



# Regular Planning Commission Meeting Agenda

February 04, 2025 at 6:00 PM

Wheatland Community Center: 101 C Street, Wheatland, CA 95692

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Planning Commission meetings are held in-person and are no longer available via ZOOM.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact City Hall at (530) 633-2761 or (530) 633-9102 (fax). Requests must be made as early as possible and at least one full business day before the start of the meeting.

## 1. OPENING MATTERS

1.1 Call to Order and Roll Call

1.2 Pledge of Allegiance to the Flag

## 2. PUBLIC COMMENT

At this time, the public is permitted to address the Planning Commission on non-agendized items. **COMMENTS SHOULD NOT EXCEED THREE (3) MINUTES.** In accordance with State Law, however, no action or discussion may take place on any item not appearing on the posted agenda. The Commission may respond to statements made or questions asked or may request Staff to report back at a future meeting concerning the matter. Any member of the public may contact the City Clerk's Office related to the proper procedure to place an item on a future Planning Commission agenda. The exceptions under which the Commission MAY discuss and/or act on items not appearing on the agenda are contained in Government Code §54954.2(b) (1) (2) (3)

## 3. CONSENT CALENDAR

[3.1](#) DRAFT - Regular Planning Commission Meeting Minutes - 12/03/24

## 4. REGULAR CALENDAR

4.1 Appointment of Planning Commission Chairman, Vice-Chairman, and Secretary to one-year terms.

## 5. PUBLIC HEARING

[5.1](#) Consideration to recommend the Wheatland City Council approve a General Plan Amendment, Planned Development Rezone, Vesting Tentative Subdivision Map, and Site Plan and Design Review for the Heritage Oaks Estates East Project located west of State Route 65 and south of Main Street.

## 6. REPORTS

## 7. ADJOURN

Any writings or documents provided to a majority of the Wheatland Planning Commission after distribution of the agenda packet are available for public inspection on the City's website, [www.wheatland.ca.gov](http://www.wheatland.ca.gov)

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DECEMBER 03, 2024, MINUTES  
CITY OF WHEATLAND  
REGULAR PLANNING COMMISSION MEETING  
WHEATLAND COMMUNITY CENTER  
101 C STREET, WHEATLAND, CA  
6:00 – 7:03 P.M.

**PLANNING COMMISSIONERS PRESENT**

G. Hart, D. Pesenti, W. Tinsley  
K. Thomason. ABSENT – D. Panteloglow

**OTHER OFFICIALS PRESENT**

T. Raney, Community Development Director  
K. Valente, AICP  
D. Schilling, City Engineer  
L. Thomason, City Clerk

**PLEDGE OF ALLEGIANCE**

Planning Commissioner Chair led the pledge of allegiance.

**PUBLIC COMMENT**

None.

**CONSENT**

Motion was made by Planning Commissioner W. Tinsley, Seconded by Planning Commissioner K. Thomason to **approve minutes from the regular meeting on July 16, 2024**. Vote called – AYES: All. Motion carried.

*Planning Commission Vice Chair D. Pesenti and Planning Commissioner W. Tinsley recused themselves for the remainder of the meeting stating they both have a conflict of interest with the proposed project for the public hearing item.*

**PUBLIC HEARING**

1) Community Development Director, Tim Raney introduced discussion of the proposed project for the Heritage Oaks Estates East Project. Senior Planner K. Valente presented the staff report for Consideration to recommend the Wheatland City Council approve a General Plan Amendment, Planned Development Rezone, Vesting Tentative Subdivision Map, and Site Plan and Design Review for the Heritage Oaks Estates East Project located west of State Route 65 and south of Main Street. The proposed project would include up to 685 single-family residences, community parks landscape corridor, open space, internal roadway system and landscaping and utilities improvements. The proposed project would require City approval of a General Plan Amendment, PD Rezone with an associate General Development Plan, Vesting Tentative Subdivision Map, and Site Plan and Design Review. An EIR was prepared for the proposed project in accordance with CEQA. Significant and unavoidable impacts that would persist even with mitigation measures are described in detail in the project EIR related to Air Quality and Greenhouse Gas Emissions. Base on information in the staff report and the Findings of Fact in the proposed resolution and subject to conditions of approval, staff recommends that the Wheatland Planning Commission

consider adopting the resolution recommending the Wheatland City Council take action to certify the final EIR, adopt the CEQA FOFs/SCOs, and adopt the MMRP, approve the General Plan Amendment, approve the PD Rezone, approve the Vesting Tentative Subdivision Map and approve the Site Plan and Design Review.

Project applicant Phil Rodriguez from Lewis Homes was available with information on the proposed project for Planning Commissioners and audience members.

At this time, it was determined to proceed with the public hearing with only two Planning Commissioners present and hear public comment.

**Planning Commissioner comments –**

Planning Commission Chair G. Hart commented of masonry walls, fencing, school districts, design, and construction of a sewer/lift station, well site, water storage and existing baseball fields. Hart also requested comments from Fire Chief Art Paquette.

Planning Commissioner K. Thomason commented on single story homes, highway 65 stop lights, construction traffic, parks, and schools.

**Public Comment –**

Property owner of the Heritage Oaks Estates West property Steve DeValentine commented on Malone Ave.

Henry Gilbert commented on security issues and zoning.

Chris Walsh commented on property along Highway 65, lights, traffic control and school districts.

Phil Rodriguez commented on inter district transfers of school students.

Tina Garcia commented on smaller lots, recreation for children and the community pool.

City Manager Bill Zenoni commented on pool funds.

Motion was made by Planning Commission Chair, G. Hart, Seconded by Planning Commissioner K. Thomason to adopt Resolution No. 2024-04 Recommending the Wheatland City Council Certify the Final Environmental Impact Report (EIR), adopt the California Environmental Quality Act (CEQA) Findings of Fact and Statement of Overriding Considerations (FOF/SOCs), and adopt the Mitigation Monitoring and Reporting Program (MMRP); General Plan Amendment; Planned Development (PD) Rezoned; Vesting Tentative Subdivision Map; and Site Plan and Design Review. Vote called – AYES: Hart, Thomason. With no other Planning Commissioners present during the vote: Motion failed.

**REPORTS**

Planning Commission Chair G. Hart reported on the traffic signal at McDevitt.

With no other business before the Commissioners, the meeting adjourned at 7:03 p.m.

Respectfully submitted,

Kevin Valente, Senior Planner

DRAFT



# Planning Commission Meeting Staff Report

**Meeting Date:**  
**February 4, 2025**

**Subject:** Consideration to recommend the Wheatland City Council approve a General Plan Amendment, Planned Development Rezone, Vesting Tentative Subdivision Map, and Site Plan and Design Review for the Heritage Oaks Estates East Project located west of State Route 65 and south of Main Street.

**Prepared By:** Tim Raney, Community Development Director

### Recommendation:

Staff recommends that the Wheatland Planning Commission conduct a public hearing on the proposed development, and upon close of the public hearing, adopt the attached resolution recommending the Wheatland City Council take the following actions:

1. Certify the Final Environmental Impact Report (EIR), adopt the California Environmental Quality Act (CEQA) Findings of Fact and Statement of Overriding Considerations (FOF/SOCs), and adopt the Mitigation Monitoring and Reporting Program (MMRP);
2. Approve the General Plan Amendment;
3. Approve the Planned Development (PD) Rezone;
4. Approve the Vesting Tentative Subdivision Map; and
5. Approve the Site Plan and Design Review.

### Background:

On December 3, 2024, the Wheatland Planning Commission held a public hearing for the proposed project; however, the City of Wheatland did not meet the minimum requirements for a quorum. As a result, city staff has re-noticed the Heritage Oaks Estates East Tentative Subdivision Map public hearing for the February 4, 2025, Planning Commission meeting.

