



## City of Wheatland

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### PLANNING COMMISSION MEETING STAFF REPORT

Date: April 7, 2020  
Agenda Item: 2

**Subject:** Consideration to recommend City Council adoption 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

Adopt the attached resolutions 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.

#### 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 for unaccommodated need for lower income households during the previous planning period (4<sup>th</sup> 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 (du/ac) increase from 16 du/ac to a maximum of 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 a maximum of 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 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.

### **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 and 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 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.

### **Conclusion**

Based on the information contained in the staff report, staff recommends that the Planning Commission adopt the attached resolutions recommending City Council adoption of the General Plan Amendment and Zoning Amendment Ordinance.

### **Attachments**

1. Resolution recommending the Wheatland City Council adopt a General Plan Amendment and General Plan Map Amendment for implementation of the City of Wheatland 4-Year (2017-2021) Housing Element.
2. Resolution recommending the Wheatland City Council adopt 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.

# Attachment 1

## PLANNING COMMISSION RESOLUTION NO. 2020-02

### RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WHEATLAND RECOMMENDING CITY COUNCIL APPROVAL OF 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 Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines"); and

**WHEREAS**, on April 7, 2020, the Planning Commission recommended adoption of the City of Wheatland 4-Year (2017-2021) Housing Element Update IS/MND, Mitigation Monitoring and Reporting Program, and the City of Wheatland 4-Year (2017-2021) Housing Element Update to the City Council; and

**WHEREAS**, the Planning Commission duly gave notice of public hearing 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.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission does hereby make the following findings for recommendation to the City Council of 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 which concluded that the project does not result in any significant or unavoidable 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 Planning Commission does hereby recommend the City Council 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 Planning Commission of the City of Wheatland at a regular meeting thereof held on the 7<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)**

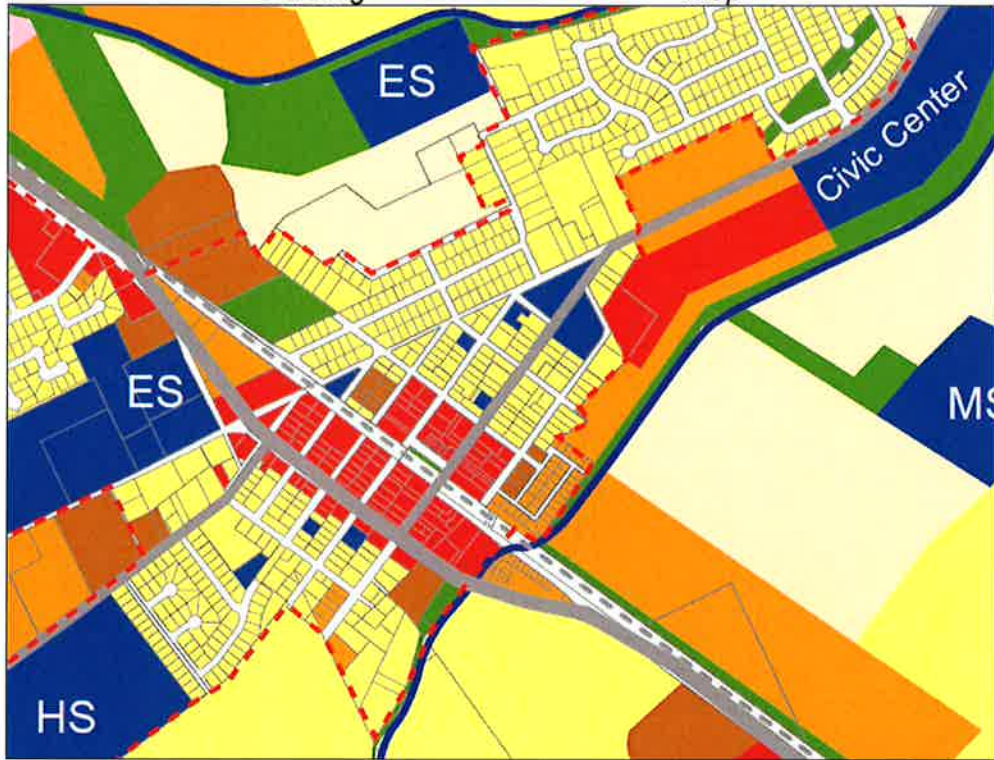
This designation provides for single-family detached and attached homes, secondary residential units, multi-family residential units, and similar and compatible uses. Residential densities shall be in the range of 8.1 to ~~16.0~~ 30.0 units per gross acre. The FAR for nonresidential uses shall not exceed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



**EXHIBIT B**

Proposed General Plan Map Amendment

*Existing General Plan Land Use Map*



*Proposed General Plan Land Use Map*



## Attachment 2

### PLANNING COMMISSION RESOLUTION NO. 2020-03

#### **RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WHEATLAND RECOMMENDING CITY COUNCIL ADOPTION OF AN ORDINANCE AMENDING SECTION 18.27.060 OF THE WHEATLAND ZONING CODE, CREATING 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.**

