



City of Wheatland

111 C Street Street – Wheatland, California 95692
Tel (530) 633-2761 – Fax (530) 633-9102

PLANNING COMMISSION MEETING STAFF REPORT

Date: September 7, 2021
Agenda Item:

Subject: Consider recommending City Council approval of the proposed Site Plan and Design Review Ordinance.

Prepared by: Tim Raney, Community Development Director

Recommendation

Staff requests that the Wheatland Planning Commission adopt the attached resolution recommending the Wheatland City Council adopt the proposed Ordinance Amending Chapter 18.67 of the Wheatland Municipal Code Relating to Site Plan and Design Review (see Attachment 1).

Background

The current City of Wheatland Municipal Code only requires Site Plan and Design Review for projects located in the Commercial Zoning Districts (C-1, C-2, and C-3). Therefore, if a project is permitted by right, such as a multi-family development in the R-3 Zoning District, staff does not currently have a process to review the design of the project for consistency with the city's existing community design standards except during building permit review.

On September 8, 2020, the City of Wheatland City Council voted to give staff direction to begin preparing a draft ordinance amendment to amend Chapter 18.67 of the Wheatland Municipal Code to include design review and approval by the community development director for proposed residential development within the city.

Discussion

Staff has prepared the attached draft ordinance amendment to amend Chapter 18.67 of the Wheatland Municipal Code, which would require the existing city's site plan and design review process to be applicable to all proposed development projects in residential zoning district with

four or more units, as well as all proposed development projects in the industrial zoning districts. The proposed zoning amendment would also change the approval authority of the site plan and design review process from the discretion of the Wheatland Planning Commission to the discretion of the Wheatland Community Development Director. However, for potentially controversial projects, the Wheatland Community Development Director can elevate the site plan and design review request to the Wheatland Planning Commission for review (i.e., Minor Site Plan and Design Review or Major Site Plan and Design Review).

In addition, the proposed Site Plan and Design Review Ordinance includes the following principles of compliance:

- A. The development shall be compatible with the surrounding area.
- B. The development shall be compatible with the City of Wheatland's Community Design Standards or applicable planned development design guidelines.
- C. Ingress, egress, internal traffic circulation, off-street parking and pedestrian ways shall be designed to promote safety and convenience.
- D. Landscaping shall be provided for beautifying and enhancing a property, controlling erosion, and reducing glare. Landscaped areas shall be maintained in an attractive manner.
- E. Existing trees shall be preserved wherever possible and maintained in a living condition.
- F. Building Diversity. Projects generally should provide variety in the design, size and massing of buildings. Repetitious design resulting in a monotonous similarity of appearance is to be avoided. Variety should not be contrived, but evolve from the requirements of the building, the materials and structural systems used. Design elements such as varied building setbacks, diversity in building heights, roof styles, and front entries are required. In general, the following examples would be considered "contrived" diversity, and, although not prohibited, would not be considered sufficient in and of themselves for providing variation between buildings:
 - 1. Applied external ornamentation, such as altering the siding or trim without making substantial changes in the design and form of a building.
 - 2. Constructing "mirror image" buildings where the floor plans are inverted.
 - 3. Altering the location or size of windows or doors without making substantial changes in the design or form of the building.
 - 4. Making minor alterations in the roof line which do not substantially differentiate the building from neighboring structures.
- G. Exterior Appearance and Function. Exterior of buildings should be compatible with the neighborhood and should reinforce or improve the visual character of the environment surrounding the proposed building. Generally, building colors should be subdued and should not in any way attract undue attention to the building or site.

- H. Architectural Consistency. There should be architectural consistency between all elevations of a building, including a consistent use of colors, materials and details, joined together in an interesting and harmonious but not monotonous design. False or decorative façade treatments wherein one or more unrelated materials are placed on the building should be avoided in new buildings, but may be used to upgrade older buildings when necessary to cause the older buildings to better fit their neighborhood surroundings unless the older building is of historic significance in which case its appearance should not be altered. All elevations need not look alike, but a sense of overall architectural continuity should be achieved.
- I. Variety of Building Materials. The range of acceptable building materials is quite broad. The history and character of Wheatland favor the use of natural appearing materials such as wood, brick, stone, or stucco treated with subdued colors. Generally, extensive use of aluminum, reflective glass, plastic, enameled panels, and similar materials should be limited. Metal buildings are permissible, but their design should reflect the inherent quality of the material.
- J. "Trademark" Styles. The "trademark" type of building is generally undesirable and, if permitted at all, should be in commercial or industrial areas. Where permitted, such buildings should harmonize with the existing neighborhood.
- K. Incidental Appurtenant Facilities (except energy conservation facilities). Mechanical equipment, electrical services, loading docks, storage areas, trash collection areas, and similar facilities including roof-mounted heating and cooling equipment should be screened from public view. The design of such screening should be compatible with the building structure and incorporated as an integral element in the design.
- L. Energy Conservation. All building designs should reflect energy conservation considerations. However, when energy conserving devices, such as solar heat collector panels are used, such devices should be to the extent feasible visually integrated into the design of the structure.
- M. Items required from applicant for site plan and design review. Projects submitted for site plan and design review must be accompanied by:
 - 1. A rendering showing the exterior appearance of all sides of the building(s);
 - 2. Color samples showing the actual colors or a range of acceptable color choices;
 - 3. Plot plan showing position of all buildings and major topographic features on the parcel; and
 - 4. Landscaping plans for commercial, industrial, and all residential projects with four or more units.

