

**APRIL 4, 2023, MINUTES  
CITY OF WHEATLAND  
REGULAR PLANNING COMMISSION MEETING  
WHEATLAND COMMUNITY CENTER  
101 C STREET, WHEATLAND, CA  
6:00 – 6:40 P.M.**

**PLANNING COMMISSIONERS PRESENT** G. Hart, D. Panteloglow, D. Pesenti. K. Thomason, \*W. Tinsley  
**\*arrived at 6:33 p.m.**

**OTHER OFFICIALS PRESENT** T. Raney, Community Development Director  
K. Valente, Senior Planner  
A. Darosa, Division Manager/Air Quality Specialist  
L. Thomason, Secretary  
J. Johnson, Account Clerk

**PLEDGE OF ALLEGIANCE**

Planning Commissioner Chair led the pledge of allegiance.

**PUBLIC COMMENT**

None.

**CONSENT**

Motion was made by Planning Commissioner D. Panteloglow, Seconded by Planning Commissioner K. Thomason to **approve minutes from the regular meeting on March 7, 2023.** Vote called – AYES: Panteloglow, Thomason, Hart and Pesenti. ABSENT: Tinsley. Motion carried.

**PUBLIC HEARING**

Senior Planner, Kevin Valente presented the staff report for consideration to recommend City Council approval of the Pottery World/Avoca Orchards Annexation Project. The applicant for the 30-acre Pottery World project site submitted an application for Annexation and shortly thereafter, the applicant for the 110-acre Avoca Orchards project site submitted an application for Annexation. The Pottery World site is not contiguous to the current city limits; therefore, requires the Avoca Orchards property to also be annexed into the City. As a result, city staff discussed the opportunity to combine the annexation requests with the two applicants resulting in the 140-acre project area known as the Pottery World/Avoca Orchards Annexation Project (proposed project). The 140-acre proposed project area currently consists of agricultural orchards. Generally, the existing surrounding uses for the proposed project area include the

Plumes Brophy Fire Department and agricultural land to the north; agricultural land, rural residences, and single-family residences to the east and west; and agricultural land to the south. State Route (SR) 65 and Union Pacific Railroad (UPRR) tracks bound the Pottery World site to the east. City staff prepared a project specific scope, schedule, and budget and on October 25, 2022, the Wheatland City Council approved the Task Order to authorize Raney Planning and Management to review and process the proposed project. The Pottery World site, identified by Yuba County Assessor Parcel Number (APN) 015-100-053, includes an existing single-family residence and three associated outbuildings located in the northeast portion of the property. The Pottery World site is located in the unincorporated area of Yuba County and currently has a Yuba County Zoning Designation of Agricultural Exclusive (AE-40). The Pottery World site is located in the City of Wheatland's Sphere of Influence (SOI) and has a current General Plan Land Use Designation of Urban Reserve (UR). The proposed project includes the request for a General Plan Map Amendment to change the Pottery World site from UR to Employment (E) and rezoning to the Light Industrial District (M-1). Pursuant to the Wheatland General Plan, UR is defined as land to be considered for future development, and the E designation provides for office parks, research and development, warehouses and light manufacturing related to research and development, general commercial uses that cater to industrial uses in this designation, professional offices, public and quasi-public uses, and similar and compatible uses. Similarly, pursuant to Chapter 18.39 of the Wheatland Municipal Code, the purpose of the M-1 district is to provide for the establishment of areas for light manufacturing, wholesaling, and storage. The Avoca Orchards site, identified by APNs 015-100-061, -084, and -089, includes a maintenance yard and an associated outbuilding located in the western portion of the property. The Avoca Orchards site is located in the unincorporated area of Yuba County and currently has a Yuba County Zoning Designation of AE-40. The Avoca Orchards site is located in the City of Wheatland's SOI and has a current General Plan Land Use Designation of Low Density Residential (LOR), Low-Medium Density Residential (LMDR), and Medium Density Residential (MDR). The proposed project includes a request for rezoning the Avoca Orchards site to Residential Single-Family (R-1) and Two-Family Residential (R-2) consistent with the site's existing General Plan Land Use Designations of LOR, LMDR, and MDR. Pursuant to the Wheatland General Plan, the LOR and LMDR land use designations provide for single-family detached homes at a density of 3.0 to 4.0 dwelling units per acre (du/ac) and 4.1 to 6.0 du/ac. The MDR land use designation provides for single-family detached and attached homes at a density of 6.1 to 8.0 du/ac. Similarly, pursuant to Chapter 18.21 and Chapter 18.24 of the Wheatland Municipal Code, the purpose of the R-1 and R-2 zoning districts is to provide single-family housing. The IS/MND prepared for the project determined that, based on the General Plan designations of the sites and the intensity of the uses, the proposed activities would not require or result in the relocation or construction of new or expanded utilities that would result in a significant impact. Additionally, pursuant to Chapter 3.26 of the Municipal Code, the applicant/developer is required to pay Development Impact Fees. Funds from Development Impact Fees are used for acquisition, installation, and construction of public facilities. Furthermore, Mitigation Measure XIX-1 of the IS/MND requires a Water Supply Verification be prepared to ensure that sufficient water supply needed for the project is available and can be provided by the City. Mitigation Measure XIX-2 requires the City Engineer to confirm that

