APRIL 7, 2020 MINUTES
REGULAR WHEATLAND PLANNING
COMMISSION MEETING
VIA ZOOM
MEETING ID NO. 150 683 584,
6:15 – 7:30 P.M.

PLANNING COMMISSIONERS PRESENT: T. Mihalyi, D. Panteloglow, W. Tinsley, S. Witt

OTHER OFFICIALS PRESENT: T. Raney, Community Development Director
K. Valente, Senior Planner

PUBLIC COMMENT

None.

PUBLIC HEARING

1) K. Valente presented the staff report for consideration to recommend City Council adopt of City of Wheatland 4-year (2017-2021) Housing Element Update Initial Study/Mitigate Negative Declaration (IS/MND)and approve the draft City of Wheatland 4-year (2017-2021), Mitigation Monitoring Program (MMP), and approval of the Draft City of Wheatland 4-year (2017-2021) Housing Element Update. State Housing Element law (Government Code Section 65583) requires each local government entity to adopt a comprehensive long-term general plan for the physical development of their city or county. The Housing Element is one of the seven mandated elements composing the General Plan. State law, through the Housing Element, addresses the existing and projected housing needs within all economic segments of the State's various communities, including the City of Wheatland. The legal mandate recognizes that in order for the private sector to adequately address housing needs, local governments must adopt land use plans and other planning programs to create opportunities that do not constrain development of affordable housing. Housing policy in the State is dependent on the effective development and implementation of local general plans and particularly housing elements. In 2014, The City of Wheatland received a grant from the Sacramento Area Council of Governments (SACOG) to conduct background research and public outreach in preparation for the City's Housing Element Update. City staff prepared the City of Wheatland 2013-2021 Housing Element Update and an associated ISIMND for the project. On June 27, 2017, the Wheatland City Council adopted the City of Wheatland 2013-2021 Housing Element Update ISIMND and approved the City of Wheatland 2013-2021 Housing Element Update. City staff submitted the adopted Housing Element Update to the California Department of Housing Community Development (HCD) for review and certification, and on December 19, 2017, the City of Wheatland received a comment letter from HCD stating the following:

The revised draft housing element meets the statutory requirements described in the Department's September 15, 2017 review. However, the housing element cannot be found in compliance with State housing law until the City demonstrates adequate sites needed to accommodate the 343-unit shortfall of the sites needed to accommodate the Regional Housing Need Allocation for lower income households during the 4th planning period.

HCD determined, the available land within the Johnson Rancho and Hop Farm Annexation Area does not meet the State's requirements to accommodate the Regional Housing Need Allocation (RHNA) for lower income households during the previous planning period. 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. The Draft City of Wheatland 4-Year (2017-2021) Housing Element Update includes revised programs requiring the City to process the following General Plan Amendments and Zoning Amendments in order for HCD to certify the 4-Year Housing Element Update: amend the General Plan to allow a maximum dwelling units per acre (dulac) increase from 16 dulac to a maximum of 30 dulac in the High-Density Residential Land Use Designation (Housing Element Program; 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 dulac increase from 18 dulac to a maximum of 30 dulac in the (Multi-family) R-3 Zoning District (Housing Element Program; 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 S8 745 (Housing Element Program 4). On March 4, 2020, the City posted a Notice of Availability (NOA) for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update. The City of Wheatland 4-Year (2017-2021) Housing Element Update was made available for public review at the City of Wheatland, City Hall and is also currently available on the City of Wheatland's website at http://www.wheatland.ca.gov.On March 31, 2020, the City of Wheatland held a public meeting to solicit public input and encourage public participation in the Housing Element Update process. Notice of the public meeting was posted publicly on the City of Wheatland website and in the local newspaper to ensure that a variety of residents could participate. City staff did not receive any comments from the public regarding the City of Wheatland 4-Year (2017-2021) Housing Element Update. The City prepared an IS/MND for the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update 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 the associated General Plan Amendments and Zoning Amendments identified above would not result in a significant effect on the environment because the City's Housing Element Update is a long-range planning, policy-level document intended to assist the City of Wheatland in meeting the housing needs established by the Stat of California, and 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 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. Based on the information contained in the staff report, staff recommends that the Planning Commission adopt a resolution recommending City Council adoption of the City of Wheatland 4-Year (2017-2021) Housing Element Update IS/MND, MMP, and approval of the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update.

Planning Commissioner D. Panteloglow commented on conditional uses for R-2, R-3 and high-density residential areas; commented on approved subdivision developments questioning if any are planning on building high density; conservation of water/sewer connections for high density building; questioned when the high-density housing requirement needs to be met; any interest from developers to build multi-family units; emergency shelter and concern of where located; incentive/grants for high-density builders; effects of property value and the Planning application fee cost.

Planning Commissioner S. Witt questioned the process of the meeting and what is expected of Planning Commissioners and what happens after the Planning Commission has concluded their discussion; high density areas; prioritizing sewer capacity and traffic flow; parcel selection. Witt stated, he believes approved subdivision developers would agree to resubmit plans in order to add a significantly greater number of dwelling units and that because this is a 4-year Housing Element, with the current market situation he is

pessimistic this will push back development by at least several years. Witt questioned how this will this affect building heights and proper firefighting capability; he is against increase in dwelling units especially the ones with no discretionary, 'you shall build' language and commented on adequate parking, elimination of green belts and open space.

Planning Commissioner W. Tinsley commented that his understanding is rezoning properties will allow a certain number of units to be developed but the City might not necessarily approve the maximum number of units to be development in that location.

PUBLIC COMMENT

None.

Motion was made by Planning Commissioner W. Tinsley to **Adopt the Resolution No. 2020-01 Recommending the Wheatland City Council Adopt the City of Wheatland 4-Year (2017-2021) Housing Element Update IS/MND and Approve the Draft City of Wheatland 4-Year (2017-2021) Housing Element Update**. With no second, motion failed.

2) K. Valente presented the staff report for consideration to recommend City Council adoption of 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. The California Department of Housing and Community Development (HCD) determined, the City of Wheatland's 5th 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 (4th 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 (dulac) increase from 16 dulac to a maximum of 30 dulac 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 dulac increase from 18 dulac to a maximum of 30 dulac 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. The City prepared an ISIMND 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 ISIMND 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 an 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. Based on the information contained in the staff report, staff recommends that the Planning Commission adopt resolutions recommending City Council adoption of the General Plan Amendment and Zoning Amendment Ordinance.

Motion was made by Planning Commissioner W. Tinsley to **Adopt Resolution No.'s 2002-02 & 2002-03 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**. With no second, motion failed.

PUBLIC COMMENT

None.

REPORTS

None.

With no other business before the Commissioners, the meeting adjourned at 7:30 p.m.

Respectfully submitted,
Tim Raney, Community Development Director

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