CEQA Review

The proposed Ordinance is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.

Conclusion

Based on the above information, staff recommends that the Wheatland Planning Commission adopt the attached resolution recommending the Wheatland City Council adopt the proposed Ordinance Amending Chapter 18.67 of the Wheatland Municipal Code Relating to Site Plan and Design Review.

Attachments

1. Resolution No. 2021-** Recommending Wheatland City Council Adoption of the Ordinance Amending Chapter 18.67 of the Wheatland Municipal Code Relating to Site Plan and Design Review.

Exhibit 1: Wheatland City Council Ordinance Amending Chapter 18.67 to the Wheatland Municipal Code Relating to Site Plan and Design Review.

**PLANNING COMMISSION
RESOLUTION NO. 2021-06**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WHEATLAND
RECOMMENDING CITY COUNCIL ADOPTION OF THE ORDINANCE AMENDING CHAPTER
18.67 OF THE WHEATLAND MUNICIPAL CODE RELATING TO SITE PLAN AND DESIGN
REVIEW**

WHEREAS, on September 8, 2020, the City of Wheatland City Council voted to give staff direction to begin preparing a draft ordinance amendment to amend Chapter 18.67 of the Wheatland Municipal Code to include design review and approval by the community development director for proposed residential development within the city; and

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

WHEREAS, on September 7, 2021, the Wheatland Planning Commission duly held a public hearing on the matter, and received and considered evidence, both oral and documentary recommending Wheatland City Council approval of the Site Plan and Design Review Ordinance; and

NOW THEREFORE, BE IT RESOLVED that in recommending approval to the Wheatland City Council of Ordinance No. 482, Amending Chapter 18.67 of the Wheatland Municipal Code Relating to Site Plan and Design Review, the Wheatland Planning Commission makes the following findings, which are based on its review and consideration of the entire record, including the recitals above and any oral or written testimony provided at the hearing:

1. The proposed ordinance is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.
2. The proposed ordinance is consistent with the general plan, as it carries out the purposes of the general plan and is consistent with the land use and development designation in such plans.

NOW THEREFORE BE IT FURTHER RESOLVED that the Wheatland Planning Commission recommends the Wheatland City Council adopt the ordinance amending Chapter 18.67 of the Wheatland Municipal Code, in the form attached as Exhibit 1, subject to such changes as may be approved by the Wheatland City Council.

I HEREBY CERTIFY that the foregoing resolution was adopted by the Wheatland Planning Commission of the City of Wheatland at a regular meeting thereof held on the 7th day of September 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

LISA THOMASON
City Clerk

EXHIBIT 1

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF WHEATLAND, CALIFORNIA,
AMENDING CHAPTER 18.67 OF THE WHEATLAND MUNICIPAL
CODE RELATING TO SITE PLAN AND DESIGN REVIEW**

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF WHEATLAND, CALIFORNIA,
AMENDING CHAPTER 18.67 OF THE WHEATLAND MUNICIPAL CODE RELATING
TO SITE PLAN AND DESIGN REVIEW**

The Wheatland City Council does ordain as follows:

SECTION 1: Purpose and Authority. The purpose of this ordinance is to amend Chapter 18.67 to the Wheatland Municipal Code pertaining to the city's administration of its site plan and design review process, and to make other related changes to the Wheatland Municipal Code. This ordinance is adopted pursuant to Government Code sections 65850, 65852.2, 65852.22, and other applicable law.

SECTION 2. Findings.

The Wheatland City Council finds and determines as follows:

- A. The City of Wheatland administers zoning provisions within the City's boundaries consistent with the City's General Plan as provided for in Title 18 of the Wheatland Municipal Code.
- B. On _____, 2021 the City Council held a duly noticed public meeting concerning the adoption of a proposed Site Plan and Design Review Ordinance.
- C. The proposed Site Plan and Design Review Ordinance is consistent with the policies of the City of Wheatland General Plan and with the Wheatland Municipal Code.
- D. The Wheatland City Council finds it necessary to pass and implement the proposed Site Plan and Density Bonus Ordinance, and that it will promote and protect the public health, safety, comfort, morals, convenience and general welfare of the residents within the city.

