



# CITY OF WHEATLAND

## PLANNING COMMISSION MEETING STAFF REPORT

October 3, 2023

**SUBJECT:** Consideration to approve the Tentative Parcel Map for 412 Third Street and 419 Fourth Street.

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

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### Recommendation

Staff recommends that the Wheatland Planning Commission hold the public hearing on the proposed Tentative Parcel Map, and upon close of the public hearing, adopt the attached Resolution (see Attachment 2) approving the requested Tentative Parcel Map (see Exhibit 1 to Attachment 2) located at 412 Third Street and 419 Fourth Street.

### Background

The property owner for 419 Fourth Street submitted an application to split an existing 0.366-acre property identified as Yuba County Assessor Parcel Number (APN) 015-243-006-000 into two properties (proposed project). The subject property is located east of the Union Pacific Railroad (UPRR) between Third Street and Fourth Street and is currently zoned Retail Commercial (C-2) and is designated Commercial (C) in the Wheatland General Plan (see Attachment 1). The property currently includes two separate businesses, Wheatland 99 Cent and Liquor store (419 Fourth Street) and Volt Modern Roofing and Solar (412 Third Street).

### Discussion

Pursuant to Title 17 of the Wheatland Municipal Code, Planning Commission approval of a Tentative Parcel Map is required to split an existing property and create a new parcel. The existing 0.366-acre property is proposed to be split into two properties consisting of a new 5,946-square-foot property (Parcel 1) and a new 9,988-square foot property (Parcel 2).

The City Engineer has reviewed the proposed Tentative Parcel Map and provided draft conditions of approval, as detailed in the attached resolution (see Attachment 1).

New development is not proposed as part of the proposed project, with the exception of the condition of approval requiring new fencing along the existing UPRR right-of-way and the new proposed property line between Parcel 1 and Parcel 2 for public safety.

Pursuant to the Wheatland Municipal Code, once the Tentative Parcel is approved by the Wheatland Planning Commission, the applicant will then prepare a Final Parcel Map incorporating all conditions of approval, subject to review by the City Engineer, which will then go to City Council for final approval. The Final Parcel Map will then be delivered to Yuba County for recordation.

CEQA Review

The project is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) under Class 15, Section number 15315 (Minor Land Divisions) which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

Conclusion

Based on the information contained in the staff report, city staff recommends that the Wheatland Planning Commission adopt the attached Resolution approving the requested Tentative Parcel Map located at 412 Third Street and 419 Fourth Street.

**Attachments**

- 1. Project Location Map
- 2. Planning Commission Resolution Approving the Tentative Parcel Map located at 412 Third Street and 419 Fourth Street.  
Exhibit A - Proposed Parcel Map

Project Location Map



**WHEATLAND PLANNING COMMISSION  
RESOLUTION NO. 2023-08**

**RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF WHEATLAND APPROVING THE TENTATIVE PARCEL MAP  
LOCATED AT 412 THIRD STREET AND 419 FOURTH STREET  
(APN 015-243-006-000)**

**WHEREAS**, on February 22, 2023, the applicant, Buck Wilcox, submitted an application for a Parcel Map located at 412 Third Street and 419 Fourth Street (APN 015-243-006-000); and,

**WHEREAS**, the Parcel Map was prepared in accordance with Title 17 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 15, Section number 15315 (Minor Land Divisions) which consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent;

**WHEREAS** the Wheatland Planning Commission duly gave notice of public hearing as required by law and on September 5, 2023 duly held a public hearing, received and considered evidence, both oral and documentary, approving the Tentative Parcel Map attached as Exhibit A to this Resolution.

**NOW, THEREFORE, BE IT RESOLVED AND DETERMINED**, that the Wheatland Planning Commission does hereby make the following findings for approval of the requested Tentative Parcel Map:

1. The proposed Tentative Parcel Map would comply with Title 17 of the Wheatland Municipal Code.
2. The proposed Tentative Parcel Map would comply with the Wheatland General Plan.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Planning Commission of the City of Wheatland does hereby APPROVE the Tentative Parcel Map for 412 Third Street and 419 Fourth Street (APN 015-243-006-000) 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 deviation from the approved Tentative Parcel Map shall be brought back to City staff for review and approval.
4. The approved Tentative Parcel map shall expire twenty-four months after its date of approval or conditional approval (September 5, 2025). Time extensions of a maximum of twelve months may be allowed by the City Engineer, not to exceed a cumulative total of three years after the expiration of the first approval or conditional approval.
5. Repair any broken or displaced sidewalk, curb or gutter along both street frontages.
6. Provide fencing along railroad right-of-way and between subject parcels for public safety.
7. Each parcel shall establish independent water and sewer services from its fronting street.
8. Provide names of record owner(s) and current Assessor's Parcel Numbers for all effected properties.
9. Clearly identify the name, address and telephone number of the subdivider and the record owner.
10. Include a legal description of the land to define the boundaries of the proposed tract.
11. Label and show found monuments used to locate property.
12. Show existing and proposed parcels area in both acres and square feet.
13. Identify adjacent property owners as shown on the latest assessor's parcel map.
14. Add a note identifying an existing Qwest communication easement that cannot be plotted as redlined.

