the City posted a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update and Associated General Plan Amendments and Zoning Amendments, and this document was released for public review from March 10, 2020 to April 8, 2020. To date, the City has not received any comments on the IS/MND.

Staff did receive a written comment from a property owner stating they were opposed to the proposed rezoning of their property identified as Site D from Single Family to Multi-Family. In order for the City to meet the State's requirements this property must be included in the rezone. If the City Council approves the proposed zoning of this property, the new zoning would allow multi-family development and all development permitted in the Two-Family (R-2) district. The R-2 district does also allow for single-family development; therefore, even after the rezone, single-family development would still be allowed on this property.

### **Planning Commission Review**

On April 7, 2020, City staff presented the proposed General Plan Amendment and General Plan Map Amendment, as well as the Ordinance amending the Wheatland Zoning Code and the Wheatland Zoning Map for implementation of the City of Wheatland 4-Year (2017-2021) Housing Element. During the April 7, 2020 Planning Commission hearing, the Planning Commissioners expressed concerns regarding all the proposed revisions to the General Plan and zoning code that are required for the City to receive HCD certification.

Multiple Planning Commissioners were not comfortable with the increase to 30 du/ac for the City's High-Density Residential Land Use Designation and the R-3 Zoning District to meet the State's requirements for the unaccommodated need for low-income housing. The Planning

Commissioners believed that would result in development that is too dense for the City. Staff responded stating all the current development standards in the R-3 Zoning District would remain, including maximum building height, minimum building setbacks, off-street parking requirements, and open space requirements. Increasing the maximum du/ac potential for the R-3 Zoning District is needed in order for the City to be able to accommodate the required housing need from the 4<sup>th</sup> Cycle per HCD's "reasonable buildout" methodology. HCD's "reasonable buildout" methodology required the City to use 20 du/ac to calculate the reasonable buildout potential for these sites, as HCD does not consider a maximum 30 du/ac buildout is a reasonable possibility.

One Commissioner was concerned with the location of the properties proposed to be rezoned to the R-3 zoning to accommodate the required housing need from the 4<sup>th</sup> Cycle. The Commissioner stated preference to have R-3 zoned properties located near City boundaries, and not in the central part of the City. Staff responded that existing City services, such as sewer and water, located near these properties are necessary to meet the requirements and available land elsewhere in the City does not exist.

Commissioners were also concerned with the proposed location of the Emergency Shelter Combining District and its proximity to a City Park and City Hall. The current proposed location is the vacant 2.24-acre property identified as Site A, located at the northern end of C Street. The City Council may identify an alternative site for the Emergency Shelter Combining District; however, changing the proposed location would delay the approval of the City's Housing Element possibly beyond HCD's deadline and put the City in jeopardy of receiving SB 2 Grants Program funds. The Council could revisit the location of the Emergency Shelter Combining District and discuss an alternate location at a later time.

Following the hearing, a motion for approval was made; however, that motion failed to receive a second and therefore died. The Planning Commission did not entertain a motion for denial of staff's recommendation. As a result, after conducting the required hearing, the Planning Commission neither endorsed nor rejected staff's recommendations regarding the proposed General Plan Amendments and Zoning Amendments.

**Staff Recommendation**

The City of Wheatland staff recommends City Council adopt the attached resolution: (1) adopting the proposed General Plan Amendment and General Plan Map Amendment and (2) introducing and waiving the first reading of the attached Ordinance amending the Wheatland Zoning Code and the Wheatland Zoning Map for implementation of the City of Wheatland 4-Year (2017-2021) Housing Element.

**Fiscal Impact**

Staff time to coordinate with HCD and prepare and process the proposed General Plan Amendments and Zoning Amendments is the only current cost to the City. Staff hopes to receive the SB 2 grant funds, once the Housing Element is certified, which will assist in implementing the City's Housing Element Programs.

**Attachments**

1. Resolution adopting the General Plan Amendment and General Plan Map Amendment for implementation of the City of Wheatland 4-Year (2017-2021) Housing Element.