SECTION 3. Amendments.

Section 18.06.010 of the Wheatland Municipal Code is amended to read as follows:

Chapter 18.67

SITE PLAN AND DESIGN REVIEW

Sections:

- 18.67.010 Purpose of Provisions.
- 18.67.020 Application.
- 18.67.030 Action of Application.
- 18.67.040 Principles of Compliance.
- 18.67.050 Effect of Approval.
- 18.67.060 Amendments.
- 18.67.070 Appeals.

- 18.67.010 Purpose.

The purpose of this chapter is to set forth procedures for processing site plans and to establish standards for development in all commercial, industrial, and residential (four or more units) districts and for those uses which require regulation by the provisions of this chapter.

18.67.020 Application.

- A. Application shall be made by the property owner to the planning department on a form pre-scribed for that purpose.
- B. The application shall be accompanied by the site plan and building elevations required to demonstrate that conditions set forth in this chapter will be complied with, together with any other necessary data.
- C. The application shall be accompanied by a fee established by resolution of the city council.
- D. The submitted site plan and building elevations shall meet the requirements of the design review checklist on file in the office of the city clerk.

18.67.030 Action on application.

- A. Upon receipt of the application, city staff shall refer the application to the fire district, city engineer, police department, building department, public works, planning director and any other affected city departments or public agencies. These department or agencies are to review the project for compliance with pertinent city standards and regulations, and other input they deem appropriate. The planning staff may waive referral to departments or agencies not concerned with the particular site plan.
- B. Upon receipt of reports from the other departments or agencies or upon expiration of the review and comment period, the planning staff shall prepare a recommendation regarding the site plan and design review permit, and whether it should be approved as submitted, approved with modifications and/or stipulations, or disapproved.
- C. The staff recommendation shall be submitted to the community development director along with the applicant's application including site plan, building elevations, and any exhibits.
- D. After the community development director has considered the matter it shall approve the site plan and design review permit application as submitted, or approve the application with modifications or disapprove the application. Each decision will require findings and reasons for such action, which shall be included in the approval report.
- E. The planning staff shall notify the applicant of the community development director's decision within five working days.
- F. In addition to the special requirements of this chapter, the community development director may impose on a site plan and design review permit such additional requirements as are necessary to safeguard the public welfare, health and safety.
- G. The city shall require the applicant to submit a revised site plan or building elevations incorporating the imposed requirements and modifications. Such revised site plan and building elevations shall have priority over new applicants in the review process.

- H. When a revised site plans and design review permit is approved by the community development director, the applicant shall be notified within five working days. One copy of the approved site plan and building elevations shall be filed in the city clerk's office, one copy sent to the building official, and one copy sent to the applicant.
- I. To the discretion of the community development director, planning commission approval of the site plan and design review permit may be required (i.e., Minor Site Plan and Design Review or Major Site Plan and Design Review).

18.67.040 Principles of compliance.

In carrying out the purposes of this chapter, the following principles shall be followed:

- A. The development shall be compatible with the surrounding area.
- B. The development shall be compatible with the City of Wheatland's Community Design Standards or applicable planned development design guidelines.
- C. Ingress, egress, internal traffic circulation, off-street parking and pedestrian ways shall be designed to promote safety and convenience.
- D. Landscaping shall be provided for beautifying and enhancing a property, controlling erosion, and reducing glare. Landscaped areas shall be maintained in an attractive manner.
- E. Existing trees shall be preserved wherever possible and maintained in a living condition.
- F. Building Diversity. Projects generally should provide variety in the design, size and massing of buildings. Repetitious design resulting in a monotonous similarity of appearance is to be avoided. Variety should not be contrived, but evolve from the requirements of the building, the materials and structural systems used. Design elements such as varied building setbacks, diversity in building heights, roof styles, and front entries are required. In general, the following examples would be considered "contrived" diversity, and, although not prohibited, would not be considered sufficient in and of themselves for providing variation between buildings:
 - 1. Applied external ornamentation, such as altering the siding or trim without making substantial changes in the design and form of a building.
 - 2. Constructing "mirror image" buildings where the floor plans are inverted.
 - 3. Altering the location or size of windows or doors without making substantial changes in the design or form of the building.
 - 4. Making minor alterations in the roof line which do not substantially differentiate the building from neighboring structures.
- G. Exterior Appearance and Function. Exterior of buildings should be compatible with the neighborhood and should reinforce or improve the visual character of the environment surrounding the proposed building. Generally, building colors should be subdued and should not in any way attract undue attention to the building or site.