The approximately 148.70-acre project site, identified by Assessor’s Parcel Numbers (APNs) 015-490-023 through -028 and 015-720-009 through -013, is located west of State Route (SR) 65 and south of Main Street in the City of Wheatland. The City of Wheatland General Plan designates the site as Low Density Residential (LDR) and Park (P), with the project site being zoned as PD.

The project site consists of generally flat, vacant land that has been subject to prior mass grading, with ongoing disturbance through regular mowing/discing activities. Malone Avenue runs in a northwest-to-southeast direction through the northern portion of the project site and continues to travel southeast as a portion of the project site’s western boundary. Various trees and shrubs are scattered throughout the southern portion of the project site. Surrounding existing land include the Grasshopper Slough, single-family residences, multi-family residences, and commercial uses to the north; SR 65, Union Pacific Railroad (UPRR) tracks, and agricultural land to the east; Bear River, the City of Wheatland Wastewater Treatment Plant (WWTP) and agricultural land to the south; and agricultural land, undeveloped land, and the Bishop’s Pumpkin Farm to the west.

### Project Location



An EIR was originally prepared in 2002 for the entire Heritage Oaks Estates project, which included the project site as well as the 92-acre Heritage Oaks Estates West site. The 2002 project required approval of Annexation of both sites into the City of Wheatland, a General Plan Amendment, and a Rezone. The Heritage Oaks Estates site was later divided into Heritage Oaks Estates West and Heritage Oaks Estates East projects. An Initial Study (IS) was prepared for the Heritage Oaks Estates East project in 2005. The City of Wheatland City Council approved a Development Agreement and Tentative Subdivision Map consisting of 490 single-family residences for the Heritage Oaks Estates East project; however, both entitlements have since expired.

#### Analysis:

The proposed project would include the development of the project site with up to 685 single-family residences, as well as various associated improvements, including, but not limited to, several community parks, a landscape corridor, open space, an internal roadway system, and various landscaping and utility improvements. The proposed project would require City approval of a General Plan Amendment, PD Rezone with an associated General Development Plan, Vesting Tentative Subdivision Map, and Site Plan and Design Review, as discussed below.

#### General Plan Amendment

The proposed project includes lots ranging from 3,825 to 5,000 square feet (sf); therefore, the proposed project would require approval of a General Plan Amendment to change the site's General Plan land use designation from LDR to Low-Medium Density Residential (LMDR) and Medium Density Residential (MDR) to allow the development of small lot single-family detached housing. The LMDR designation provides for single-family detached residences within a density range of 4.1 to 6.0 dwelling units per acre (du/ac). The MDR land use designation provides for single-family detached and single-family attached residences, within a density range of 6.1 to 8.0 du/ac. The net density of the proposed residential villages would be 6.51 du/ac, while the gross density based on the total acreage would be 4.58 du/ac, which

exceeds the maximum density allowed under the current LDR General Plan land use designation for the project site. It should be noted that the previous Heritage Oaks Estates East tentative subdivision map that was approved in 2005 included 490 single-family lots, which resulted in an approximately 3.31 du/ac. As a result, the proposed General Plan Amendment would result in a higher density and smaller lot size than was originally anticipated for the project site.

Planned Development Rezone and General Development Plan

The proposed project would require approval of a PD Rezone to amend the current PD zoning district to establish the site-specific development standards for the proposed project. Pursuant to Section 18.51.060 of the Wheatland Municipal Code, the uses within the PD zoning district shall be limited to the uses contained within the approved development plan. Accordingly, the proposed Heritage Oaks Wheatland General Development Plan has been prepared to establish the design standards for the site with specific criteria to assist the City in its review of the proposed project (see Exhibit C of Attachment 1). Unless otherwise specified within the General Development Plan, such as variations in lot sizes and setbacks, the proposed project would adhere to all applicable City zoning and Municipal Code requirements. Such standards and regulations are designed to reflect site characteristics, as well as establish development and design objectives that differ from the City’s typical development standards for the proposed on-site uses.

Vesting Tentative Subdivision Map

The proposed project would include a Vesting Tentative Subdivision Map, which entitles the project applicant to a vested right to proceed with development in substantial compliance with the ordinances, policies, and standards in place at the time of project approval (see Exhibit D of Attachment 1). The proposed Vesting Tentative Subdivision Map includes subdivision of the project site into 681 single-family residential lots. The single-family residential lots would be grouped into 10 “Villages,” which would each include between 35 and 101 lots.

*Access and Circulation*

Site access would be provided by SR 65 with the construction of two new roadways, DeValentine Parkway and Red Oak Drive. The proposed project would include new acceleration and deceleration lanes along SR 65 for access in and out of the development. The proposed internal collector streets would connect to form a semi-grid pattern within the project site and would provide access to the proposed residential units and parks. In addition, the proposed Red Oak Drive would provide a future new primary access to the Bishop’s Pumpkin Farm.

*Utilities*

Water service would be provided by the City of Wheatland Public Works Department through the existing well located in the project site’s 0.86-acre Parcel B, as well as through new water line connections to the City’s existing water system. Sanitary sewer service would be provided by the City’s Public Works Department through new connections to existing sewer infrastructure in the project vicinity. The storm drainage system for the proposed project would consist of a new underground trunk line conveyance system and two detention basins. Gas and electricity services would be provided by PG&E, and telecommunications and cable services would be provided by AT&T and Xfinity.

*Project Phasing*

The proposed project would be constructed over three phases. The first phase would consist of Villages 1, 2, and 3 totaling approximately 232 residential lots, the Malone Parkway Paseo, and both DeValentine Parkway and Red Oak Drive. Phase 2 would consist of Villages 4, 5, and 6 totaling approximately 216

residential lots. Phase 3 would consist of Villages 7, 8, 9, and 10 totaling approximately 235 residential lots.

Site Plan and Design Review

Pursuant to City of Wheatland Municipal Code Chapter 18.67, residential development projects with more than four units are subject to the City’s Site Plan and Design Review process. The proposed General Development Plan’s purpose is to establish design standards that would be used for siting, design, and construction of the project as well as development objectives to preserve Wheatland’s character as a farming community.

The proposed residential villages within the proposed project would be comprised of a variety of housing types interconnected by tree-lined walkable streets, open space, and the Malone Parkway Paseo bisecting the community and connecting the east and west ends. The proposed residential design principles and development standards would be applied to all proposed development within project. The proposed General Development Plan includes one- and two-story residences with a variety of architectural styles, including Ranch, Spanish, Farmhouse, Californian, Cottage, Craftsman, and Mission.

*Ranch Architectural Style*

The Ranch architectural style includes a smooth stucco and lap siding exterior with gridded single-hung windows and decorative trim and sill.

**Ranch Style**



*Spanish Architectural Style*

The Spanish architectural style includes a smooth stucco exterior with gridded single-hung windows with decorative wrought iron details, window shutters, curved archways and tile roofing.

**Spanish Style**



*Farmhouse Architectural Style*

The Farmhouse architectural style includes a smooth stucco and lap siding exterior with upper gable board and batten and single-hung windows with decorative trim and sill and front porch columns with a decorative stacked stone veneer base.

**Farmhouse Style**



*California Architectural Style*

The California architectural style includes a smooth stucco exterior with decorative window shutters and tile roofing.

**California Style**



*Cottage Architectural Style*

The Cottage architectural style includes a smooth stucco and a decorative stacked stone veneer exterior with wood trim.

**Cottage Style**



*Craftsman Architectural Style*

The Craftsman architectural style includes a smooth stucco and shingle siding exterior with upper gable vertical siding and gridded single-hung windows with decorative trim and sill and front porch columns with a decorative brick veneer base.

**Craftsman Style**



*Mission Architectural Style*

The Mission architectural style includes a smooth stucco exterior with gridded windows with decorative wooden details, window shutters, curved archways and tile roofing.