2. Ordinance amending Section 18.27.060 of the Wheatland Zoning Code, creating Chapter 18.55 of the Wheatland Zoning Code, rezoning three properties totaling 21.75 acres (APNs 015-500-008-000, 015-360-001-000, and 015-350-012-000), and rezoning a 2.24-acre property (APN 015-500-018-000) to include the Emergency Shelter Combining District.
3. April 7, 2020 DRAFT Planning Commission Minutes.

# Attachment 1

## CITY COUNCIL RESOLUTION NO. 19-20

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHEATLAND APPROVING A GENERAL PLAN AMENDMENT AND GENERAL PLAN MAP AMENDMENT FOR IMPLEMENTATION OF THE CITY OF WHEATLAND 4-YEAR (2017-2021) HOUSING ELEMENT UPDATE

**WHEREAS**, Section 65358 of the California Government Code provides for the amendment of all or part of an adopted General Plan; and

**WHEREAS**, the primary purpose of the General Plan Amendment is to ensure consistency between the City of Wheatland General Plan and the implementation of programs included in the City of Wheatland 4-Year (2017-2021) Housing Element Update; and

**WHEREAS**, the proposal to allow a maximum capacity of 30 dwelling units per acre ("du/ac") in the High Density Residential Land Use Designation promotes the City's ability to fulfill City objectives as expressed in the Housing Element Update and meet the State's requirements for the City of Wheatland's unaccommodated need from the 4<sup>th</sup> Cycle; and

**WHEREAS**, the proposal to amend the City's General Land Use Map for three properties totaling 21.75 acres to High Density Residential promotes the City's ability to fulfill City objectives as expressed in the Housing Element Update and meet the State's requirements for the City of Wheatland's unaccommodated need from the 4<sup>th</sup> Cycle; and

**WHEREAS**, the three properties totaling 21.75 acres (APNs 015-500-008-000, 015-360-001-000, and 015-350-012-000) are of adequate size to accommodate potential future High-Density Residential development; and

**WHEREAS**, the City prepared an Initial Study/Mitigated Negative Declaration ("IS/MND") to evaluate the potential environmental impacts of the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update in conformance with Title 14, section 15000, et seq., of the California Code of Regulations (the "CEQA Guidelines"); and

**WHEREAS**, the City gave notice of public hearing before the Planning Commission as required by law; and

**WHEREAS**, on April 7, 2020, the Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

**WHEREAS**, the City gave notice of public hearing before the City Council as required by law; and

**WHEREAS**, on April 28, 2020, the City Council duly held a public hearing on the matter, and received and considered evidence, both oral and documentary; and

**NOW THEREFORE, BE IT RESOLVED** that the City Council does hereby make the following findings for approval of the General Plan Amendment:

1. The proposed project conforms to the provisions and standards of the General Plan in that the proposed amendment is internally consistent with all other provisions of the General Plan and does not conflict with any of the previously adopted Goals, Policies and Programs of the General Plan; and
2. The proposed Amendment is necessary to implement the goals and objectives of the General Plan in that it will further implement the City of Wheatland Housing Element; and
3. The proposed Amendment will not be detrimental to the public interest, convenience, and general welfare of the City in that the Amendment will result in a logical placement of land uses consistent with the overall intent of the General Plan; and
4. The proposed Amendment will not cause environmental damage in that the City of Wheatland 4-Year (2017-2021) Housing Element Update IS/MND and Mitigation Monitoring and Reporting Program concluded that the project does not result in any significant or unavoidable environmental impacts; and
5. The Proposed General Plan Amendment will not require changes to or modifications of any other plans that the City Council adopted before the date of this resolution.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the City Council does hereby ADOPT the General Plan Amendment as shown in Exhibit A and a General Plan Map Amendment as shown in Exhibit B for implementation of the City of Wheatland 4-Year (2017-2021) Housing Element.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing resolution was adopted by the City Council of the City of Wheatland at a regular meeting thereof held on the 28<sup>th</sup> day of April 2020, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

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LISA THOMASON  
City Clerk

## **EXHIBIT A**

### Proposed General Plan Amendment

The following proposed changes occur on page 1-3 of the adopted City of Wheatland General Plan Policy Document. *The proposed changes are identified as strikethrough for text to be removed and underline for text to be added.*