- H. Architectural Consistency. There should be architectural consistency between all elevations of a building, including a consistent use of colors, materials and details, joined together in an interesting and harmonious but not monotonous design. False or decorative façade treatments wherein one or more unrelated materials are placed on the building should be avoided in new buildings, but may be used to upgrade older buildings when necessary to cause the older buildings to better fit their neighborhood surroundings unless the older building is of historic significance in which case its appearance should not be altered. All elevations need not look alike, but a sense of overall architectural continuity should be achieved.
- I. Variety of Building Materials. The range of acceptable building materials is quite broad. The history and character of Wheatland favor the use of natural appearing materials such as wood, brick, stone, or stucco treated with subdued colors. Generally, extensive use of aluminum, reflective glass, plastic, enameled panels, and similar materials should be limited. Metal buildings are permissible, but their design should reflect the inherent quality of the material.
- J. "Trademark" Styles. The "trademark" type of building is generally undesirable and, if permitted at all, should be in commercial or industrial areas. Where permitted, such buildings should harmonize with the existing neighborhood.
- K. Incidental Appurtenant Facilities (except energy conservation facilities). Mechanical equipment, electrical services, loading docks, storage areas, trash collection areas, and similar facilities including roof-mounted heating and cooling equipment should be screened from public view. The design of such screening should be compatible with the building structure and incorporated as an integral element in the design.
- L. Energy Conservation. All building designs should reflect energy conservation considerations. However, when energy conserving devices, such as solar heat collector panels are used, such devices should be to the extent feasible visually integrated into the design of the structure.
- M. Items required from applicant for site plan and design review. Projects submitted for site plan and design review must be accompanied by:
 - 1. A rendering showing the exterior appearance of all sides of the building(s);
 - 2. Color samples showing the actual colors or a range of acceptable color choices;
 - 3. Plot plan showing position of all buildings and major topographic features on the parcel; and
 - 4. Landscaping plans for commercial, industrial, and all residential projects with four or more units.

18.67.050 Effect of approval.

- A. An approved site plan and design review permit shall be binding upon the applicants and their successors or assignees. No building permit shall be issued for any building or structure not in accord with the approved site plan and design review site plan and building elevations. The construction, location, use, or operation of all land and structures within the site shall conform to all conditions and limitations set forth on the approved plans.

- B. No structure, use, or other element of an approved site plan and design review permit shall be eliminated, altered, or provided in another manner unless an amendment is approved in accord with the provisions of this chapter, except that the building inspector, with the advice of planning staff and in consultation with the community development director, may approve minor changes on the site plan and design review permit that will not cause any of the following circumstances to occur:
1. A change in the character of the development;
 2. An increase in the number of dwelling units;
 3. An increase in the problems of circulation, safety, and utilities;
 4. An increase of any adverse external effects on adjacent property;
 5. A reduction of the originally approved setbacks from property lines;
 6. An increase in the ground coverage authorized in the zoning district;
 7. A reduction of the required off-street parking and loading space;
 8. A change in the size, lighting, or orientation of originally approved signs.
- C. Whenever the building official finds that any proposed construction or occupancy will not, in his or her opinion, comply with the approved site plan and design review permit he or she shall refer the question to the planning staff for their review.
- D. The approved site plan and design review permit shall become invalid if a building permit has not been obtained within twenty-four months of the date of approval. In the event a site plan and design review permit becomes invalid, a new site plan and design review permit application shall be required to be submitted for approval in the same manner as an original application.

18.67.060 Amendments.

The holder of an approved site plan and design review permit may request modification of the site plan or the conditions of approval by submitting an amended site plan which shall be filed and processed in the same manner as an original application.

18.67.070 Appeals.

- A. An action or decision of the community development director may be appealed within fifteen days to the planning commission.
- B. Staff actions regarding minor changes and proposed construction or occupancy not complying with an approved site plan or building elevations may be appealed to the planning commission within fifteen days of notice being sent to the applicant.
- C. Appeals shall be in writing on a form provided by the planning department.
- D. Appeals shall include only those items not agreed upon by the developer and the community development director or staff as the case may be.

- E. An action or decision of the planning commission may be appealed within fifteen days to the city council.

SECTION 4. Exemption from CEQA. The proposed Site Plan and Design Review Ordinance is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. Effective Date. This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption.

SECTION 7 Posting. Within fifteen (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 foregoing ordinance was introduced and adopted at a regular meeting of the Wheatland City Council, held on the _____ of _____, 2021, and passed and adopted at a regular meeting thereof, held on the _____ of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor of the City of Wheatland

ATTEST:

City Clerk of the City of Wheatland