



City of Wheatland

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PLANNING COMMISSION MEETING STAFF REPORT

Date: January 17, 2023
Agenda Item:

Subject: Consideration to approve of the requested conditional use permit for the operation of a medical clinic at 114 D Street (APN 015-282-017-000).

Prepared by: Kevin Valente, Senior Planner

Recommendation

Staff recommends that the Planning Commission adopt the attached resolution approving a conditional use permit for the operation of a medical clinic located at 114 D Street (see Attachment 1).

Background

The City of Wheatland has been approached by Harmony Health Medical Clinic and Family Resource Center to open a medical clinic facility located at 114 D Street.

Harmony Health Medical Clinic and Family Resource Center is a Federally Qualified Health Center (FQHC), which has been in business for over 25 years. Harmony Health currently operates multiple clinics in Marysville and Yuba City and a mobile clinic, which has been offering services one day a week at the Wheatland High School.

The proposed project location consist of an existing building previously occupied by Umpqua Bank. The City of Wheatland General Plan Land Use Map currently designates the site Commercial (C) and has a current zoning designation of Heavy Commercial (C-3).

The Wheatland zoning code defines a medical clinic as an institution providing health services or medical or surgical care for outpatients only, and where overnight facilities are not provided.

A medical clinic is permitted in the C-3 zoning district with Planning Commission approval of a use permit.

Discussion

The proposed medical clinic would provide primary care, internal medicine, pediatric services, medicated assisted treatment, and substance abuse disorder services. The proposed clinic would be open Monday, Tuesday, Thursday, and Friday from 8:00 AM to 7:00 PM. Services would be provided by a team made up of physicians, nurse practitioners, physician assistants, behavioral health professionals, chiropractors, acupuncturists, nurses, and support staff.

The proposal medical clinic does not propose any exterior modifications to the existing building, and therefore, the project does not require Site Plan and Design Review. In addition, any proposed signage would be subject to future City review pursuant to the City's sign code.

The project site currently has six existing parking spaces with one ADA parking space to serve the proposed use. Additional street parking is also available on Second Street. Staff has identified the existing available parking would be sufficient for the proposed use.

City staff has prepared draft conditions of approval to ensure the safe operation of this facility. These draft conditions of approval require the proposed facility to comply with all County, State, and Federal requirements including, but not limited to, the proper handling of any biohazardous and medical waste and any and all necessary interior improvements for a medical clinic. The interior lobby and waiting area shall be constructed of adequate size to prevent any patients and/or pedestrians congregating or waiting outside the facility, and sufficient exterior lighting shall be provided subject to review and approval by the Wheatland Police Department. The draft conditions of approval for the proposed operation are included as an attachment to this staff report.

The proposed project is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 1, Section number 15301 (Existing Facilities) which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Conclusion

Based on the information contained in the staff report, staff recommends that the Wheatland Planning Commission adopt the attached Resolution approving the 114 D Street Conditional Use Permit and Site Plan and Design Review.

Attachments

1. Resolution of the Wheatland Planning Commission approving the 114 D Street Medical Center Conditional Use Permit and Site Plan and Design Review.

Attachment 1

**PLANNING COMMISSION
RESOLUTION NO. 2023-01**

**RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF WHEATLAND APPROVING THE CONDITIONAL USE PERMIT FOR THE
HARMONY HEALTH MEDICAL CLINIC PROJECT LOCATED AT
114 D STREET (APN 015-282-017-000)**

WHEREAS, on December 27, 2022, the applicant, Harmony Health Medical Clinic and Family Resource Center, submitted an application for a use permit for the 0.209-acre property located at 114 D Street (APN 015-282-017-000); and

WHEREAS, the proposed project requires Planning Commission approval of a use permit, in accordance with Title 18, Chapter 18.36 of the Wheatland Municipal Code; and

WHEREAS, the proposed project is exempt from the provisions of California Environmental Quality Act (CEQA), per CEQA Guidelines Class 1, Section number 1530 (Existing Facilities) which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination;

WHEREAS the Wheatland Planning Commission duly gave notice of public hearing as required by law and on January 17, 2023, duly held a public hearing, received, and considered evidence, both oral and documentary

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Wheatland Planning Commission does hereby make the following findings for approval of the Use Permit:

1. The proposal is consistent with the General Plan and any relevant specific plan, neighborhood plan, or area plan.
2. The site for the proposed use is adequate in size and shape to accommodate said use and its associated yards, parking, landscaping, and other improvements required by this title and other relevant City standards.
3. The streets serving the site are adequate to carry the quantity of traffic generated by the proposed use.
4. The site design and the size and design of the building(s) will complement neighboring facilities.
5. The establishment and operation of the use will not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the vicinity of the proposed use or be detrimental or injurious to property and

improvements in the neighborhood or to the general welfare of the City of Wheatland.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Planning Commission of the City of Wheatland does hereby APPROVE a Use Permit for the operation of a medical clinic located at 114 D Street (APN 015-282-017-000), subject to the following conditions:

Conditions of Approval

1. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement. In addition, if there is any referendum or other election action to contest or overturn these approvals, the applicant shall either withdraw the application or pay all City costs for such an election.
2. No permits or approvals, whether discretionary or mandatory, shall be considered if the applicant is not current on fees, reimbursement payments, and any other payments that are due.
3. Any required easements or rights-of-way for improvements shall be obtained by the developer at no cost to the City. Advance permission shall be obtained from all pertinent property owners and easement holders, if applicable, for any work done within such property or easements.
4. The use of construction equipment shall be restricted to weekdays between the hours of 7:00 AM and 6:00 PM. Requests for alternative days/times may be submitted in writing to the City Engineer for consideration.
5. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities. The developer shall post dust control signage with a contact number of the developer, City staff, and the Feather River Air Quality Management District.
6. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
7. Any expansion of this use or substantial modification that results in a change of use shall require an amendment of this Use Permit. Minor Modifications to this Use Permit shall be considered by the Community Development Director in accordance with Wheatland Municipal Code and may require notification of surrounding property owners prior to such approval.
8. The project and all proposed improvements shall comply with the City of Wheatland Municipal Code and City Standards unless a specific exception is granted thereto or as approved by the City Engineer.

9. The applicant shall obtain an encroachment permit for any and all work to be done within the public right-of-way or easements, and peak commute-hour traffic shall not be impeded by construction related activity.
10. All cracked, broken, or damaged concrete curb, gutter, and sidewalk in the public right-of-way along the project frontage shall be removed and replaced as required by the City Engineer.
11. All buildings, parking and access shall meet ADA/Title 24 requirements as determined by the Chief Building Official.
12. All on-site utilities shall be privately maintained and connected to public facilities in accordance with City Standards, or as approved by the City Engineer.
13. Signs were not reviewed as part of the approval of the proposed project. A sign permit shall be required for the installation of any new signs and shall be subject to approval by the Planning Department staff before the issuance of the sign permit and shall be in compliance with sign code.
14. All other notes and drawings on the final plans as submitted by the applicant are deemed conditions of approval. Any work that differs from the final set of plans approved by the Planning staff shall be subject to review and approval prior to issuance of a building permit or work undertaken.
15. The applicant shall install and maintain parking lot and pathway lights and landscaping within the project area at no cost to the City.
16. Exterior lighting surrounding the building shall have a minimum illumination at ground level of two footcandles, subject to review and approval by the Wheatland Police Department.
17. Water conservation measures, including the use of drought tolerant landscaping shall be used.
18. Landscaping and signage shall not create a sight distance problem.
19. The owner shall maintain the property frontage including all pavements, drainage, and landscaping shall be permanently maintained in good condition.
20. The medical clinic shall have the following hours of operation:

Monday:	8:00 AM – 7:00 PM
Tuesday:	8:00 AM – 7:00 PM
Thursday:	8:00 AM – 7:00 PM
Friday:	8:00 AM – 7:00 PM

Any change in proposed hours of operation shall require an amendment to the use permit in accordance with Wheatland Municipal Code and may require notification of surrounding property owners prior to such approval.

21. The medical clinic shall meet all County, State, and/or Federal requirements applicable to medical clinics including, but not limited to, the proper handling of any biohazardous and medical waste.
22. The interior lobby and waiting area shall be constructed of adequate size to prevent any patients and/or pedestrians congregating or waiting outside the facility. No loitering is allowed on-site.
23. All interior improvements shall be in accordance with any applicable County, State, and/or Federal requirements.
24. The Use Permit shall expire two years from the date of approval (expires January 17, 2025) and shall become null and void in accordance with Section 18.76.040 of the Wheatland Municipal Code unless the use has been established.

* * * * *

I HEREBY CERTIFY that the foregoing recommendation was passed and adopted by the City of Wheatland Planning Commission, at a regular meeting thereof, held on the 17th day of January 2023 by following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

Planning Commission Chairperson

ATTEST:

Lisa Thomason, City Clerk