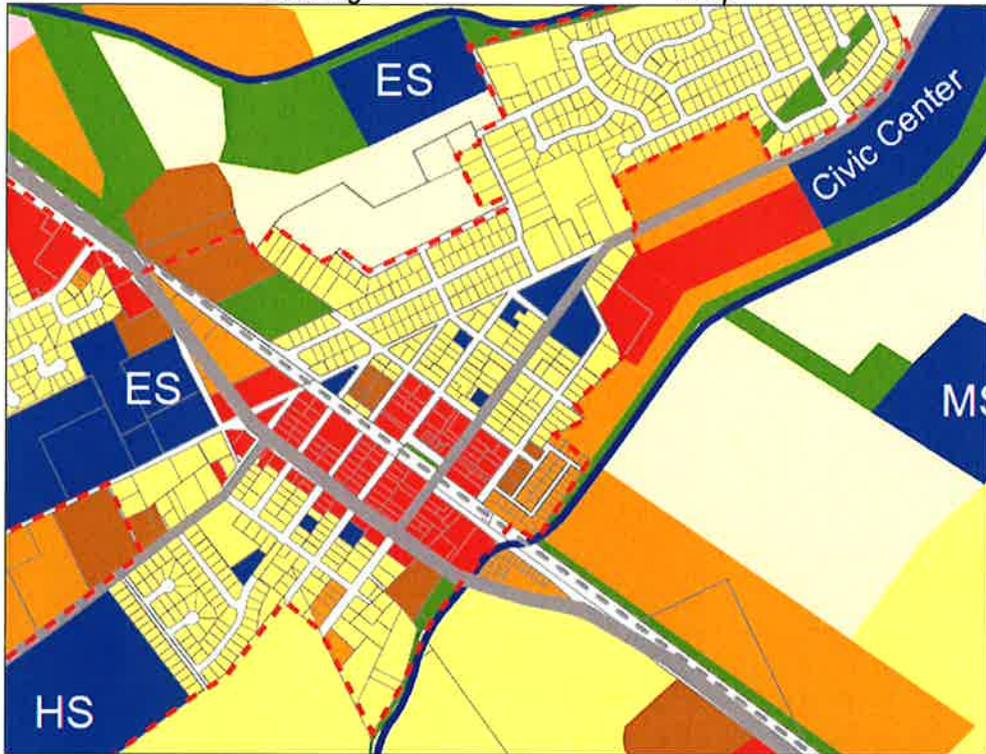
#### **High Density Residential (HDR)**

This designation provides for single-family detached and attached homes, secondary residential units, multi-family residential units, and similar and compatible uses. Residential densities shall be in the range of 8.1 to ~~16.0~~ 30.0 units per gross acre. The FAR for nonresidential uses shall not exceed 0.50.

**EXHIBIT B**

Proposed General Plan Map Amendment

*Existing General Plan Land Use Map*



*Proposed General Plan Land Use Map*



# Attachment 2

## ORDINANCE NO. 474

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHEATLAND TO AMEND SECTION 18.27.060 OF THE WHEATLAND ZONING CODE, CREATE CHAPTER 18.55 OF THE WHEATLAND ZONING CODE, REZONE THREE PROPERTIES TOTALING 21.75 ACRES (APNs 015-500-008-000, 015-360-001-000, AND 015-350-012-000), AND REZONE A 2.24-ACRE PROPERTY (APN 015-500-018-000) TO INCLUDE THE EMERGENCY SHELTER COMBINING DISTRICT.**

The City Council of the City of Wheatland does ordain as follows:

### SECTION 1:

The City Council determined on April 28, that, pursuant to Section 15074 of the Guidelines of the California Environmental Quality Act, and after full consideration of the City of Wheatland 4-Year (2017-2021) Housing Element Update Initial Study/Mitigated Negative Declaration (IS/MND), Mitigation Monitoring Program, and Errata Sheet prepared for the City of Wheatland 4-Year (2017-2021) Housing Element Update, and on the basis of the whole record before it, the City of Wheatland 4-Year (2017-2021) Housing Element Update IS/MND should be adopted.

