



CITY OF WHEATLAND

PLANNING COMMISSION MEETING STAFF REPORT

July 16, 2024

SUBJECT: Consideration to approve a Conditional Use Permit and Site Plan and Design Review for a 16-unit multi-family residential project located at Main Street and C Street

PREPARED BY: Tim Raney, Community Development Director

Recommendation

Staff recommends that the Wheatland Planning Commission conduct a public hearing on the proposed development, and upon close of the public hearing, consider adopting the attached resolution approving the requested Conditional Use Permit and Site Plan and Design Review for the proposed 16-unit multi-family residential project located at Main Street and C Street (see Attachment 3).

Background

The project applicant, Frank Webb Construction, Inc, submitted an application for a Conditional Use Permit and Site Plan and Design Review for the construction of a 16-unit multi-family residential project located at the corner of Main Street and C Street (proposed project). The project site consists of four vacant properties totaling 0.76 acres (APNs) 015-250-022, -023, -024, and -035. The project site is currently designated Commercial (C) in the Wheatland General Plan and is zoned Retail Commercial (C-2). Surrounding uses include a mix of existing commercial and single-family residences to the north, single-family residences to the east, commercial to the west, and multi-family residences to the south (see Attachment 1). It should be noted that the proposed project will include a separate Lot Line Adjustment, subject to review and approval by the City Engineer.

Pursuant to the Wheatland Municipal Code, multi-family housing is permitted in the C-2 zoning district with Planning Commission approval of a Conditional Use Permit. In addition, pursuant to the Wheatland Municipal Code, any development in the C-2 zoning district requires Site Plan and Design Review. The intent of Site Plan and Design Review is to ensure the proposed development project is consistent with the adopted Citywide Community Design Standards.

Discussion

The proposed project includes the construction of four two-story multi-family buildings, each consisting of four residential units (see Attachment 2). Each 814-square-foot residential unit

would have two bedrooms and one bath, kitchen with dining room and living room, and a laundry room. Each ground floor unit would have a private patio, and the two second-story units in Building C would have a private balcony. The proposed project includes 25 vehicle parking spaces and two additional ADA vehicle parking spaces for a total of 27 parking spaces, exceeding the minimum parking requirement of 20. The main parking lot would be accessed from Main Street, with a secondary parking lot serving Building D would be accessed from C Street. It should be noted that four existing angled street parking spaces on Main Street would need to be removed for the proposed driveway on Main Street. The existing public transportation stop located at the corner of Main Street and C Street will remain. The proposed project also includes a trash enclosure, which staff has included a condition of approval to be painted to match the proposed buildings. In addition, consistent with the City of Wheatland Recommended Street Trees, the project will include landscaping consisting of trees, shrubs, and ground cover, as well as, a three-foot tall decorative masonry wall along Main Street and C Street.

Consistent with the City's adopted Citywide Design Standards, the four proposed residential buildings include a mix of varying exterior materials, paint colors, and building and roof articulation.

Planning and Engineering staff reviewed the proposed project plans and provided conditions of approval to ensure safe access and circulation, as detailed in the attached resolution (see Attachment 3). Staff has determined the proposed project is consistent with the surrounding uses, the City's Development Standards, and the intent of the adopted Citywide Design Guidelines.

CEQA Review

The project is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 32, Section 15332 (Infill Development) of the CEQA Guidelines. The project is consistent with the General Plan and zoning regulations, the site is no more than five acres and is surrounded by urban uses, and the project would not result in any significant effects related to traffic, noise, air quality, or water quality, and the site can be served by all required utilities and public services.