**Mission Style**



Repetitive floor plans and elevations for adjacent residences would be avoided, as required by draft Condition of Approval #20 (see Exhibit E of Attachment 1). In addition, various materials and color schemes will be incorporated to visually enhance building styles.

*Parks and Paseos*

The open space and recreation area network for the proposed project consists of approximately 25 acres of dedicated land, which is made up of parks, the Malone Parkway Paseo, and passive open space.

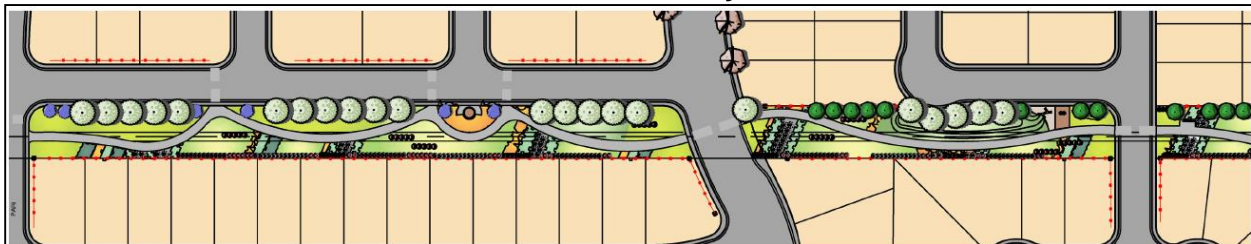
The approximately 10-acre park identified as north park would be located along the north end of the project adjacent to Grasshopper Slough. The north park would be designed as a community park with play structures, lawn games, sports courts, ball fields, and dual-purpose play fields and storm water and water quality control basins.

**Northern Area Parks**



The Malone Parkway Paseo bisects the project site and provides pedestrian and bikeway access throughout the community. The paseo is intended to be active, usable areas which encourage pedestrian activity, interaction among residents and connectivity between Villages. The proposed paseo consists of a 10-foot wide, meandering, multi-use path and a landscape strip along one street edge.

**Malone Parkway Paseo**



The approximately 5-acre park identified as a community wide park would be located at the south end of the project site near Village 10. The community wide park would include play structures, sports courts and ball fields. The community wide park may be expanded in the future pending the re-purposing of adjacent land uses.

The approximately 2-acre park identified as riverside park would be located at the south end of the project site near Villages 9 and 10 and would be designed as a village park which would include preserved oak trees surrounded by benches and tables to serve as a picnic area. Adjacent to the riverside park, is approximately 8 acres of passive recreation open space adjacent to the Bear River.

**Southern Area Parks**



Environmental Review

An EIR was prepared for the proposed project in accordance with the CEQA. A Notice of Preparation (NOP) for the Draft EIR was released for a 30-day review from March 29, 2024 to April 29, 2024. In addition, a public scoping meeting was held on April 25, 2024 to solicit public comments regarding the scope of the Draft EIR.

The City of Wheatland received five letters during the NOP public review period and five verbal comments were also received during the NOP Scoping meeting. One additional letter was received after the comment period ended. The comment letters and verbal comment summary are provided as Appendix B in the Draft EIR. All NOP comments were taken into consideration during the preparation of the Draft EIR.

In accordance with CEQA, the Draft EIR was sent to the State Clearinghouse (SCH#: 2024031192) for distribution to State agencies on July 23, 2024 for the 45-day public review period ending on August 16,

2024. In addition, the Draft EIR and a NOA for the Draft EIR were published on the City of Wheatland website. Printed copies of the Draft EIR were made available for review at Wheatland City Hall (111 C Street, Wheatland, CA).

During the 45-day public review period, the City of Wheatland received three comment letters on the Draft EIR for the proposed project. One additional letter was received after the comment period ended. The Draft EIR comment letters are provided in Chapter 2 of the Final EIR.

Under CEQA, a significant effect on the environment is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, mineral, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Mitigation measures must be implemented as part of the proposed project to reduce potential adverse impacts to a less-than-significant level. Such mitigation measures are noted in the project EIR and are found in the following technical chapters: Air Quality and Greenhouse Gas Emissions; Transportation; Tribal Cultural Resources; Utilities and Service Systems, and Other Effects (Biological Resources; Cultural Resources; Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality). The mitigation measures presented in the EIR form the basis of the MMRP (see Exhibit B of Attachment 1). Any impact that remains significant after implementation of mitigation measures is considered a significant and unavoidable impact.

Significant and unavoidable impacts that would persist even with mitigation measures are described in detail in the project EIR related to Air Quality and Greenhouse Gas Emissions.

A Final EIR was prepared to respond to all comment letters received, identify any revisions to the Draft EIR text as a result of those comments, and includes the MMRP. In accordance with CEQA, the Final EIR was submitted to the State Clearinghouse for distribution to State agencies on November 22, 2024 for a minimum 10-day public review period. The Final EIR was also posted on the City's website. The revisions to the Draft EIR include minor clarifications and amplifications of the analysis contained in the Draft EIR and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

The Heritage Oaks Estates East NOP, Draft EIR, and Final EIR are available for review on the City's website (<https://www.wheatland.ca.gov/departments/community-development/>).

Findings of fact and statement of overriding considerations for the EIR have been prepared for the City's certification of the EIR. The statement of overriding considerations is required due to significant and unavoidable impacts that persist even with the implementation of mitigation measures (see Exhibit A of Attachment 1).

Conclusion

Based on the information contained in the staff report and the Findings of Fact in the attached resolution and subject to the conditions of approval, staff recommends that the Wheatland Planning Commission consider the adoption of the attached resolution thereby recommending the Wheatland City Council take the following actions:

1. Certify the Final EIR, adopt the CEQA FOFs/SOCs, and adopt the MMRP;
2. Approve the General Plan Amendment;
3. Approve the PD Rezone;
4. Approve the Vesting Tentative Subdivision Map; and
5. Approve the Site Plan and Design Review.

**Fiscal Impact:**

None.

**Attachments:**

1. Resolution No. 2024-\*\*
  - Exhibit A – Findings of Fact and Statement of Overriding Considerations
  - Exhibit B – Mitigation Monitoring and Reporting Program
  - Exhibit C – Planned Development Rezone Ordinance
  - Exhibit D – Vesting Tentative Subdivision Map
  - Exhibit E – Draft Conditions of Approval

# 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 4<sup>th</sup> day of February, 2025 by following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
**Lisa Thomason, City Clerk**

**Exhibit A**

**FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS**

**Heritage Oaks Estates East Project EIR**

**A. Environmental Determination: EIR**

1. The City Council of the City of Wheatland finds as follows:

Based on the initial study conducted for the Heritage Oaks Estates East Project (Project), the City of Wheatland’s Community Development Department determined, based upon substantial evidence, that the Project may have a significant effect on the environment and prepared an environmental impact report (EIR) on the Project. The EIR was prepared, noticed, published, circulated, reviewed, and completed in full compliance with the California Environmental Quality Act (CEQA) (Public Resources Code §21000 *et seq.*) and the *CEQA Guidelines* (14 California Code of Regulations §15000 *et seq.*), as follows:

- a. A Notice of Preparation (NOP) of the Draft EIR was filed with the Office of Planning and Research and each responsible and trustee agency [and each federal agency involved in approving or funding the Project] on March 29, 2024, and was circulated for public comments for a 30-day review period from March 29, 2024 to April 29, 2024. A public scoping meeting was held on April 25, 2024 at 6:00 PM.
- b. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the Office of Planning and Research on July 3, 2024 to those public agencies that have jurisdiction by law with respect to the Project or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law. The comments of such persons and agencies were sought.
- c. An official 45-day public comment period for the Draft EIR was established by the Office of Planning and Research. The public comment period began on July 3, 2024 and ended on August 16, 2024.
- d. A Notice of Availability (NOA) of the Draft EIR was posted at the County Clerk's Office, placed in the Marysville Appeal-Democrat, posted on the City’s website, and mailed to all interested groups, organizations, and individuals who had previously requested notice in writing on July 3, 2024. The NOA stated that the City of Wheatland had completed the Draft EIR and that copies were available for review online at <http://www.wheatland.ca.gov/departments/community-development/> or for purchase or review at the City of Wheatland, Community Development Department, 111 C Street, Wheatland, CA 95692. The letter also indicated that the official 45-day public review period for the Draft EIR would end on August 16, 2024.
- e. Following closure of the public comment period, all comments received on the Draft EIR during the comment period, the City’s written responses to the significant environmental points raised in those comments, and any information added to the Draft EIR by the City were assembled to produce the Final EIR.