### SECTION 2:

At its regular meeting of April 7, 2020, the Planning Commission recommended that the City Council adopt the Ordinance to amend the Wheatland Zoning Code to increase the maximum capacity of 30 dwelling units per acre in the Multi-family Zoning District, create the Emergency Shelter Combining District, rezone three properties totaling 21.75 acres (APNs 015-500-008-000, 015-360-001-000, and 015-350-012-000), and rezone a 2.24-acre property) APN 015-500-018-000) to include the Emergency Shelter Combining Zone for implementation of the City of Wheatland 4-Year (2017-2021) Housing Element Update.

### SECTION 3:

The Multi-Family (R-3) Zoning District development standards set forth in Chapter 18.27 of the Wheatland Zoning Code are amended, and Section 18.27.060 of the code is amended to reflect those changes as set forth below:

#### **Chapter 18.27 R-3 MULTIFAMILY RESIDENTIAL DISTRICT**

##### 18.27.060 Area, lot coverage, and yards.

The following shall apply in the R-3 zone:

- A. Minimum lot area: six thousand square feet with a maximum density of ~~eighteen~~ thirty (30) dwelling units per net acre.
- B. Maximum ground coverage: sixty percent.
- C. Minimum lot width: sixty feet.
- D. Minimum lot depth: ninety feet.
- E. Maximum lot depth: three times the lot width.
- F. Minimum Yards.
  1. Conventional Arrangements.
    - a. Front: twenty feet;

- b. Rear: ten feet;
- c. Side: five feet.
- 2. Dwelling Groups.
  - a. Front: twenty feet, including the distance between the front of any dwelling and building in the group;
  - b. Rear: ten feet;
  - c. Side: ten feet; except where the side lot line is faced by the front of any dwelling unit in the group: twelve feet.

**SECTION 4:**

Section 18.55 is added to the Wheatland Zoning Code, to read as follows:

**Chapter 18.55 EMERGENCY SHELTER COMBINING DISTRICT-REGULATIONS**

**18.55.010 Purpose of district.**

The purpose of the Emergency Shelter Combining District ( \_-ES) is to provide a location for a potential emergency shelter use to be permitted by-right with no discretionary entitlement required. The \_-ES combining zone is intended to be combined with the R-3 Multi-Family principal zone.

**18.55.020 Definition of use.**

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

**18.55.030 Permitted principal uses.**

All principal permitted uses in the R-3 zone, with identical restrictions, are principal permitted uses in the \_-ES combining zone, as provided in Chapter 18.27. In addition, emergency shelters on a single parcel are permitted in accordance with SB 745.

**18.55.040 Permitted accessory uses.**

All principal accessory uses in the R-3 zone, with identical restrictions, are permitted uses in the \_-ES combining zone, as provided in Chapter 18.27.