adequate wastewater treatment and sewer collection system capacity exists to accommodate the project. The proposed General Plan Map Amendment to change the Pottery World site from UR to E and rezoning to M-1 supports Goal 1.G of the Wheatland General Plan which aims to "support development of employment uses to meet the present and future needs of Wheatland residents for jobs and to maintain Wheatland's economic vitality." Currently, the City of Wheatland does not have vacant land designated for employment uses. The proposed project and subsequent development of the Pottery World site will create additional employment opportunities for the City of Wheatland. The objective of the proposed project is to annex additional land into the City of Wheatland for future development, which would require the following entitlements from the City of Wheatland: adoption of the IS/MND and MMP; annexation from Yuba County into the City of Wheatland; general Plan Map Amendment from UR to E (Pottery World site); prezone the Pottery World site from AE-40 to M-1; and prezone the Avoca Orchards site from AE-40 to R-1 and R-2. If approved, the City of Wheatland would then submit an application for annexation to the Yuba Local Agency Formation Commission (LAFCo), who has approval authority for all proposed annexations in Yuba County. It should be noted that development is not currently proposed as part of this project. Any future development on either of the project sites would be subject to entitlement review by the City which would also include project specific California Environmental Quality Act (CEQA) analysis. The proposed project does not include any development at this time. Therefore, in accordance with CEQA, the City has prepared a program-level Initial Study/Mitigated Negative Declaration (IS/MND) of the environmental impacts associated with the proposed annexation and rezoning of the 140-acre project, as well as a General Plan Map Amendment for the Pottery World site. The IS/MND determined all potentially significant environmental impacts resulting from the proposed project would be mitigated to a less-than-significant level with incorporation of mitigation. As a result, a Mitigation Monitoring Program (MMP) was prepared for the proposed project. It should be noted that the IS/MND has been prepared to address Yuba LAFCo issues such that LAFCo can rely on this IS/MND for their review of the proposed annexation. In compliance with Public Resources Code Section 21080.3.1, known as Assembly Bill (AB) 52, (Public Resources Code [PRC] Section 21080.3.1), a project notification letter was distributed to the United Auburn Indian Community of the Auburn Rancheria (UAIC) on November 21, 2022. The City did not receive a response requesting formal consultation. Furthermore, pursuant to CEQA, the IS/MND was published for a 30-day public review period from February 17, 2023, to March 20, 2023, to solicit comments and input from the public. The City received one comment letter from the Central Valley Regional Water Quality Control Board (CVRWQCB). The CVRWQCB comment letter provides background information regarding applicable regulations and required permits. Compliance with such regulations is discussed throughout Section X, Hydrology and Water Quality, of the IS/MND. The comment letter does not address the adequacy of the IS/MND and has been noted for the record. An Errata Sheet has been prepared for the IS/MND to clarify that Grasshopper Slough is not located in the project area. The revisions do not result in modifications to the conclusions of the IS/MND and do not result in significant new information. Therefore, pursuant to CEQA, recirculation of the IS/MND is not required.

## PLANNING COMMISSIONER COMMENTS

Applicant Peter Meier with Avoca Wheatland explained the project to planning commissioners. Meier stated the project would be annexed into Wheatland City limits and also commented on zoning, agriculture use and future residential.

Planning Commissioner D. Panteloglow commented on the time frame for the project, OPUD and roadway and requested an explanation of zoning. Panteloglow also commented on how many years before the project begins, industrial plans, potential concern for water and potential for Electric Vehicle Charging Stations (EVCS). Community Development Director T. Raney explained rezoning for residential use and explained if land goes fallow it would lose the AG land designation. The applicant stated industrial plans are not definite yet, there is already a well on the property, there is also water adjacent to the property and EVCS could be an option. Planning Commissioner K. Thomason commented on property where trees were taken down, retail business, business selling product only in California. Thomason also questioned if the applicant is keeping the business already established on Third Street and the number of employees. The applicant stated the property where trees were taken down is not theirs, not into retail business yet, a lot depends on access to the property and sales are all over the United States and online.

Planning Commission Chair G. Hart commented on rezoning, changing requirement for agriculture use and questioned if the applicant is manufacturing product anywhere else. The applicant stated they are only manufacturing in Wheatland. Hart stated he thinks it is a benefit to Wheatland.

Planning Commission Vice Chair D. Pesenti commented on residential, and agriculture use on the project at the same time. T. Raney responded yes. Applicant Jim Rodda stated that Pottery World already has fabricating in Wheatland and the community needs small businesses. Pesenti also commented on the timeline for development.

## PUBLIC COMMENT

Megan Burn commented on traffic concerns and maintaining the charm of Wheatland.

It was moved by Planning Commissioner D. Panteloglow, Seconded by Planning Commissioner K. Thomason **to adopt Resolution No. 2023-03 recommending City Council approve the Pottery World/Avoca Orchards Project Initial Study/Mitigated Negative Declaration (IS/MND), the Pottery World/Avoca Orchards Project Mitigation Monitoring Program (MMP), and Errata Sheet.** Vote called – AYES: All. Motion carried.

It was moved by Planning Commissioner D. Panteloglow, Seconded by Planning Commissioner K. Thomason **to adopt Resolution No. 2023-04 recommending City Council approve the annexation of 140 acres into the City of Wheatland.** Vote called – AYES: All. Motion carried.

It was moved by Planning Commissioner K. Thomason, Seconded by Planning Commission Vice Chair D. Pesenti to **adopt Resolution No. 2023-05 recommending City Council approve the General Plan Map Amendment for the 30-acre Pottery World project site from Urban Reserve (UR) to Employment (E)**. Vote called – AYES: All. Motion carried.

It was moved by Planning Commissioner D. Panteloglew, Seconded by Planning Commissioner K. Thomaso to **adopt Resolution No. 2023-06 recommending the City Council approve the proposed Ordinance Rezoning the 140-acre project area to Light Industrial (M-1), Residential Single-Family (R-1), and Two-Family Residential (R-2)**. Vote called – AYES: Panteloglew, Thomason, Hart, Pesenti. NOES: Tinsley.

## REPORTS

None.

With no other business before the Commissioners, the meeting adjourned at 6:40 p.m.

Respectfully submitted,  
Kevin Valente, Senior Planner