2. The following information is incorporated by reference and made part of the record supporting these findings:

- a. The Draft and Final EIR and all documents relied upon or incorporated by reference include the following:
- Cal-Adapt. *Local Climate Change Snapshot for Wheatland, California*, Available at: <https://cal-adapt.org/tools/local-climate-change-snapshot>. Accessed April 2024.
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  - California Department of Conservation, Division of Mines and Geology. *A General Location Guide For Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos*. August 2000.
  - California Department of Conservation. *California Important Farmland Finder*. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed May 2023.

- California Department of Forestry and Fire Protection. *Fire Hazard Severity Zone Viewer*. Available at: <https://egis.fire.ca.gov/FHSZ/>. Accessed May 2023.
- California Department of Resources Recycling and Recovery. *Estimated Solid Waste Generation Rates*. Available at: <https://www2.calrecycle.ca.gov/wastecharacterization/general/rates>. Accessed June 2024.
- California Department of Resources Recycling and Recovery. *Jurisdiction Diversion/Disposal Rate Detail*. Available at: <https://calrecycle.ca.gov/lgcentral/datatools/reports/divdisprtsum/>. Accessed June 2024.
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  - Yuba-Sutter Transit. *FY 2019-2021 Triennial Performance Audit of Yuba-Sutter Transit Authority*. December 2022.
  - Yuba-Sutter Transit. *NextGen Transit Plan*. Adopted May 18, 2023.
- b. City of Wheatland. *City of Wheatland General Plan EIR*. July 2006.
- c. City of Wheatland. *City of Wheatland General Plan*. July 2006.
- d. All records of decision, staff reports, memoranda, maps, exhibits, letters, synopses of meetings, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project.
3. The City Council has final approval authority over the following Project entitlements:
- a. Adoption of the Resolution certifying the EIR, approving the findings of fact and statement of overriding considerations, and adopting the mitigation monitoring plan;
  - b. General Plan Amendment from LDR to Low-Medium Density Residential (LMDR) and Medium Density Residential (MDR);
  - c. Rezone to amend the PD zoning district and General Development Plan to establish site development standards;

- d. Vesting Tentative Subdivision Map; and
  - e. Site Plan and Design Review.
4. With respect to the entitlements over which the City Council has final approval authority and pursuant to *CEQA Guidelines* Section 15090, the City Council certifies that:
- a. The Final EIR constitutes an adequate, accurate, objective, and complete final environmental impact report in full compliance with the requirements of CEQA and the State *CEQA Guidelines*;
  - b. The Final EIR has been presented to the City Council, and the Council has reviewed and considered the information contained in the Final EIR prior to taking action on the Project;
  - c. The Final EIR reflects the City Council’s independent judgment and analysis.
5. The City Council has final approval authority over the Project. In support of its approval, the City Council makes the following findings for each of the significant environmental effects and alternatives of the Project identified in the EIR pursuant to Section 15091 of the *CEQA Guidelines*:
- a. Significant or Potentially Significant Impacts Mitigated to a Less-Than-Significant Level.

The following significant and potentially significant environmental impacts of the Project, including cumulative impacts, are being mitigated to a less-than-significant level, as set out below. A detailed discussion of each impact is included in the Draft EIR. Pursuant to Section 21081(a)(1) of CEQA and Section 15091(a)(1) of the *CEQA Guidelines*, as to each such impact, the City Council, based on the evidence in the record before it, finds that changes or alterations incorporated into the Project by means of conditions or otherwise, mitigate, avoid or substantially lessen to a level of insignificance these significant or potentially significant environmental impacts of the Project. The basis for the finding for each identified impact is set forth below.

- **Impact 4.1-6: Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.** The proposed project is generally consistent with the City’s Climate Action Plan (CAP); however, the project would cumulatively contribute to increases of GHG emissions attributable to future development. Because full compliance with the CAP is reliant upon Mitigation Measure 4.1-6, without implementation of Mitigation Measure 4.1-6, which requires the inclusion of traffic calming and congestion management measures, the proposed project could conflict with the City’s CAP and result in an impact that is considerably cumulative. Mitigation Measure 4.1-6 would ensure that the potential impact is less than significant and less than cumulatively considerable.
- **Impact 4.3-1: Conflict with a program, plan, ordinance, or policy addressing the circulation system during construction activities.** Construction activities associated with the project could affect the local roadway network, with an increased vehicle presence during construction. In addition, the roadway improvements, such as the installation of new entrances, could result in lane

closures and disrupt traffic flow. However, Mitigation Measure 4.3-1 requires the implementation of a traffic control plan for all construction activities. Mitigation Measure 4.3-1 would ensure the impact is less than significant.

- **Impact 4.3-3: Result in Vehicle Miles Traveled (VMT) which exceeds an applicable threshold of significance, except as provided in CEQA Guidelines Section 15064.3, subdivision (b).** The City of Wheatland has a baseline VMT per capita of 32.3, with CEQA guidelines requiring residential projects to generate a VMT per capita 15 percent less than the City’s baseline to satisfy a less-than-significant VMT impact. According to the VMT Analysis prepared for the proposed project, the project would generate 27.98 VMT per capita, above the 27.45 VMT per capita threshold, which would be inconsistent with CEQA guidelines. Mitigation Measure 4.3-3, requires the implementation of community-based travel planning through a residential-based approach to encourage alternative modes of transportation including but not limited to, carpooling, vanpooling, and other ridesharing programs. Mitigation Measure 4.3-3, would ensure the impact is reduced to a less-than-significant level.
- **Impact 4.4-1: Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code (PRC) Section 21074.** Records of the California Native American Heritage Commission (NAHC) Sacred Lands File indicated the presence of tribal cultural resources within the vicinity of the project site. Ground-disturbing activities associated with the proposed project could cause a substantial change in the significance of a tribal cultural resource as defined in PRC Section 21074 if unknown buried tribal cultural resources are discovered, and a significant impact could occur. Mitigation Measure 4.4-1(a), requires all personnel involved in project implementation to receive project-specific tribal cultural resource awareness training. In addition, Mitigation Measure 4.4-1(b), requires appropriate actions if potential tribal cultural resources, archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered during construction activities, and Mitigation Measure 4.4-1(c) requires notification of the United Auburn Indian Community of the Auburn Rancheria (UAIC) of ground-disturbing activities and the presence of a Tribal Monitor during ground-disturbing activities. Mitigation Measures 4.4-1(a), 4.4-1(b), and 4.4-1(c) would ensure the impact is less than significant.
- **Impact 4.5-5: Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.** The proposed project would alter the existing drainage pattern of the site through increasing the amount of impervious surface within the site as compared to the site’s existing undeveloped condition. A final drainage plan has not yet been prepared, and, thus, the final design of the stormwater drainage system and proper compliance with the specifications of the proposed storm drainage system detailed in the Interim Drainage Plan cannot be confirmed at this time. Thus, a significant impact could occur. Mitigation Measure 4.5-5 requires the applicant, to prepare and submit a Final Drainage Plan as part of the improvement plan and final map submission process. Mitigation Measure 4.5-5 would ensure the impact is less than significant.