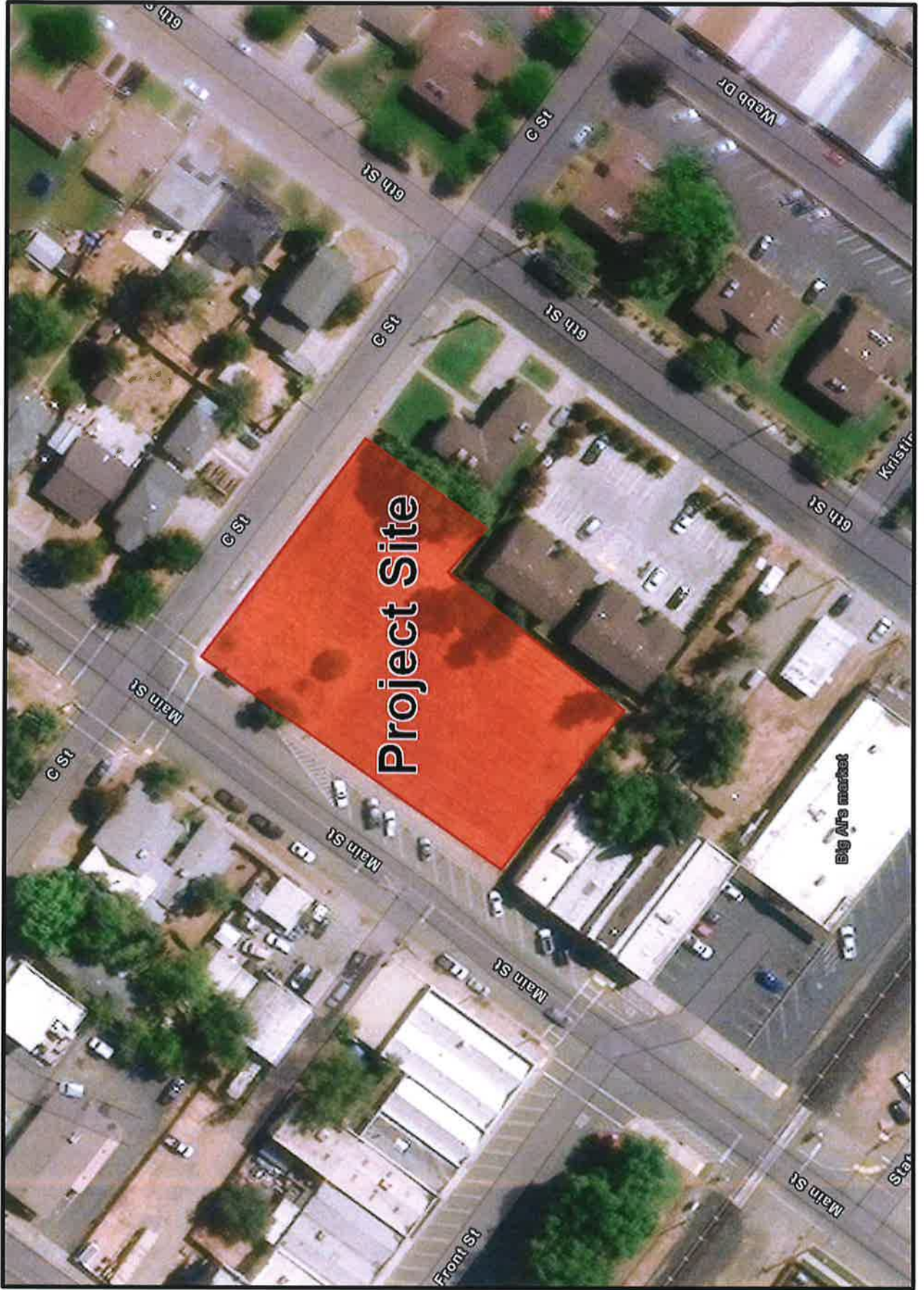
Conclusion

Based on the information contained in the staff report, staff recommends that the Wheatland Planning Commission consider the adoption of the attached resolution approving the Conditional Use Permit and Site Plan and Design Review for a 16-unit multi-family residential project located at Main Street and C Street.