**18.55.050 Conditional uses.**

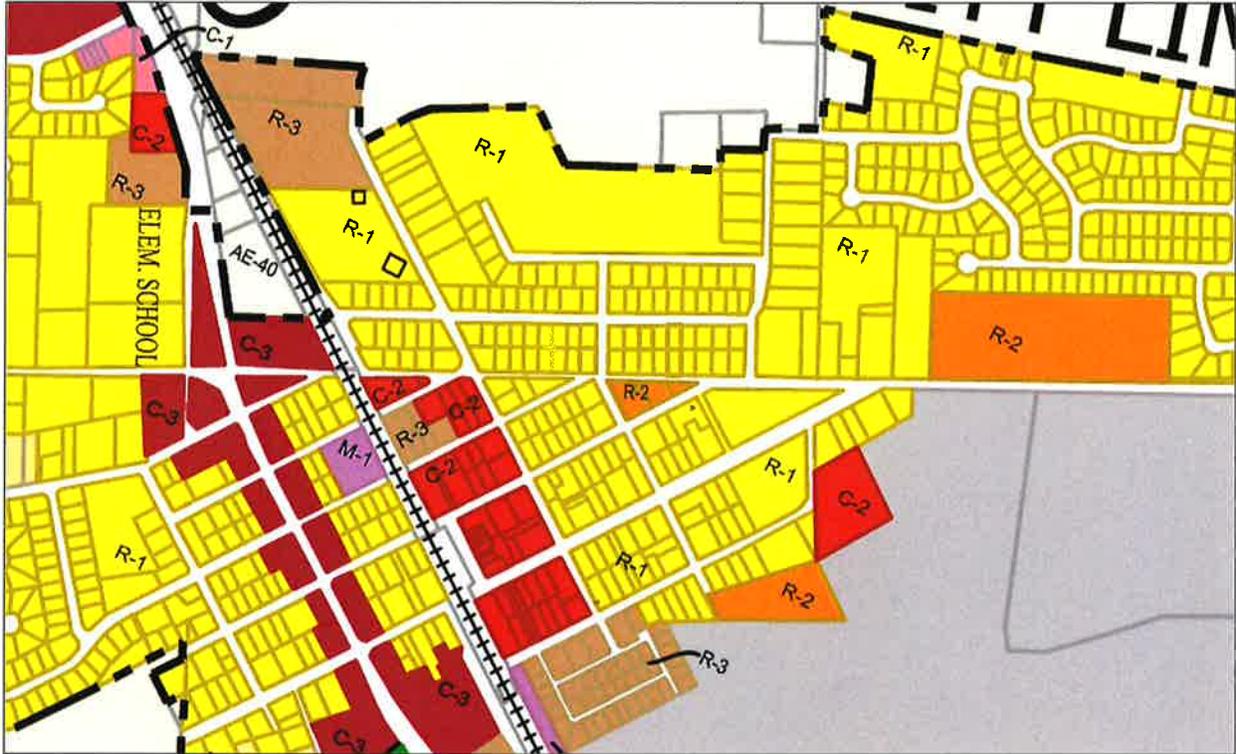
All conditional uses in the R-3 zone, with identical restrictions, are conditional permitted uses in the \_-ES combining zone, as provided in Chapter 18.27.

**SECTION 5:**

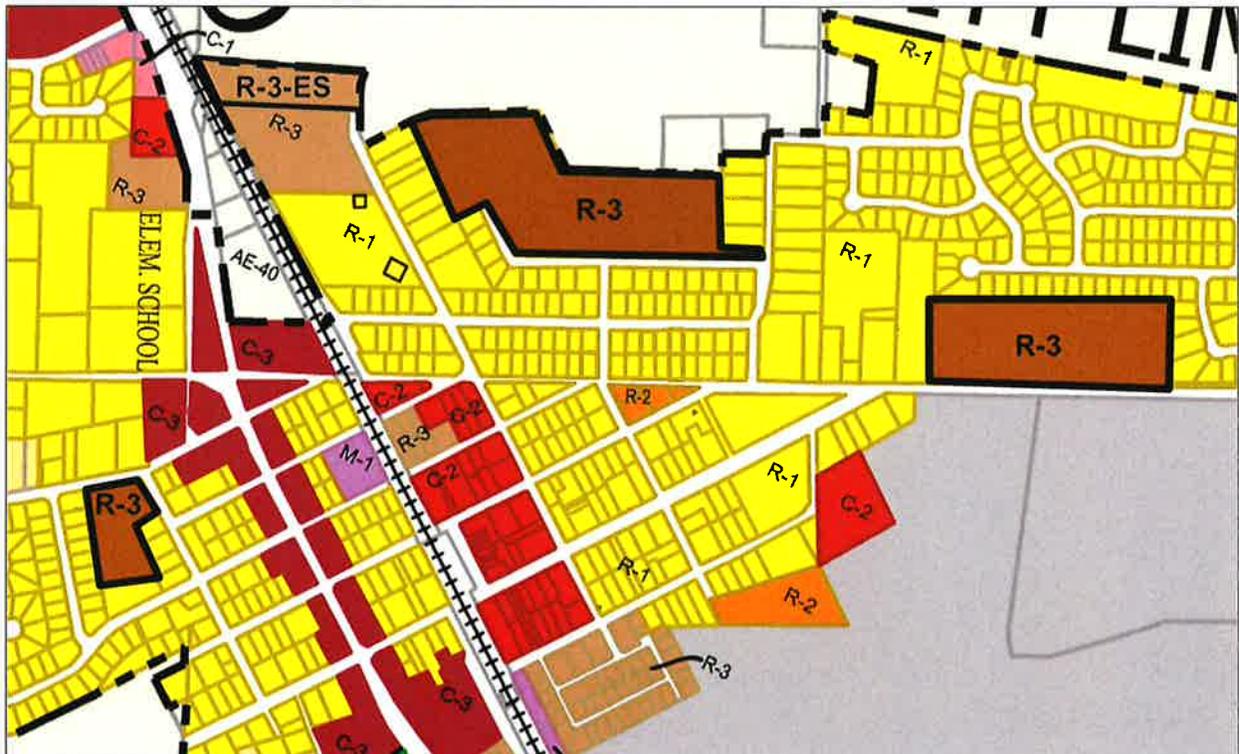
The properties shown below, are hereby rezoned from Single-Family (R-1) Zoning District and Two-Family (R-2) Zoning District to Multi-Family (R-3) Zoning District, and Multi-Family (R-3) Zoning District to Multi-Family-Emergency Shelter Combining District (R-3-ES) for implementation of the City of Wheatland 4-Year (2017-2021) Housing Element Update.