- **Impact 4.6.4(a): Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service.** Special-status species include those plant and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the federal Endangered Species Act (FESA) and California Endangered Species Act (CESA). According to the Biological Resources Assessment (BRA) prepared for the proposed project, special-status wildlife species have the potential to occur on the project site, as noted below.
  - *Crotch's Bumble Bee*: Crotch's bumble bee was not documented within the California Natural Diversity Database (CNDDDB) as having occurred within five miles of the project site. While the project site is heavily disturbed through regular mowing, the on-site ruderal areas and woodland may represent potential nesting habitat for the species. Thus, the potential exists for Crotch's bumble bee to be present within the project site and significantly impacted through habitat modifications. Pursuant to Mitigation Measure 4.6-1, a qualified biologist shall conduct a preconstruction nesting survey with focus on detecting active Crotch's bumble bee nesting colonies within seven days prior to ground-disturbing activities that are scheduled to occur during the flight season (February through October). If an active nest is detected on-site, a no-disturbance buffer zone shall be established around the nest to reduce the risk of disturbance or incidental take. The buffer shall last until the biologist deems the nesting colony is no longer active. Mitigation Measure 4.6-1 would ensure the impact is less than significant.
  - *Northwestern Pond Turtle*: According to the BRA, northwestern pond turtles have been recorded within five miles of the project site. The nearby portion of the Bear River and upland habitat are suitable dispersal lands for and nesting habitat for the species. Thus, the potential exists for northwestern pond turtle to be present within the project site and significantly impacted through habitat modifications. Pursuant to Mitigation Measures 4.6-2 and 4.6-3, ten days prior to the start of ground- or vegetation-disturbing activities, a qualified biologist shall conduct a focused survey for nests and within 48 hours prior to the start of such activities, a qualified biologist shall conduct a preconstruction survey for northwestern pond turtles within the project site. If northwestern pond turtles are found on-site prior to or during construction, the turtles shall be allowed to move out of the work area on their own volition. If they are unable to leave on their own terms, a qualified biologist shall capture and relocate them at least 100 feet from where they were found. Mitigation Measures 4.6-2 and 4.6-3 would ensure the impact is less than significant.
  - *Valley Elderberry Longhorn Beetle*: The proposed project could have indirect significant impacts to the valley elderberry longhorn beetle (VELB) if construction activities disturbs any occupied elderberry shrubs. Mitigation Measures 4.6-4, 4.6-5, and 4.6-6 require that prior to commencement of construction activities, avoidance zones for elderberry

shrubs shall be established and demarcated, the elderberry shrubs on Malone Avenue shall be transplanted to a portion of Bear River riparian area until completion of construction, and work areas within 30 of elderberry bushes shall be presoaked to minimize dust generation. Mitigation Measures 4.6-4, 4.6-5, and 4.6-6 would ensure the impact is less than significant.

- *Pallid Bat*: Trees located on-site could provide suitable roosting habitat for pallid bat. Therefore, significant impacts could occur if roosting habitat is removed during project construction. Pursuant to Mitigation Measure 4.6-7, prior to any construction activities that may impact habitat, a qualified biologist shall conduct a bat habitat assessment for suitable bat roosting habitat. If a maternity roost is located, the roost shall remain undisturbed until after the maternity season, or until the biologist has determined the roost is no longer active. Mitigation Measure 4.6-7 would ensure the impact is less than significant.
- *Western Red Bat*: The on-site trees and shrubs could provide suitable roosting habitat for the western red bat. Thus, western red bat could be located within the project site, and could be significantly impacted if habitat is removed during project construction. Pursuant to Mitigation Measure 4.6-8, if the shrubs or trees proposed to be removed or trimmed are determined by a qualified bat biologist to be suitable day-roosting habitat, then a qualified bat biologist shall prepare a Bat Management Plan including, specific avoidance and minimization measures such as preconstruction acoustic surveys for western red bats. Mitigation Measure 4.6-8 would ensure the impact is less than significant.
- *Swainson's Hawk*: The project site provides suitable foraging habitat for Swainson's hawk; thus, the proposed project could have significant impact through habitat modification. Mitigation Measure 4.6-9 requires that if construction activities occur between March 1 to August 31, a qualified biologist shall conduct a preconstruction survey for Swainson's hawks' nests on-site and in a 0.25-mile buffer around the project site within 14 days prior to the start of ground- or vegetation-disturbing activities. Mitigation Measure 4.6-10 requires the applicant to consult with CDFW to determine mitigation for loss of on-site Swainson's hawk foraging habitat. Mitigation Measures 4.6-9 and 4.6-10 would ensure the impact is less than significant.
- *Burrowing Owl*: Ruderal areas that cannot be disced or plowed could provide marginally suitable burrowing owl habitat. Thus, while burrowing owls have low potential to occur within the project site, construction activities could significantly impact burrows that are present on-site. Mitigation Measure 4.6-11 requires that prior to commencement of ground-disturbing activities, a qualified biologist shall conduct a take avoidance preconstruction survey to verify the absence of burrowing owls on-site. If an active burrow is located within the project site and destruction is unavoidable, the applicant shall prepare a Burrowing Owl Exclusion Plan to be approved by CDFW. Mitigation Measure 4.6-11 would ensure the impact is less than significant.

- *Tricolored Blackbird*: Riparian vegetation along Grasshopper Slough includes blackberry brambles, which provides suitable breeding habitat for the tricolored blackbird. The blackberry brambles would be adversely impacted by project construction. Thus, the proposed project could have a significant impact, either directly or indirectly through habitat modifications, on tricolored blackbird. Mitigation Measure 4.6-12 requires that within 30 days prior to the start of construction activities, a qualified biologist shall conduct a preconstruction survey for nesting tricolored blackbird on-site and within a 500-foot buffer around the project site to determine whether or not nesting colonies are present. If an active nesting colony is observed, the buffer shall be maintained until a qualified biologist has determined that the colony is no longer active. Mitigation Measure 4.6-12 would ensure the impact is less than significant.
- *Nesting Raptors and Migratory Birds*: The project site contains existing trees that could be used by nesting raptors and migratory birds protected by the Migratory Bird Treaty Act (MBTA). Construction activities could result in mortality of individual birds or adversely affect the nesting success of raptors and migratory birds. Thus, if construction activities were to occur during the breeding season and the aforementioned species are present, the proposed project could have a significant impact. Pursuant to Mitigation Measure 4.6-13, if construction activities being during February 1 to September 30, a qualified biologist shall conduct a preconstruction nesting bird survey on-site and within a 500-foot buffer (for raptors) and a 100-foot buffer (for non-raptor migratory birds) around the project site within 14 days prior to the start of ground- or vegetation-disturbing activities. If active nests are observed, a buffer shall be established and monitored by a qualified biologist until the biologist has determined the nest is no longer active. Mitigation Measure 4.6-13 would ensure the impact is less than significant.
- **Impact 4.6.4(b): Have a substantial adverse effect on any riparian habitat or other Sensitive Natural Community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.** A small area of valley oak woodland and forest habitat is located on-site. While the proposed project is anticipated to avoid the valley oak woodland and forest habitat area, a formal delineation of Sensitive Natural Communities on and/or adjacent to the project site has not yet been conducted. If Sensitive Natural Communities are delineated on the project site and the proposed project would involve disturbance of such a community, a significant impact could occur. Mitigation Measure 4.6-14, requires that prior to the commencement of ground-disturbing activities, a qualified biologist shall conduct vegetation surveys within the project site and establish a 25-foot buffer to delineate any identified Sensitive Natural Communities. Mitigation Measure 4.6-14 would ensure the impact is less than significant.
- **Impact 4.6.4(e): Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.** The proposed project could impact valley oak trees subject to regulation under the Oak Woodlands Conservation Act (PRC Section 21083.4). Because valley oak trees are

present on-site, the project could conflict with the Oak Woodlands Conservation Act and a significant impact could occur. However, pursuant to Mitigation Measure 4.6-15, prior to commencement of ground-disturbing activities, including tree removal, a certified arborist shall prepare an arborist report documenting all trees with a diameter at breast height (DBH) of five inches or greater within the project site, and take appropriate measures if trees are found on-site. Mitigation Measure 4.6-15 would ensure the impact is less than significant.