Attachments

1. Project Location Map.
2. Proposed Plans.
3. Planning Commission Resolution No. 2024-**.

Attachment 1: Project Location Map



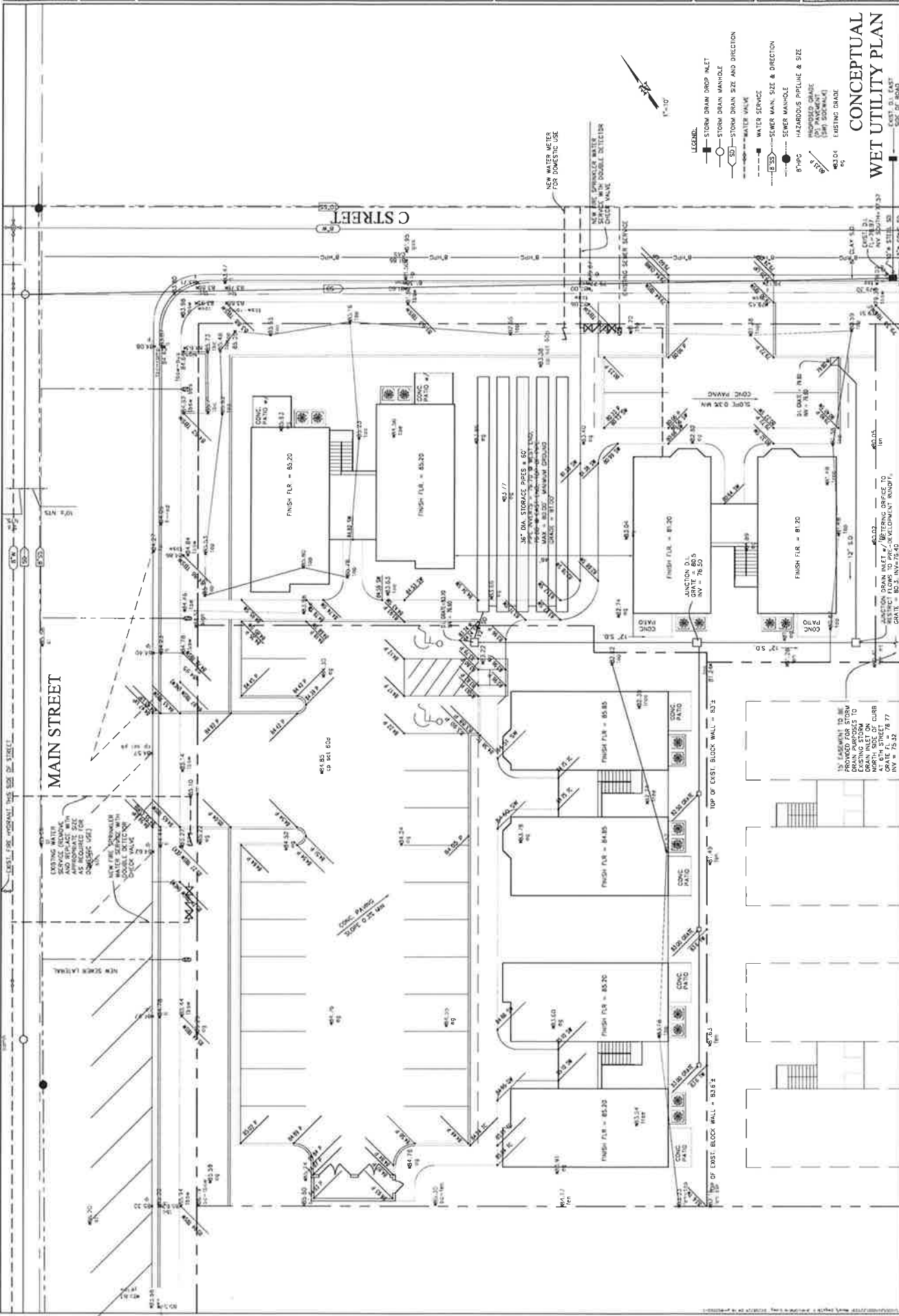
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16 UNIT MULTI-FAMILY APARTMENT SITE PLAN FOR:

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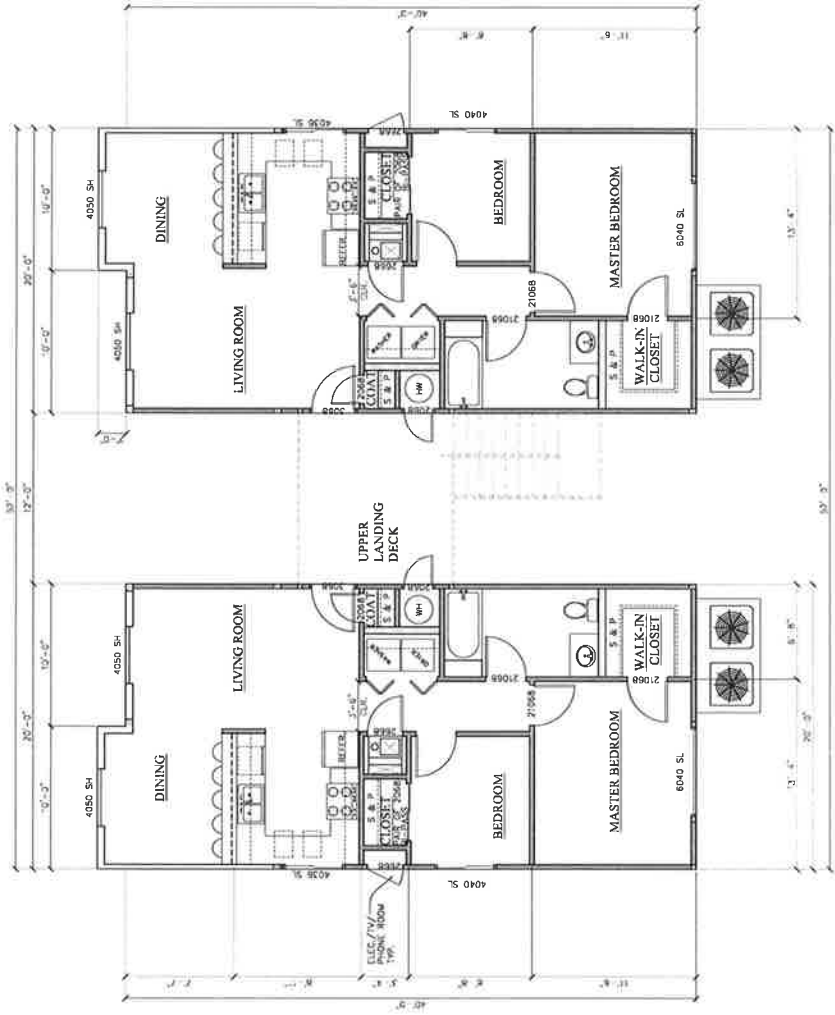




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16 UNIT MULTI-FAMILY APARTMENT SITE PLAN FOR:



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Attachment 3

**PLANNING COMMISSION
RESOLUTION NO. 2024-03**

**RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF WHEATLAND APPROVING THE USE PERMIT AND SITE PLAN AND
DESIGN REVIEW FOR THE 16-UNIT APARTMENTS PROJECT LOCATED AT MAIN
STREET AND C STREET
(APNs 015-250-022, -023, -024, and -035)**

WHEREAS, on May 22, 2023, the applicant, Frank Webb Construction, Inc., submitted an application for a Use Permit and Site Plan and Design Review for the construction of a 16-unit multi-family project located at Main Street and C Street (APNs 015-250-022, -023, -024, and -035); and

WHEREAS, in accordance with Title 18, Chapter 18.33 of the Wheatland Municipal Code, the proposed project requires Planning Commission approval of a Use Permit and Site Plan and Design Review; and

WHEREAS, the proposed project is exempt from the provisions of California Environmental Quality Act (CEQA), per CEQA Guidelines Class 1, Section 15332 (Infill Development) of the CEQA Guidelines. The project is consistent with the General Plan and zoning regulations, the site is no more than five acres and is surrounded by urban uses, and the project would not result in any significant effects related to traffic, noise, air quality, or water quality, and the site can be served by all required utilities and public services.

WHEREAS, the Wheatland Planning Commission duly gave notice of public hearing as required by law and on July 16, 2024 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 and Site Plan and Design Review for the 16-unit multi-family project located at Main Streer and C Street (APNs 015-250-022, -023, -024, and -035), 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. 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.
5. The site shall be kept clean of all debris (boxes, junk, garbage, etc.) at all times.
6. 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.
7. 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.