# Proposed Zoning Map Amendment

Existing Zoning Map



Proposed Zoning Map



**SECTION 6:**

The City Council finds that the public necessity requires the proposed zone change; that the subject properties are suitable to the uses permitted in the proposed zone change; that said permitted uses are not detrimental to the surrounding property; and that the proposed zone change is in conformance with the Wheatland General Plan.

**SECTION 7:**

This ordinance shall take effect and be enforced 30 days from and after the date of its adoption.

**SECTION 8:**

Within 15 days from the date of passage of this ordinance, the City Clerk shall post a copy of it in at least three public places in the City.

\* \* \* \* \*

**I HEREBY CERTIFY** that the forgoing ordinance was introduced and adopted at a regular meeting of the City Council of the City of Wheatland, held on the 28<sup>th</sup> of April, 2020, and passed and adopted at a regular meeting thereof, held on the \_\_\_\_\_ of \_\_\_\_\_, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor of the City of Wheatland

**ATTEST:**

\_\_\_\_\_  
City Clerk of the City of Wheatland

**APRIL 7, 2020 MINUTES  
REGULAR WHEATLAND PLANNING  
COMMISSION MEETING  
VIA ZOOM  
MEETING ID NO. 150 683 584,  
6:15 – 7:30 P.M.**

**PLANNING COMMISSIONERS PRESENT:** T. Mihalyi, D. Panteloglow, W. Tinsley, S. Witt

**OTHER OFFICIALS PRESENT:** T. Raney, Community Development Director  
K. Valente, Senior Planner

**PUBLIC COMMENT**

None.

**PUBLIC HEARING**

1) K. Valente presented the staff report for consideration to recommend City Council adopt of City of Wheatland 4-year (2017-2021) Housing Element Update Initial Study/Mitigate Negative Declaration (IS/MND) and approve the draft City of Wheatland 4-year (2017-2021), Mitigation Monitoring Program (MMP), and approval of the Draft City of Wheatland 4-year (2017-2021) Housing Element Update. State Housing Element law (Government Code Section 65583) requires each local government entity to adopt a comprehensive long-term general plan for the physical development of their city or county. The Housing Element is one of the seven mandated elements composing the General Plan. State law, through the Housing Element, addresses the existing and projected housing needs within all economic segments of the State's various communities, including the City of Wheatland. The legal mandate recognizes that in order for the private sector to adequately address housing needs, local governments must adopt land use plans and other planning programs to create opportunities that do not constrain development of affordable housing. Housing policy in the State is dependent on the effective development and implementation of local general plans and particularly housing elements. In 2014, The City of Wheatland received a grant from the Sacramento Area Council of Governments (SACOG) to conduct background research and public outreach in preparation for the City's Housing Element Update. City staff prepared the City of Wheatland 2013-2021 Housing Element Update and an associated ISIMND for the project. On June 27, 2017, the Wheatland City Council adopted the City of Wheatland 2013-2021 Housing Element Update ISIMND and approved the City of Wheatland 2013-2021 Housing Element Update. City staff submitted the adopted Housing Element Update to the California Department of Housing Community Development (HCD) for review and certification, and on December 19, 2017, the City of Wheatland received a comment letter from HCD stating the following:

*The revised draft housing element meets the statutory requirements described in the Department's September 15, 2017 review. However, the housing element cannot be found in compliance with State housing law until the City demonstrates adequate sites needed to accommodate the 343-unit shortfall of the sites needed to accommodate the Regional Housing Need Allocation for lower income households during the 4th planning period.*

HCD determined, the available land within the Johnson Rancho and Hop Farm Annexation Area does not meet the State's requirements to accommodate the Regional Housing Need Allocation (RHNA) for lower income households during the previous planning period. Therefore, after coordinating with HCD and discussing potential alternatives to receive certification, city staff has prepared the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update. The Draft City of Wheatland 4-Year (2017-2021) Housing Element Update includes revised programs requiring the City to process the following General Plan Amendments and Zoning Amendments in order for HCD to certify the 4-Year Housing Element Update: amend the General Plan to allow a maximum dwelling units per acre (dulac) increase from 16 dulac to a maximum of 30 dulac in the High-Density Residential Land Use Designation (Housing Element Program); amend the General Plan Map for three properties totaling 21.75 acres to High-Density Residential (Housing Element Program 12); amend the Zoning Code to allow a maximum dulac increase from 18 dulac to a maximum of 30 dulac in the (Multi-family) R-3 Zoning District (Housing Element Program); rezone three properties totaling 21.75 acres to the R-3 Zoning District (Housing Element Program 11); and create an Emergency Shelter Combining District, which would permit emergency shelters without a conditional use permit or other discretionary action in accordance with S8 745 (Housing Element Program 4). On March 4, 2020, the City posted a Notice of Availability (NOA) for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update. The City of Wheatland 4-Year (2017-2021) Housing Element Update was made available for public review at the City of Wheatland, City Hall and is also currently available on the City of Wheatland's website at <http://www.wheatland.ca.gov>. On March 31, 2020, the City of Wheatland held a public meeting to solicit public input and encourage public participation in the Housing Element Update process. Notice of the public meeting was posted publicly on the City of Wheatland website and in the local newspaper to ensure that a variety of residents could participate. City staff did not receive any comments from the public regarding the City of Wheatland 4-Year (2017-2021) Housing Element Update. The City prepared an IS/MND for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update in accordance with the California Environmental Quality Act (CEQA). The Housing Element IS/MND determined that the Draft City of Wheatland 4-Year (2013-2021) Housing Element Update and the associated General Plan Amendments and Zoning Amendments identified above would not result in a significant effect on the environment because the City's Housing Element Update is a long-range planning, policy-level document intended to assist the City of Wheatland in meeting the housing needs established by the Stat of California, and does not include any specific development proposals, nor does the project grant any entitlements for development. On March 10, 2020, the City posted a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update and was routed for public review from March 10, 2020 to April 8, 2020. To date, the City has not received any comments on the IS/MND. Based on the information contained in the staff report, staff recommends that the Planning Commission adopt a resolution recommending City Council adoption of the City of Wheatland 4-Year (2017-2021) Housing Element Update IS/MND, MMP, and approval of the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update.

Planning Commissioner D. Panteloglew commented on conditional uses for R-2, R-3 and high-density residential areas; commented on approved subdivision developments questioning if any are planning on building high density; conservation of water/sewer connections for high density building; questioned when the high-density housing requirement needs to be met; any interest from developers to build multi-family units; emergency shelter and concern of where located; incentive/grants for high-density builders; effects of property value and the Planning application fee cost.