- **Impact 4.6.5(b, c): Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5 and/or disturb any human remains, including those interred outside of dedicated cemeteries.** According to the Cultural Resources Report, although surface or subsurface cultural resources were not observed on-site, a relatively high potential exists for buried pre-contact archaeological resources to be present within the project site due to the proximity to the Bear River. Additionally, the potential for unrecorded, subsurface archaeological resources to exist within the project site cannot be entirely ruled out. Based on the above, the proposed project could disturb human remains and a significant impact could occur.

If human remains or potentially human remains are found, the archaeologist shall ensure protection measures are taken to protect the discovery from disturbance. The archaeologist shall notify the City of Wheatland and the Yuba County Coroner. If the County Coroner determines the remains are Native American and not the result of a crime scene, they shall notify the NAHC, who shall designate a Native American Most Likely Descendant (MLD) for the proposed project, who shall make recommendations concerning treatment of the remains. If an agreement between the MLD and landowner cannot be reached, the landowner shall rebury the remains where they shall not be further disturbed and recorded with the NAHC. Work shall resume within the no-work radius until the City determines the treatment has been completed to satisfaction. Mitigation Measure 4.6-16 requires, that prior to commencement of any construction activities, a Contractor Awareness Training Program shall be delivered to train equipment operators about cultural resources, which shall be prepared by a qualified professional archaeologist to inform construction personnel about, federal and State regulations pertaining to cultural resources and tribal cultural resources, the subsurface indicators of resources that shall require a work stoppage, mitigation measures, and enforcement of penalties and repercussions for non-compliance with the program. Mitigation Measure 4.6-17 requires that prior to the start of trenching, a qualified professional archaeologist will monitor all trenching activities and any below-ground utility installation associated with project construction, and shall have the authority to temporarily halt ground-disturbing or construction-related work within 100 feet of any discovery of potential historical or archaeological resources. Mitigation Measure 4.6-18 requires that in the event subsurface deposits believed to be cultural or human in origin are discovered during construction, all work shall halt within a 100-foot radius of the discovery, a qualified professional archaeologist shall evaluate the significance of the find and shall have the authority to modify the no-work radius as appropriate, using professional judgement; if the find includes human remains, the professional archeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance, and shall contact the County Coroner. Mitigation Measures 4.6-16, 4.6-17, and 4.6-18 would ensure the impact is less than significant.

- **Impact 4.6.7(aiii, aiv, c): Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction, or landslides, and/or be located on a geologic unit or soil that is unstable as a result of the project, and potentially result in, on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.** Further analysis of on-site soil conditions is necessary to ensure that the proposed project would not directly or indirectly cause potential substantial adverse effects involving liquefaction or be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site liquefaction. Mitigation Measure 4.6-19 requires that prior to issuance of any grading permits, the project applicant shall submit a design-level geotechnical exploration study produced by a California Registered Civil Engineer and identify best practices to achieve compliance with the California Building Standards Code’s geologic soils and seismic requirements; the recommendations of the geotechnical exploration study shall be incorporated and utilized in the project design. Mitigation Measure 4.6-19 would ensure the impact is less than significant.
- **Impact 4.6.7(d): Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.** According to the Geotechnical Engineering Report prepared for the project site, laboratory testing of the near surface clays and silts on-site indicated that on-site soils could exert moderate expansion pressures on foundations and exterior flatwork. Therefore, the Geotechnical Engineering Report provides specific recommendations to ensure impacts related to soil expansion do not occur. Without compliance with the recommendations contained within the Geotechnical Engineering Report, a significant impact could occur. Mitigation Measure 4.6-20 requires implementation of Mitigation Measure 4.9-19, as described above. Mitigation Measure 4.6-20 would ensure the impact is less than significant.
- **Impact 4.6.7(f): Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.** According to the City’s General Plan EIR, only a portion of the City’s General Plan planning area has been surveyed, and, thus, unknown significant paleontological resources could be uncovered during future ground-disturbing activities associated with development. Because the proposed project would be constructed in areas where surveys have not taken place, the proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and a significant impact could occur. However, pursuant to Mitigation Measure 4.6-21, should paleontological resources be discovered during ground-disturbing activities, work shall be halted in the area within 50 feet of the find and the City of Wheatland Community Development Department shall be notified and a qualified paleontologist shall inspect the discovery; if deemed significant, the resource(s) shall than be salvaged and deposited in an accredited scientific institution, with construction allowed to continue in areas outside the buffer zone. Mitigation Measure 4.6-21 would ensure the impact is less than significant.

- **Impact 4.6.8(b): Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.** Based on historic aerial photographs, the project site was previously used as agricultural land. As a result, the potential exists for organochlorine pesticides (OCPs) and arsenic pesticide to be present within surface soils. In addition, an existing well is located on the project site, which if not removed in accordance with County and State regulations could have a significant impact. Furthermore, the site of an unidentified structure located on-site from 1993 to 2006 could contain traces of asbestos-containing materials (ABMs) and lead-based paints (LBPs). Mitigation Measure 4.6-22 requires that prior to approval of grading permits, the project applicant shall ensure that additional testing of on-site soils is conducted to determine lateral and vertical extent of potential contamination of OCPs, ACMs, and LBPs, and the proper disposal of any contaminated soils. In addition, and Mitigation Measure 4.6-23 requires that prior to improvement plan approval, the project applicant shall hire a licensed well contractor to obtain a well abandonment permit from the Yuba County Environmental Health Department (YCEHD) for all on-site wells not proposed for use, and properly abandon the on-site wells. Mitigation Measures 4.6-22 and 4.6-23 would ensure the impact is less than significant.
- **Impact 4.6.9(a): Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.** Soils exposed during ground-disturbing activities have the potential to affect water quality either by suspended soil particles and sediments transported through runoff or by sediments transported as dust that eventually reach local water bodies. During project operation, pollutants would have the potential to enter stormwater and affect detention basins and violate water quality standards or waste discharge requirements resulting in a significant impact. However, Mitigation Measure 4.6-24 requires that prior to issuance of any grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the Central Valley Regional Water Quality Control Board (RWQCB), which would identify Best Management Practices (BMPs) to reduce pollutants in stormwater runoff to the maximum extent possible. In addition, Mitigation Measure 4.6-25 requires that prior to approval of final project improvement plans, a detailed BMP and water quality maintenance plan shall be submitted to the City Engineer for review and approval. Mitigation Measures 4.6-24 and 4.6-25 would ensure the impact is less than significant.
- **Impact 4.6.9(civ): Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows.** According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06115C0445D, a portion of the project site is located within a Special Flood Hazard Area (SFHA) without Base Flood Elevation (BFE) (Zone A). As the proposed project has planned development within the SFHA, the project could be exposed to risks associated with flood hazards, which could result in a significant impact. However, Mitigation Measure 4.6-26 requires that prior to construction of the foundation or at the completion of final grading, whichever comes first, project improvement plans shall show that all finished building pad elevations at the site shall be a minimum of one foot above the 100-year BFE, in accordance with Section 15.20.150 of the

City of Wheatland Municipal Code. Mitigation Measure 4.6-27 requires that prior to issuance of building permits, a Hydrology Study must be submitted to the City Engineer demonstrating the project’s compliance with all relevant sections of the City’s Municipal Code and applicable federal standards. Mitigation Measures 4.6-26 and 4.6-27 would ensure the impact is less than significant .

c. Significant or Potentially Significant Impacts Which Could Not Be Fully Mitigated to a Less-Than-Significant Level.