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

**WHEREAS**, the proposal to allow a maximum capacity of 30 dwelling units per acre ("du/ac") in the Multi-family (R-3) Zoning District promotes the City's ability to fulfill City objectives as expressed in the Housing Element 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 create Chapter 18.55, Emergency Shelter Combining District Regulations, provides a location for potential emergency shelter use to be permitted by-right with no discretionary entitlement required promotes the City's ability to fulfill City objectives as expressed in the Housing Element and meet the State's requirements for SB 745; and

**WHEREAS**, the proposal to rezone the City's Zoning Map for three properties totaling 21.75 acres to the R-3 Zoning District promotes the City's ability to fulfill City objectives as expressed in the Housing Element 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 R-3 development; and

**WHEREAS**, the proposal to rezone the City's Zoning Map for the 2.24-acre property to include the \_\_\_-ES emergency shelter combining zone promotes the City's ability to fulfill City objectives as expressed in the Housing Element and meet the State's requirements for SB 745; and

**WHEREAS**, the 2.24-acre property (APN 015-500-018-000) is of adequate size to accommodate potential future emergency shelter 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 Section 15063 of Title 14 of the California Code of Regulations (the "CEQA Guidelines"); and

**WHEREAS**, on April 7, 2020 the Planning Commission recommended adoption of the City of Wheatland 4-Year (2017-2021) Housing Element Update IS/MND, Mitigation Monitoring and Reporting Program, and the City of Wheatland 4-Year (2017-2021) Housing Element Update to the City Council; and

**WHEREAS**, the Planning Commission duly gave notice of public hearing 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.

**WHEREAS**, in consideration of the rezone, the granting of such rezone will not adversely affect the comprehensive General Plan.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission does hereby make the following findings for recommendation to the City Council for adoption of the proposed zone change:

1. That the subject properties are suitable to the uses permitted in the proposed zone change. The subject properties are relatively flat, undeveloped land adjacent to existing development and is suitable for multi-family residential development and an emergency shelter use.
2. That the proposed zone change is in conformance with the Wheatland General Plan. The project conforms to the requirements of the General Plan for High Density Residential Development.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Planning Commission does hereby recommend the City Council ADOPT the draft Ordinance (Exhibit A) to increase the maximum capacity of 30 dwelling units per acre in the R-3 Zoning District, create the Emergency Shelter Combining District, rezone the three properties totaling 21.75 acres (APN 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.

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**I HEREBY CERTIFY** that the foregoing resolution was adopted by the Planning Commission of the City of Wheatland at a regular meeting thereof held on the 7<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**

**ORDINANCE NO. 473**

**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 \_\_\_\_\_, 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) and Mitigation Monitoring and Reporting Program 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, Chapter 17.27 of the Wheatland Zoning Code, are amended as identified in this section:

**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:**

The Wheatland Zoning Code is amended as identified in this section:

**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.

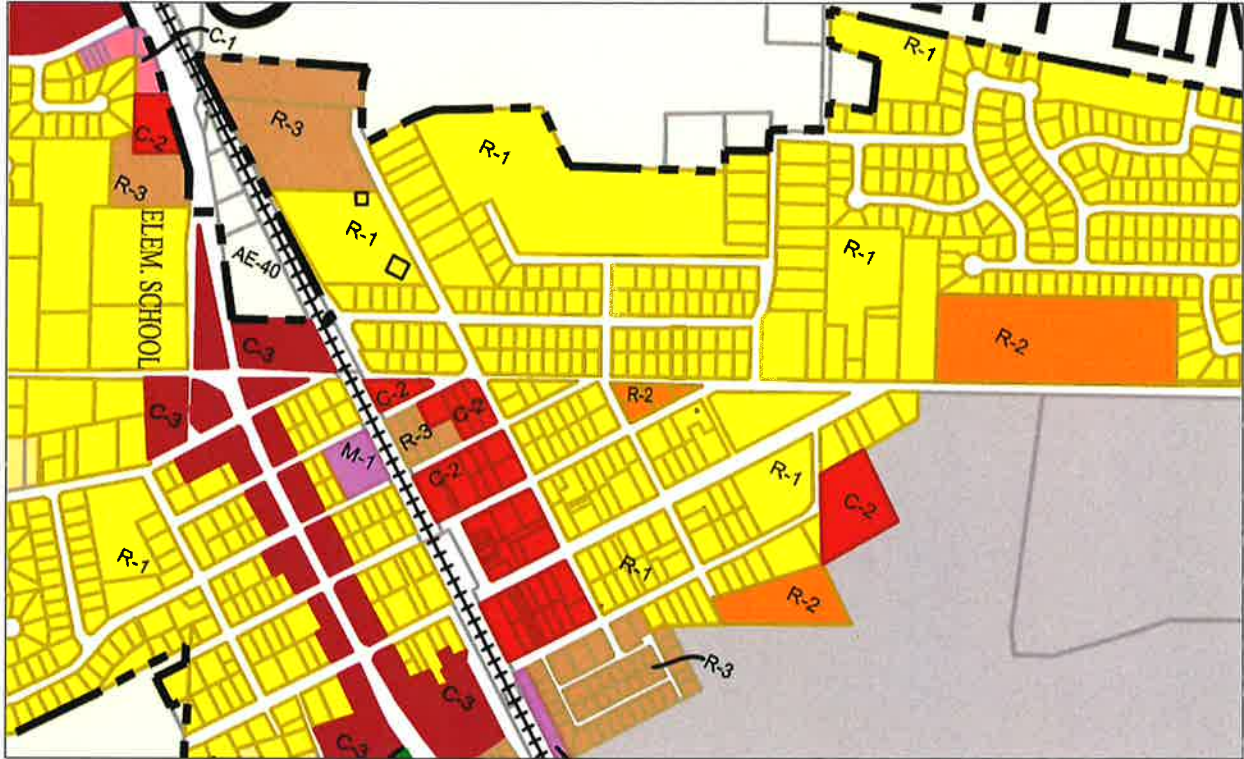
**SECTION 5:**

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.

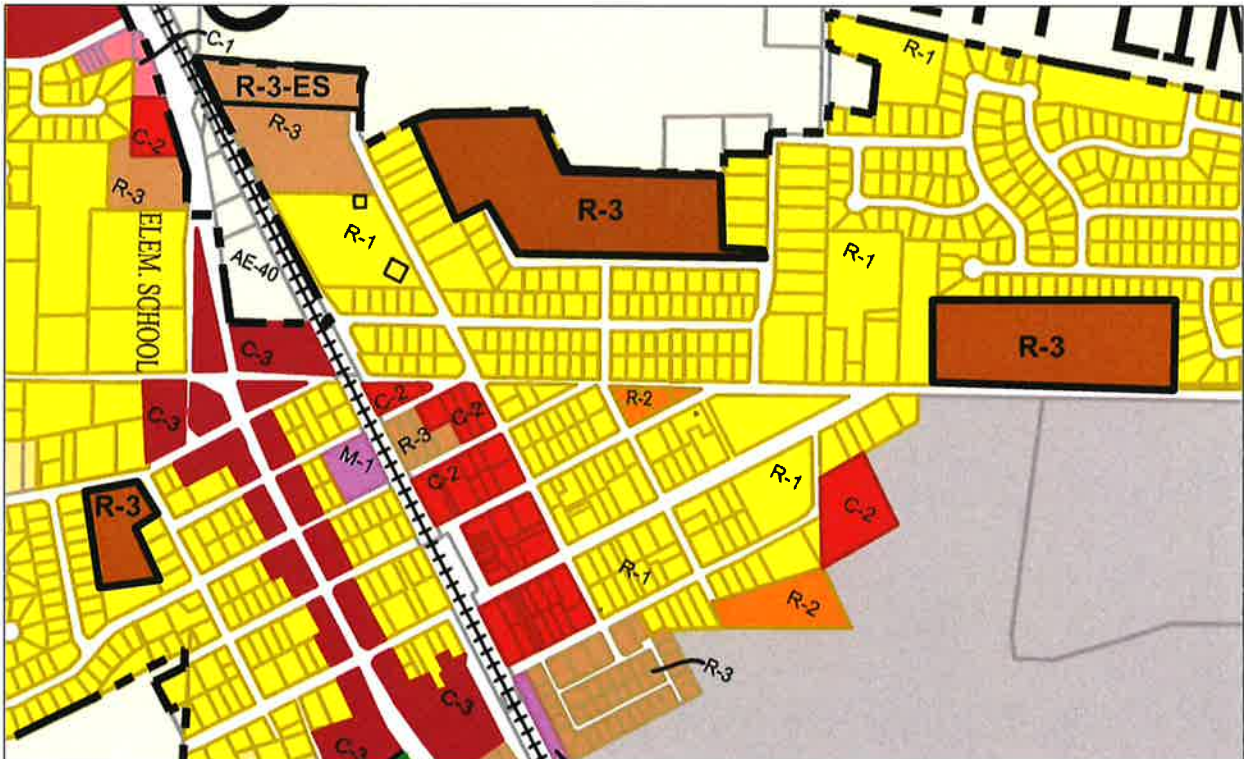


Proposed Zoning Map Amendment

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 thirty (30) days from and after the date of its adoption and shall be published once within fifteen (15) days upon passage and adoption in a newspaper of general circulation printed and published in the City of Wheatland.

\* \* \* \* \*

**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 12<sup>th</sup> of May, 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Mayor of the City of Wheatland

**ATTEST:**

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City Clerk of the City of Wheatland