Planning Commissioner S. Witt questioned the process of the meeting and what is expected of Planning Commissioners and what happens after the Planning Commission has concluded their discussion; high density areas; prioritizing sewer capacity and traffic flow; parcel selection. Witt stated, he believes approved subdivision developers would agree to resubmit plans in order to add a significantly greater number of dwelling units and that because this is a 4-year Housing Element, with the current market situation he is

pessimistic this will push back development by at least several years. Witt questioned how this will affect building heights and proper firefighting capability; he is against increase in dwelling units especially the ones with no discretionary, 'you shall build' language and commented on adequate parking, elimination of green belts and open space.

Planning Commissioner W. Tinsley commented that his understanding is rezoning properties will allow a certain number of units to be developed but the City might not necessarily approve the maximum number of units to be development in that location.

## **PUBLIC COMMENT**

None.

Motion was made by Planning Commissioner W. Tinsley to **Adopt the Resolution No. 2020-01 Recommending the Wheatland City Council Adopt the City of Wheatland 4-Year (2017-2021) Housing Element Update IS/MND and Approve the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update.** With no second, motion failed.

2) K. Valente presented the staff report for consideration to recommend City Council adoption of General Plan Amendments and Zoning Amendments Ordinance implementing Program 2, Program 3, Program 4, Program 11, and Program 12 of the City of Wheatland 4-Year (2017-2021) Housing Element Update. The California Department of Housing and Community Development (HCD) determined, the City of Wheatland's 5th Cycle (2013-2021) Housing Element Update did not meet the State's requirements for unaccommodated need for lower income households during the previous planning period (4th Cycle). Therefore, after coordinating with HCD and discussing potential alternatives to receive certification, city staff has prepared the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update, which included the following revised programs: amend the General Plan to allow a maximum dwelling units per acre (dulac) increase from 16 dulac to a maximum of 30 dulac in the High-Density Residential Land Use Designation (Housing Element Program 2); amend the General Plan Map for three properties totaling 21.75 acres to High-Density Residential (Housing Element Program 12); amend the Zoning Code to allow a maximum dulac increase from 18 dulac to a maximum of 30 dulac in the (Multi-family) R-3 Zoning District (Housing Element Program 3); rezone three properties totaling 21.75 acres to the R-3 Zoning District (Housing Element Program 11); and create an Emergency Shelter Combining District, which would permit emergency shelters without a conditional use permit or other discretionary action in accordance with SB 745 (Housing Element Program 4). These programs identifying General Plan Amendments and Zoning Amendments are required to be implemented prior HCD certifying the Wheatland Housing Element. A certified Housing Element is required in order for the City to be eligible for several grants from the State. On December 11, 2019, the City of Wheatland's Senate Bill (SB) 2 grant application was approved; however, because the City's housing element is not yet certified, HCD is not allowing the \$160,000.00 grant funds to be awarded to the City. The State has also shown that they will subject cities to litigation if that city does not have a certified housing element. The City prepared an ISIMND for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update and Associated General Plan Amendment and Zoning Amendment in accordance with the California Environmental Quality Act (CEQA). The Housing Element ISIMND determined that the Draft City of Wheatland 4-Year (2013-2021) Housing Element Update and Associated General Plan Amendment and Zoning Amendment would not result in a significant effect on the environment with implementation of mitigation measures and because the and project does not include an specific development proposals, nor does the project grant any entitlements for development. On March 10, 2020, the City posted a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update and Associated General Plan Amendments and Zoning Amendments, and was routed for public review from March 10, 2020 to April 8, 2020. To date, the

City has not received any comments on the IS/MND. Based on the information contained in the staff report, staff recommends that the Planning Commission adopt resolutions recommending City Council adoption of the General Plan Amendment and Zoning Amendment Ordinance.

Motion was made by Planning Commissioner W. Tinsley to **Adopt Resolution No.'s 2002-02 & 2002-03 recommending City Council adoption of the General Plan Amendments and Zoning Amendments Ordinance implementing Program 2, Program 3 Program 4, Program 11, and Program 12 of the City of Wheatland 4-Year (2017-2021) Housing Element Update.** With no second, motion failed.

#### **PUBLIC COMMENT**

None.

#### **REPORTS**

None.

With no other business before the Commissioners, the meeting adjourned at 7:30 p.m.

Respectfully submitted,  
Tim Raney, Community Development Director