8. 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.
9. All access driveways and sidewalks shall be constructed to current ADA and City Standards, subject to review and approval by the City Engineer.
10. All buildings, parking and access shall meet ADA/Title 24 requirements as determined by the Chief Building Official.
11. 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.
12. 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.
13. 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.
14. The applicant shall obtain all necessary building permits prior to commencing construction.
15. Exterior lighting surrounding the buildings shall have a minimum illumination at ground level of two footcandles, subject to review and approval by the Wheatland Police Department.
16. Water conservation measures, including the use of drought tolerant landscaping shall be used.
17. Landscaping and signage shall not create a sight distance problem.
18. The owner shall maintain the property frontage including all pavements, drainage, and landscaping shall be permanently maintained in good condition.
19. All parking spaces shall be constructed pursuant to Chapter 18.63 of the Wheatland Municipal Code, subject to review and approval by the City Engineer.
20. All landscaping and plant materials shall show immediate results and be permanently maintained in good condition. Landscaping shall consist of trees and living vegetation; automatic irrigation shall also be provided.

21. Maintenance of all landscaping and irrigation within the public right-of-way shall be the responsibility of the applicant.
22. The masonry trash enclosure shall be painted to match the proposed residential buildings.
23. The three-foot decorative masonry wall shall be painted to match the proposed residential buildings.
24. All HVAC equipment shall be ground mounted and shall not be visible from any street or pedestrian views. No roof mounted HVAC unit allowed.
25. Prior to any construction activities, the applicant shall submit a Lot Line Adjustment (LLA) application, subject to review and approval by the City Engineer.
26. The Use Permit approval shall expire two years from the date of approval (expires July 16, 2026) and shall become null and void in accordance with the Wheatland Municipal Code, unless the use has been established
27. Applicant shall design and construct all necessary and required improvements and facilities in accordance with the Wheatland Municipal Code (WMC) and City of Wheatland Public Works Construction Standards, unless specific design exceptions have been approved. Approval of a site plan depicting improvements that do not conform to the WMC does not constitute approval of a design exception, unless explicitly stated herein or in another approved City resolution.
28. Applicant shall pay all applicable City of Wheatland development fees, connection charges and other fees in accordance with applicable ordinances, resolution, and agreements.
29. At the time of Building Permit issuance by the City, the developer/property owner shall be required to pay the appropriate impact fees for each lot for which the developer/property owner receives a building permit.
30. At the time of building permit issuance by the City, the developer/property owner shall pay the applicable fees to:
 - a. Wheatland Elementary School District
 - b. Wheatland High School District
31. Applicant shall submit for review and approval Improvement Plans prepared by a California Registered Civil Engineer for all necessary and required on-site and off-site public and private improvements. The Improvement Plans shall show all existing and proposed utilities, above and below ground, including water, sanitary sewer, storm sewer, communication lines, electricity, natural gas, transformers, vaults, and meters. The final plan set shall include all civil, landscape and joint trench drawings under a single cover sheet.

Improvement Plans must be approved by the City Engineer prior to any on-site or off-site construction. An Encroachment Permit is required for any work within City right-of-way. An Encroachment Permit will not be issued prior to the approval of the Improvement Plans.

32. An eight-foot wide Public Utility Easement shall be provided along the street frontage (measured from the street right of way into the property). Applicant shall provide all instruments and take all action necessary to convey said easement to the City.
33. All existing and proposed electrical and communications lines, both on the site and along its frontages, shall be placed underground at the Applicant's expense. All pull boxes, junction structures, service cabinets, vaults, valves and similar devices shall be installed behind the back edge of walkways within the City right-of-way or within a public utility easement, at locations approved by the City Engineer. If any utility appurtenances are permitted to be above ground, such as vaults and boxes, they shall be painted a color approved by the City. New improvements within existing and proposed utility easements shall be subject to the approval of the appropriate utility company.
34. Unless otherwise explicitly permitted, all existing wells, septic tanks and/or underground fuel storage tanks shall be abandoned under permit and inspection of Yuba County Department of Environmental Health Services or other designated agency. If there are none, the project engineer shall provide a letter describing the scope of the search done to make this determination. This condition shall be satisfied prior to approval of the Improvement Plans. No new wells or septic systems are permitted on the subject property.
35. A drainage study prepared by a California Registered Civil Engineer shall be submitted for review with the initial submittal of the Improvement Plans. The report shall include hydrologic and hydraulic calculations, narrative and exhibits to support the design and sizing of all public and private drainage facilities including storm drains and detention facilities. Analyses of the conveyance of onsite and any downstream facilities shall be based on the 25-year storm. The report shall also include an analysis of the 100-year storm overland flow.