Mitigation measures to mitigate, avoid, or substantially lessen the following significant and potentially significant environmental impacts of the Project, including cumulative impacts, have been identified. However, pursuant to Section 21081(a)(3) of CEQA and Section 15091(a)(3) of the *CEQA Guidelines*, as to each such impact and mitigation measure, the City Council, based on the evidence in the record before it, specifically finds that the mitigation measures are infeasible or ineffective at reducing the impacts to a less-than-significant level. Each impact and mitigation measure and the facts supporting the finding of infeasibility of each mitigation measure are set forth below. A detailed discussion of each impact is included in the Draft EIR. Notwithstanding the disclosure of these impacts and the finding of infeasibility, the City Council elects to approve the Project due to the overriding considerations set forth below in Section e., Statement of Overriding Considerations.

- **Impact 4.1-2: Conflict with or obstruct implementation of the applicable air quality plan during project operation.** Operation of the proposed project would result in reactive organic gases (ROG) and oxides of nitrogen (NO<sub>x</sub>) emissions that would exceed the applicable Feather River Air Quality Management District (FRAQMD) thresholds. Therefore, the proposed project could violate an air quality standard or contribute substantially to an existing or projected air quality violation, and a significant impact could occur. Mitigation 4.1-2(a) requires the use of zero-volatile organic compound (VOC) paints, finishes, adhesives, and cleaning supplies, and Mitigation Measure 4.1-2(b) requires the implementation of Mitigation Measure 4.3-3, as described above. However, even with implementation of Mitigation Measures 4.1-2(a) and 4.1-2(b), operational ROG and NO<sub>x</sub> emissions would exceed the applicable thresholds. Because additional feasible mitigation for the reduction of the proposed project’s operational emissions to below the applicable thresholds of significance is not currently available, and because the feasibility and relative effectiveness of Mitigation Measures 4.1-2(a) and (b) is not conclusive, even with implementation of the foregoing mitigation measures, the impact would remain significant and unavoidable.
- **Impact 4.1-5: Result in a cumulatively considerable new increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).** Even with implementation of Mitigation Measures 4.1-2(a) and 4.1-2(b), the proposed project would result in cumulative operational emissions that would exceed the applicable FRAQMD thresholds of significance and would be in conflict with the FRAQMD’s adopted attainment plans or inhibit attainment of regional Ambient Air Quality Standards (AAQS). Mitigation Measure 4.1-5 requires the implementation of Mitigation Measures 4.1-2(a) and 4.1-2(b), as defined above.

Mitigation Measure 4.1-5 would not reduce operational ROG and NO<sub>x</sub> emissions to below the FRAQMD's thresholds of significance, and the proposed project's impact would remain cumulatively considerable and significant and unavoidable.

d. Project Alternatives.

The City Council has considered the Project alternatives presented and analyzed in the Draft EIR and presented during the comment period and public hearing process. Some of these alternatives have the potential to avoid or reduce certain significant or potentially significant environmental impacts, as set forth below. The City Council finds, based on specific economic, legal, social, technological, or other considerations, that these alternatives are infeasible. Each alternative and the facts supporting the finding of infeasibility of each alternative are set forth below.

- **No Project (No Build) Alternative.** The No Project (No Build) Alternative is defined as the continuation of the existing conditions of the project site. Under the No Project (No Build) Alternative the current conditions of the project site would remain, and the site would not be developed. The site is currently undeveloped and consists of generally flat, vacant land that has been subject to prior mass grading and mowing. The No Project (No Build) Alternative would not meet the overall intent of the City's land use designation for this site or any of the project objectives, which include the following:

1.

Therefore, the City Council rejects the No Project (No Build) Alternative.

- **Buildout Pursuant to Existing General Plan Alternative.** Under the Buildout Pursuant to Existing General Plan Alternative, the proposed project would be developed pursuant to the existing LDR designation, as compared to the currently proposed LMDR and MDR designations. Under the Buildout Pursuant to Existing General Plan Alternative, assuming the project were built pursuant to the maximum allowable 4.0 dwelling units per acre (du/ac), the number of residential units on the site would be reduced to a maximum of 594 units, compared to the currently proposed maximum of 685 units, which would be a decrease of 91 units. The Buildout Pursuant to Existing General Plan Alternative would result in a lower density and fewer units which would only partially meet project Objective 1. Objectives 9 and 10 would also only partially be met, as the reduction would result in less funding for maintenance of public facilities, as well as less property and sales tax revenue. The significant and unavoidable impacts would persist under this alternative and given that the alternative is a form of a No Project (No Build) Alternative in accordance with Section 15126(e)(2) of the CEQA Guidelines, it would not be considered the environmentally superior alternative. Therefore, the City Council rejects the Buildout Pursuant to Existing General Plan Alternative.
- **Increased Density Alternative.** The Increased Density Alternative would develop Villages 7, 8, 9 with high-density, affordable multi-family residences. The Increased Density Alternative would require the approval of a General Plan Amendment to change the General Plan land use designation of the indicated portions of the project site to High Density Residential (HDR), which would allow for higher density. The proposed development area of the project site would not change under the Increased Density Alternative, and all other site improvements required under the proposed project would still be developed under the Increased

Density Alternative, including an internal roadway network and utilities improvements. The Increased Density Alternative would also include the same type and amount of the open space areas as the proposed project. The Increased Density Alternative would be considered the Environmentally Superior Alternative. All project objectives would be met, and although impacts to VMT would be fewer there would be greater impacts related to air quality and GHG emissions that were already significant and unavoidable. The alternative would still require the approval of a General Plan Amendment, Rezone and General Development Plan, Vesting Tentative Subdivision Map, and Site Plan and Design Review. The increase in significant and unavoidable impacts related to air quality and GHG emissions are greater than the decrease in impacts related to VMT. Therefore, the City Council rejects the Increased Density Alternative.

e. Statement of Overriding Considerations.

Pursuant to the *CEQA Guidelines* Section 15092, the City Council finds that in approving the Project it has eliminated or substantially lessened all significant and potentially significant effects of the Project on the environment where feasible. The City Council further finds that it has balanced the economic, legal, social, technological, and other benefits of the Project against the remaining unavoidable environmental risks in determining whether to approve the Project, and has determined that those benefits outweigh the unavoidable environmental risks and that those risks are acceptable. The City Council makes this statement of overriding considerations in accordance with Section 15093 of the *CEQA Guidelines* in support of approval of the Project.

The City of Wheatland recognizes that the project would have the following significant and unavoidable impacts on the environment:

- **Impact 4.1-2: Conflict with or obstruct implementation of the applicable air quality plan during project operation .**
- **Impact 4.1-5: Result in a cumulatively considerable new increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).**

The impacts above are outweighed by the benefits offered by the Project. The following specific benefits would be provided by the project:

- The project would provide a variety and diverse mix of housing opportunities at a broad range of new home sales price points.
- The project would enhance transportation circulation within the City by providing new roadways connecting to properties to the west of the community, and pedestrian and bicycle trail connectivity to the north of the community.
- The project would generate new property tax and sales tax revenue to support and enhance public services within the City.
- The project would help the City meet the housing goals of the Regional Housing Needs Allocation (RHNA).

6. Upon approval of the Project, the City shall file a Notice of Determination with the County Clerk of Yuba County and, if the Project requires a discretionary approval from any State agency, with the State Office of Planning and Research, pursuant to the provisions of CEQA Section 21152.

