

ATTACHMENT 1

PLANNING COMMISSION RESOLUTION NO. 2025-01

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WHEATLAND RECOMMENDING THE WHEATLAND CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPT THE FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPT THE MITIGATION MONITORING REPORTING PROGRAM, APPROVE THE GENERAL PLAN AMENDMENT, APPROVE THE PLANNED DEVELOPMENT REZONE, APPROVE THE VESTING TENTATIVE SUBDIVISION MAP, AND APPROVE THE SITE PLAN AND DESIGN REVIEW FOR THE HERITAGE OAKS ESTATES EAST PROJECT LOCATED WEST OF STATE ROUTE 65 AND SOUTH OF MAIN STREET (APNs 015-490-023 THROUGH -028 AND 015-720-009 THROUGH -013)

WHEREAS, on November 11, 2022, the applicant, Lewis Investment Company, LLC., submitted an application for a General Plan Amendment, Planned Development (PD) Rezone, Vesting Tentative Subdivision Map, and Site Plan and Design Review for the Heritage Oaks Estates East Project; and

WHEREAS, the project site consists of a 148.70-acre site located west of State Route (SR) 65 and south of at Main Street in the southern area of the City of Wheatland, California. The project site is identified by Yuba County Assessor's Parcel Numbers (APNs) 015-490-023 through -028 and 015-720-009 through -013); and

WHEREAS, on February 28, 2006, the Wheatland City Council adopted Ordinance No. 393 rezoning the Heritage Oaks Estates property to PD; and

WHEREAS, the City, as lead agency under the California Environmental Quality Act ("CEQA"), has completed the Final Environmental Impact Report ("Final EIR" or "EIR") for the Project; and

WHEREAS, this document contains the City's certification of the EIR, its CEQA findings, and its statement of overriding considerations supporting approval of the Project considered in the EIR. The Final EIR has State Clearinghouse No. 2024031192; and

WHEREAS, a Draft Environmental Impact Report ("Draft EIR") was released for public and agency review on July 23, 2024. The Draft EIR assesses the potential environmental effects of implementation of the Project, identifies means to eliminate or reduce potential adverse impacts, and evaluates a reasonable range of alternatives to the Project; and

WHEREAS, the Final EIR comprises the Draft EIR together with one additional volume that includes the comments on the Draft EIR submitted by interested public agencies, organizations, and members of the public; written responses to the environmental issues raised in those comments; revisions to the text of the Draft EIR

reflecting changes made in response to comments and other information; and other minor changes to the text of the Draft EIR. The Final EIR is hereby incorporated in this document by reference; and

WHEREAS, the custodian of the Final EIR is the Wheatland Community Development Department and the Final EIR is available for public review on the City's website at: <https://www.wheatland.ca.gov/departments/community-development/>; and

WHEREAS, the Wheatland Planning Commission duly gave notice of public hearing as required by law and on February 4, 2025 duly held a public hearing, received and considered evidence, both oral and documentary.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Wheatland Planning Commission has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the Findings of Fact and Statement of Overriding Considerations, as set forth in Exhibit A, which is attached hereto and incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Wheatland Planning Commission hereby make the following findings for recommendation to the City Council for approval of the proposed Planned Development Amendment and the adoption of the Heritage Oaks Estates East General Development Plan, as set forth in Exhibit C, which is attached hereto and incorporated by reference:

1. Each individual unit of the development can exist as an independent unit capable of creating an environment of sustained desirability and stability, and the uses proposed will not be detrimental to present and potential surrounding uses but instead will have a beneficial effect which could not be achieved under another zoning district. The proposed General Development Plan would modify the setback requirements and lot widths for the residential development. The original intent of the previously approved Planned Development Guidelines would remain.
2. The streets and thoroughfares proposed meet the standards of the City's standards and adequate utility service can be supplied to all phases of the development. Arterial and collector streets through the project are designed to be consistent with the City's standards as well as the General Plan Circulation Element. The proposed Planned Development Amendment would not alter the proposed roadways.
3. Any residential component will be in harmony with the character of the surrounding neighborhood and community and will result in densities no higher than that permitted by the General Plan.
4. Any deviation from the standard zoning requirements is warranted by the design and additional amenities incorporated in the General Development Plan which offer certain usual redeeming feature to compensate for any deviations that may be permitted. The proposed Planned Development Amendment would modify the required setbacks and lot widths for the residential development.

5. The area surrounding the PD District can be planned and zoned in coordination and substantial compatibility with the proposed development. The original intent and compatibility of the previously approved Planned Development Guidelines would remain.
6. The PD District conforms with the General Plan of the City. The original intent and consistency with the General Plan of the previously approved Planned Development Guidelines would remain.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED, that the Wheatland Planning Commission does hereby make the following findings for approval of a Vesting Tentative Subdivision Map, subject to the conditions of approval as set forth in Exhibit E, which is attached hereto and incorporated by reference:

1. That the subdivision, design and improvements are consistent with the General Plan, as required by Section 66473.5 of the Subdivision Map Act and the City's Subdivision Regulations. The subdivision will accommodate uses that are consistent with the General Plan on each of the lots created by the subdivision; and,
2. That the subdivision proposed by the Vesting Tentative Subdivision Map complies with the rules, regulations, standards and criteria of the City's Subdivision Regulations. The proposed subdivision meets the City's criteria for the map. The City's Planning and Engineering staff have reviewed the Vesting Tentative Subdivision Map and evaluated the effects of the subdivision proposed and have determined that the Vesting Tentative Subdivision Map as conditioned comply with and conform to all the applicable rules, regulations, standards, and criteria of the City's Subdivision Regulations.
3. The conditions of approval protect the public safety, health and general welfare of the users of the project and surrounding area. In addition, the conditions ensure the project is consistent with City standards.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DETERMINED, that the Wheatland Planning Commission does hereby recommend the Wheatland City Council CERTIFY the Final EIR; ADOPT the CEQA Findings of Fact and Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program (MMRP), as set forth in Exhibit B, which is attached hereto and incorporated by reference; and APPROVE the General Plan Amendment, PD Rezone, Vesting Tentative Subdivision Map, as set forth in Exhibit D, which is attached hereto and incorporated by reference, and Site Plan and Design Review for the Heritage Oaks Estates East Project located west of SR 65 and south of Main Street (APNs 015-490-023 through -028 and 015-720-009 through -013), subject to the conditions of approval, as set forth in Exhibit E, which is attached hereto and incorporated by reference.

* * * * *

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 4th day of February, 2025 by following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Planning Commission Chairperson

ATTEST:

Lisa Thomason, City Clerk