The report shall additionally include an analysis documenting that the post-construction flow is equal to the pre-construction flow discharging into the City storm drain system for both the 25-year and 100-year storm. If the Applicant would like to increase the amount of water in the downstream system, then the report shall address existing downstream storm drain facilities and hydraulic conditions which may impact the design of proposed facilities and improvements. This study shall include a hydraulic grade line analysis of the existing downstream storm drain to City Engineer satisfaction.
36. Applicant shall submit for review and approval a detailed Stormwater Control Plan (SWCP) prepared in accordance with the post-construction LID

requirements outlined by the 2022 General Permit. Site improvements shall incorporate Low Impact Design (LID) principles and permanent post-construction storm water pollution BMPs. The Stormwater Control Plan shall be submitted for review with the initial submittal of the Improvement Plans. This COA shall not apply if the City determines the site does not meet the State's criteria. Note that although the lot area is 0.76 acres, the amount of disturbed area for offsite improvements is not clear. If the Improvement plans indicate the total disturbed area will be over one acre, the Applicant shall need to provide a SWCP.

37. Prior to the approval of the Improvement Plans, the Applicant shall submit a copy their Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) for coverage under the State Water Resources Control Board's General Construction Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order 2022-DWQ). The SWPPP shall be required as outlined in the latest State General Permit. This COA shall not apply if the City determines the site does not meet the General Permit criteria. Note that although the lot area is 0.76 acres, the amount of disturbed area for offsite improvements is not clear. If the Improvement plans indicate the total disturbed area will be over one acre, the Applicant shall need to provide a SWPPP.
38. Prior to the approval of the Improvement Plans and prior to the issuance of a grading permit, the applicant shall obtain all necessary permits, approvals and/or clearances from any other regulatory agencies with jurisdiction over the project, including but not limited to Wheatland Public Works and Wheatland Fire Authority, A complete set of improvement plans shall be submitted to all agencies, districts, and utilities affected by, or providing service to the development, for review and comment.
39. The Applicant shall design and construct all new pedestrian walkways, ramps and accessible parking spaces to meet current Americans with Disabilities Act Accessibility Guidelines, California Title 24 requirements, and City standards for maximum crossslopes and grades.
40. Stenciling shall be provided on curb inlets to prohibit dumping of pollutants. The stencil detail shall be included in the improvement plans.
41. Landscape plans shall be submitted with the Improvement Plans and shall meet the requirements of sight distance to the satisfaction of the City Engineer.
42. Construction activities shall minimize disruptions to traffic flow. Provide temporary traffic control as needed during all phases of construction to maintain traffic flow, as deemed appropriate by the City Engineer and/or Department of Public Works.

43. Mailbox plans and locations shall be approved by the Wheatland Postmaster prior to improvement plan approval. The developer shall provide a letter from the Wheatland Postmaster approving mailbox locations.
44. Prior to approval of the improvement plans, the Applicant shall enter into an improvement agreement in accordance with WMC Section 17.08 to ensure completion of all onsite and offsite improvements, including but not limited to, grading and construction of any curbs, gutters, sidewalks, roadway improvements, storm drainage facilities, water facilities, sewer facilities, street lighting, signage, striping, and other utilities, to the satisfaction of the City Engineer. The Improvement Agreement shall be secured to guarantee the faithful performance of the agreement in the amount of 100% of the estimated cost of the improvements and for the payment of labor and materials in the amount of 100% of the estimated cost of the improvements. A certificate of occupancy shall not be issued for any structure until required improvements are completed to the satisfaction of the City Engineer.
45. Prior to approval of improvement plans, Applicant shall submit for review and approval by the City Engineer, a Post Construction Stormwater Operations and Maintenance Plan that provides a plan sheet showing all storm drain and water quality infrastructure that is to be maintained, along with detailed instructions and schedules for the ongoing maintenance and operation of all post-construction stormwater BMPs. Once approved and prior to issuing the certificate of occupancy, the property owner shall enter into a Stormwater Maintenance Agreement with the City that provides the terms, conditions, and security associated with the ongoing requirements of the Post Construction Stormwater Best Management Practices.
46. All on-site parking lots, sidewalks, streetlights, private sanitary sewer facilities, storm drain facilities, stormwater quality facilities and landscaping shall be privately owned and maintained.
47. Each lot must function independently and have designated water, sewer, drainage, trash removal, access to and from public right of way, and parking including ADA compliant spaces. Alternatively, easements or reciprocal agreements may be provided for any shared features between lots.
48. Storm water may not drain to adjacent lots. No lot-to-lot drainage is allowed. No concentrated drainage may discharge across sidewalks. All on-site drains must be connected to the public storm drain system or discharged through the face of curb or to an established waterway. Drainage for each lot must function independently.
49. Existing retaining walls bordering the property shall be preserved and not be negatively impacted by the improvements unless agreements with adjacent owners can be provided. The City Engineer reserves the right to review and approve modifications to neighboring retaining walls.