15. Provide a Subdivider's Statement with all the following information as required in Wheatland Municipal Code Section 17.05.060 to include the following:
- a. The total acreage of the tract, the total number of lots in the tract, and the minimum lot size (in square feet when less than an acre);
  - b. The existing and proposed use of the property;
  - c. The existing and proposed zoning on the property;
  - d. Existing structures on the property;
  - e. Existing easements on the property;
  - f. Statement regarding improvements with reasons for any modifications or exceptions to the provisions of this title;
  - g. Statement regarding type of street trees (if any) to be planted, with intervals of spacing;
  - h. Proposed drainage, flood control measures and method of storm water disposal;
  - i. Provisions for proposed fire hydrants, the proposed source of water supply, and the location and nature of sewerage disposal facilities;
  - j. Statement regarding other public utilities and services;
  - k. Statement regarding restrictive covenants;
  - l. Statement regarding whether the subdivider intends to file multiple final maps on the tentative map;
  - m. Name, address, phone number and signature of the subdivider, owner, agent and engineer;
  - n. Certification by the owner that he or she is the owner of the property on the map as proposed for subdivision, has examined the map, and consents to its submission;
  - o. Deed restrictions, covenants or conditions, if any, which it may be proposed to impose on the property
  - p. Reasons purporting to justify any departure from the terms of this chapter.

\* \* \* \* \*

**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 3rd day of October, 2023 by following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**APPROVED:**

\_\_\_\_\_  
**Planning Commission Chairperson**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**LEGEND**

- O DIMENSION POINT (NOTHING FOUND NOR SET)
- X FOUND CUT 'X' PER CITY TIES ON FILE
- ⊙ FOUND MAG NAIL w/ WASHER
- ⊙ FOUND NAIL (HELD AS INTERSECTION)
- ⊙ SET 1-1/2" ALUM. CAP (FLUSH) STAMPED "PLS 9446"
- PARCEL LINE TO REMAIN
- NEW PARCEL LINE
- PUBLIC ROAD EASEMENT LINE
- EASEMENT LINE
- ROAD CENTERLINE
- ORIGINAL BLOCK PROPERTY LINE
- EXISTING SANITARY SEWER
- EXISTING WATERLINE
- EXISTING STORM DRAIN

TENTATIVE PARCEL MAP  
**419 FOURTH ST**  
 SUBDIVISION NO. 223-XXX

APN: 015-243-006  
 LOTS 1 AND 9 AND A PORTION OF LOTS 2 AND 10 IN BLOCK 19, AS SHOWN UPON THE MAP ENTITLED "MAP OF THE TOWN OF WHEATLAND", ON FILE IN THE COUNTY RECORDER OF YUBA COUNTY IN BOOK 24 OF DEEDS, PAGE 506.  
 STATE OF CALIFORNIA  
 FEBRUARY 2023  
 SCALE: 1" = 60'



3359 PEACE COURT  
 SACRAMENTO, CA 95826  
 andrew@elementengineer.com  
 775-762-5461

**AREA OF PARCEL:**  
 EXISTING PARCEL=40.366 ACRES

**JURISDICTION:**  
 CITY OF WHEATLAND

**ZONING:**  
 EXISTING: C-2, COMMERCIAL  
 PROPOSED: NO CHANGE

- SETBACKS:
- FRONT: 0 FEET
  - REAR: 0 FEET
  - SIDE: 0 FEET

**FIRE DISTRICT:**  
 WHEATLAND FIRE AUTHORITY

**EXISTING USE:**  
 COMMERCIAL

**PROPOSED USE:**  
 COMMERCIAL (BOTH PARCELS)

**PROPOSED IMPROVEMENTS:**  
 NONE

**SEWER:**  
 CITY OF WHEATLAND

**WATER:**  
 CITY OF WHEATLAND

**ELECTRICAL SERVICE:**  
 PG&E

**GAS SUPPLY:**  
 PG&E

**TELEPHONE SERVICE:**  
 AT&T

**SCHOOL DISTRICT:**  
 WHEATLAND SCHOOL DISTRICT

**PARK DISTRICT:**  
 CITY OF WHEATLAND

**BASIS OF BEARINGS:**  
 THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF FOURTH ST AS SHOWN ON THAT DEED RECORDED IN BOOK 24, PAGE 506, ASSUMING THAT FOURTH ST BEARS N38°13'25"E AS ESTABLISHED BY SPLITTING IMPROVEMENTS AS SHOWN.

**BENCHMARK:**  
 TEMPORARY BENCHMARK ON NAVD88

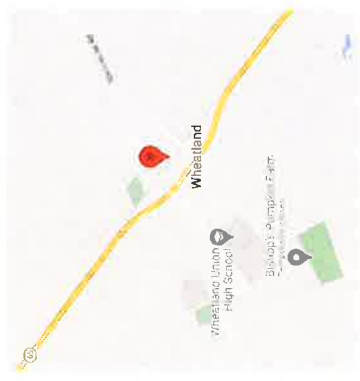
**FLOODPLAIN:**  
 SUBJECT PROPERTY IS LOCATED WITHIN SHADED ZONE "X" PER NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 06115C0445D DATED: 02/18/2011

**REFERENCE DOCUMENTS**

- (1).....24 DEEDS 506

**SURVEYORS NOTE:**

THE BOUNDARY SHOWN HEREON WAS DETERMINED BY SURVEYING THE BLOCK BOUNDED BY THIRD ST, FOURTH ST, C ST AND THE UNION PACIFIC RIGHT-OF-WAY AND USING FOUND MONUMENTS WHERE AVAILABLE.



BY	DESIGN	QUANT	ORIGINAL SCALE IS IN INCHES
CHECK	AH		1" = 60'
	AH		
	DRAWN		



**ELEMENT ENGINEERS**  
 3359 PEACE COURT  
 SACRAMENTO, CA 95826  
 775.762.5461

CLIENT:  
**GREWAL KULDIP SINGH**  
 P: (530) 575-1975  
 E: buck@volmodern.com

**419 FOURTH ST**  
 APN: 015-243-006  
 WHEATLAND, CA 95692  
**TENTATIVE**  
**PARCEL MAP**

Sheet	TPM
1 of 1	
2/22/2023	