50. Storm water system shall include sediment removal and clean out prior to connection with the City's system. Sediment may be captured within a DI or manhole, via a sediment trap or dead pool. Place outlet such that a vacuum truck has access and is able to completely clean out sediment.
51. An infiltration study by a registered Geotechnical Engineer of Record will be required if any storm water discharge is expected to be discharged via infiltration to verify the assumptions made in the report.
52. Existing sections of sidewalk, curb and/or gutter located along the project frontage that are broken, sunken, not ADA compliant, or displaced shall be replaced as part of the lot improvements of the project. All nonconforming pedestrian ramps shall also be brought up to current accessibility standards.
53. The cut and fill slopes of permanent excavations shall not be steeper than two (2) horizontal to one (1) vertical unless supported by a geotechnical/soils report and approved by the City Engineer.
54. The applicant shall re-vegetate cut and fill areas as soon as possible using native seed mixes and compatible plantings as shown on conceptual landscape plans and specified by the City Engineer and the Soil Conservation Service Standards.
55. Any retaining walls greater than two and a half (2 ½) feet in height that are necessary as a part of the site grading, excluding those that are a part of or are influenced by a structure, shall have designs and calculations prepared and submitted as a part of the grading plan or applicable improvement plan submittal. Said walls shall be reviewed and approved by the City Engineer and Building Department.
56. Specific details for cut and fill slopes, open ditches and erosion control shall be reviewed at the time of improvement plan submittal.
57. Dust control specifications shall be included on the improvement plans to minimize dust nuisance during construction.
58. All trees shall be planted at least eight (8) feet away from any public water, sewer, or storm drain lines, unless a closer location is approved by the City. All trees planted within the public right-of-way shall be installed with support staking. All nursery stakes must be removed from trees. All trees planted within eight (8) feet of a sidewalk or driveway shall be installed with root guards or other root barrier as determined acceptable by City Engineer or Public Works.
59. In the event that any historic surface or subsurface archaeological features or deposits, including locally darkened soil (midden), that could conceal cultural deposits, animal bone, shell, obsidian, mortars, or human remains, are uncovered during construction, work within 100 feet of the find shall cease

immediately, and the City of Wheatland and a qualified archaeologist shall be contacted immediately to determine if the resource is significant and to determine appropriate mitigation. Any artifacts uncovered shall be recorded and removed to a location to be determined by the archaeologist.

60. Construction of new sewer laterals necessary to serve the project shall be the responsibility of the applicant. Sewer lines and laterals shall comply with City Standards. All sanitary sewer laterals shall be constructed with a minimum four-inch pipe from the main to the project site.
61. The applicant shall be required to install and construct all necessary water lines and laterals as needed to serve the project. New water lines and laterals shall comply with City Standards.
62. Prior to approval of improvement plans, cost estimates of improvements in the public right of way shall be submitted to the City Engineer for review and approval. Security shall be posted for faithful performance and labor and materials of said improvements.
63. Improvements in the public right of way shall be substantially completed to the satisfaction of the City Engineer prior to occupancy of the proposed development.
64. Coordinate with the Yuba-Sutter Transit to maintain access to the bus route during and after construction.
65. Yuba-Sutter Transit Bus Stop must be provided an easement where the existing bus stop crosses onto the project site.
66. All improvements shall be designed and constructed to the current City of Wheatland Standards in place at the time improvement plans are submitted for review. Deviations from City Standards and requirements shall be requested by the applicant's engineer in writing for review by the City Engineer.
67. The applicant, at its sole expense, shall repair to the pre-development condition, existing public and private facilities damaged during the course of construction to the satisfaction of the City Engineer.
68. Construction stormwater pollution prevention measures as indicated in the SWPPP shall be consistent with the details in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook- Construction. A Qualified SWPPP Practitioner shall be responsible for implementing the measures at the site and performing all required monitoring and inspection/maintenance/repair activities. The project applicant shall also prepare a Rain Event Action Plan (if required based on the determined risk level) as part of the SWPPP.

69. Construction activities shall be limited to the days and hours stipulated in the Wheatland Municipal Code. City established inspection hours are Monday through Fridays from 7 a.m. until 4 p.m. except on City recognized holidays. Applicant shall be responsible for the City's additional cost to provide inspection during times not established as regular City inspection hours.
70. During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris to minimize impacts on surrounding properties and roadways. Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler's baffles. Failure to do so may result in the issuance of an order to stop work.
71. A City of Wheatland Encroachment Permit shall be obtained prior to any grading, trenching, pavement, construction of improvements or any other work in the public right-of-way not otherwise covered by an improvement agreement.
72. If any hazardous materials are encountered during the construction of this project, all work shall be immediately stopped and the Wheatland Fire Authority and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
73. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control measures, conforming to the project erosion control plans shall be in place before October 1st. Erosion control measures shall be monitored and maintained continuously throughout the storm season.
74. Upon completion of the project and prior to acknowledgment of completion, all new storm drains 15 inches in diameter and larger shall be professionally televised and a video of the recording delivered to the City Engineer for review. The video shall indicate the pipe being televised, indicate station points along each pipe, and shall have the bottom of the pipe at the bottom of the monitor when viewed. The televised speed shall be slow enough to enable viewers to ascertain the pipe condition and the speed shall be reduced or paused as necessary at sags, gaps, obstructions and damaged areas of the pipe. Prior to acknowledgment of completion of the project, pipe damage and obstructions shall be repaired to the satisfaction of the City Engineer.
75. The Applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer. The Applicant's contractor shall provide dust control seven (7) days a week, twenty-four (24) hours a day and this provision shall be noted on the plans.
76. The following shall be added to the general notes on the Improvement plans, "All roads used within the City of Wheatland during construction shall be

cleaned daily, or more often as required by the City Engineer, of all dirt and debris spilled or tracked onto the City streets, or private driveways.”

77. Prior to final preparation of the subgrade and placement of base materials, all underground utilities shall be installed, and service connections stubbed out behind the sidewalk. Public utilities, Cable TV, sanitary sewers and water lines, shall be installed in a manner that will not disturb the street pavement, curb, gutter and sidewalk, when future service connections or extensions are made.
78. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. Additionally, if field conditions warrant installation of any subdrains, the location, size and construction details must be provided to the City for review and approval prior to construction.
79. Utilities to be abandoned shall be removed or completely filled with suitable material and capped to the approval of the applicable utility agency and to the approval of the City Engineer.
80. Upon completion of the building and site improvements, the Applicant shall clean, repair, or reconstruct the curb, gutter, and sidewalk along the entire frontage of the developed property as may be required by the City Engineer to conform to the City standards prior to receiving an occupancy permit for the building.
81. Prior to occupancy of any building, the Applicant shall submit a certification by the Geotechnical Engineer of Record confirming that all the work has been completed in substantial conformance with the recommendations in Soils Investigation/Geotechnical Report.
82. Prior to occupancy of any building, the Applicant shall provide a letter from the Civil Engineer of Record certifying that all the site improvements were constructed and inspected in substantial conformance with the approved plans and City Standards.
83. Prior to acceptance of improvements or occupancy of building, all public facilities shall be inspected by the City. Any curb, gutter and sidewalk which is not in accord with City standards or is damaged before or during construction, shall be replaced.
84. Prior to acceptance of improvements or occupancy of building, an on-site maintenance agreement to ensure the upkeep, repair and serviceability of the storm drain system shall be in place between the owner and the City.

85. Prior to occupancy of any building, the applicant shall provide a mylar and digital copy of the Improvement Plans that include all as-built or field changes.

* * * * *

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 16th day of July, 2024 by following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