7. Pursuant to *CEQA Guidelines* Section 15091(e), the administrative record of these proceedings is located at, and may be obtained from, the City of Wheatland, Community Development Department, 111 C Street, Wheatland, CA 95692. The custodian of these documents and other materials is the City Clerk.

**B. Mitigation Monitoring and Reporting Program**

Pursuant to CEQA Section 21081.6 and *CEQA Guidelines* Section 15091, and in support of its approval of the Project, the City Council adopts the Mitigation Monitoring and Reporting Program to require all reasonably feasible mitigation measures to be implemented by means of Project conditions, agreements, or other measures, as set forth in the Mitigation Monitoring and Reporting Program.

# 4. MITIGATION MONITORING AND REPORTING PROGRAM

## 4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Heritage Oaks Estates East Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the EIR for the proposed project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

## 4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR prepared for the proposed project. This MMRP is intended to be used by City of Wheatland staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR.

The EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by City of Wheatland. The table attached to this report identifies the mitigation measures, the monitoring action for each mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and



effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

**4.3 MITIGATION MONITORING AND REPORTING PROGRAM**

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
<b>4.1 Air Quality and Greenhouse Gas Emissions</b>					
4.1-2	Conflict with or obstruct implementation of the applicable air quality plan during project operation.	4.1-2 <i>Implement Mitigation Measure 4.3-3.</i>	See Mitigation Measure 4.3-3	See Mitigation Measure 4.3-3	
4.1-5	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).	4.1-5 <i>Implement Mitigation Measure 4.1-2.</i>	See Mitigation Measure 4.1-2	See Mitigation Measure 4.1-2	
4.1-6	Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.	<p>4.1-6 <i>Prior to approval of project Improvement Plans, proof of compliance with the following sustainability measure listed in the City CAP's Sustainability Checklist shall be submitted to the City of Wheatland Community Development Department for review and approval:</i></p> <ul style="list-style-type: none"> <li>• <i>At least 25 percent of all proposed roadways and intersections shall be designed with traffic calming and congestion management measures. Such measures could include, but shall not be limited to, the following:</i> <ul style="list-style-type: none"> <li>○ <i>Raised median islands;</i></li> </ul> </li> </ul>	City of Wheatland Community Development Department	Prior to approval of project Improvement Plans	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<ul style="list-style-type: none"> <li>o <i>Marked crosswalks;</i></li> <li>o <i>Count-down signal timers;</i></li> <li>o <i>Curb extensions;</i></li> <li>o <i>Raised crosswalks;</i></li> <li>o <i>Raised intersections;</i></li> <li>o <i>Median islands;</i></li> <li>o <i>Chicanes/chokers;</i></li> <li>o <i>Rumble strips;</i></li> <li>o <i>Roundabouts or mini-circles;</i></li> <li>o <i>Speed tables;</i></li> <li>o <i>Tight corner radii;</i></li> <li>o <i>On-street parking; and</i></li> <li>o <i>Planter strips with street trees.</i></li> </ul>			
<b>4.3 Transportation</b>					
4.3-1	Conflict with a program, plan, ordinance, or policy addressing the circulation system during construction activities.	<p>4.3-1 <i>Prior to issuance of grading and building permits, for all improvements where implementation may cause impacts on traffic along roadways within their respective areas of jurisdiction, the project applicant shall prepare a traffic control plan for review and approval by the City of Wheatland Public Works Department and the California Department of Transportation (Caltrans). The traffic control plan must follow all applicable City standards. Measures typically used in traffic control plans include advertising of planned lane closures, warning signage, a flag person to direct traffic flows when needed, and methods to ensure continued access by emergency vehicles. During project construction, access to existing land uses shall be maintained at all times, with detours used as necessary during road closures. The traffic control plan shall, at minimum, include the</i></p>	<p>City of Wheatland Public Works Department</p> <p>California Department of Transportation (Caltrans)</p>	Prior to issuance of grading and building permits	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>following measures:</i></p> <ul style="list-style-type: none"> <li>• <i>Maintain the maximum amount of travel lane capacity during non-construction periods, as possible, and provide advanced notice to drivers through construction signage.</i></li> <li>• <i>Maintain alternate one-way traffic flow past the lay down area and site access when feasible.</i></li> <li>• <i>Heavy trucks and other construction transport vehicles shall avoid the busiest commute hours (7:00 AM to 8:00 AM and 5:00 PM to 6:00 PM on weekdays).</i></li> <li>• <i>The contractor(s) shall provide a minimum 72-hour advance notice to the City of access restrictions, which shall include the identification of alternative routes and detours to enable the avoidance of the immediate construction zone.</i></li> <li>• <i>The contractor(s) shall provide a phone number and community contact for inquiries about the schedule of the construction throughout the construction period.</i></li> <li>• <i>All construction equipment shall be staged on-site.</i></li> </ul>			
4.3-3	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).	4.3-3 <i>Prior to the issuance of building permits, the project applicant shall develop a Transportation Demand Management (TDM) Plan for review and approval by the City of</i>	City of Wheatland Department of Public Works	Prior to the issuance of building permits	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b>					
<b>Heritage Oaks Estates East Project</b>					
<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<p><i>Wheatland Department of Public Works. The TDM Plan shall contain the following VMT reduction strategy:</i></p> <ul style="list-style-type: none"> <li><i>Implement community-based travel planning through a residential-based approach to outreach that provides households and residents with information, incentives, and support to encourage the use of alternative modes of transportation to single-occupancy vehicles. Implementation of this measure shall include the project applicant providing future homeowners of the proposed project with information regarding carpooling, vanpooling, and other ride-sharing programs available for residents within the community as part of the Conditions, Covenants and Restrictions (CC&amp;Rs).</i></li> </ul>			
<b>4.4 Tribal Cultural Resources</b>					
4.4-1	Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in PRC Section 21074.	4.4-1(a) <i>Prior to initiation of construction, all construction crew members, consultants, and other personnel involved in project implementation shall receive project-specific tribal cultural resource awareness training. The training shall be conducted in coordination with qualified cultural resource specialists and representatives from culturally-affiliated Native American Tribes. The training will emphasize the requirement for confidentiality and culturally-appropriate, respectful treatment of any find of significance to culturally-affiliated</i>	City of Wheatland Community Development Department	Prior to initiation of construction	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Native Americans Tribes. All personnel required to receive the training shall also be required to sign a form that acknowledges receipt of the training, which shall be submitted to the City of Wheatland Community Development Department for review and approval.</i></p> <p><i>As a component of the training, a brochure will be distributed to all personnel associated with project implementation. At a minimum the brochure shall discuss the following topics in clear and straightforward language:</i></p> <ul style="list-style-type: none"> <li><i>• Field indicators of potential archaeological or cultural resources (i.e., what to look for; for example: archaeological artifacts, exotic or non-native rock, unusually large amounts of shell or bone, significant soil color variation, etc.);</i></li> <li><i>• Regulations governing archaeological resources and tribal cultural resources;</i></li> <li><i>• Consequences of disregarding or violating laws protecting archaeological or tribal cultural resources; and</i></li> <li><i>• Steps to take if a worker encounters a possible resource.</i></li> </ul> <p><i>The training shall include project-specific guidance for on-site personnel including agreed upon protocols for resource</i></p>			



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>avoidance, when to stop work, and who to contact if potential archaeological or tribal cultural resources are identified. The training shall also direct work to stop, and contact with the County Coroner and the NAHC to occur immediately, in the event that potential human remains are identified. NAHC will assign a Most Likely Descendant if the remains are determined by the Coroner to be Native American in origin.</i></p> <p>4.4-1(b) <i>The following language shall be noted on project Improvement Plans, subject to review and approval by the City of Wheatland Community Development Department, and shall be implemented during project construction:</i></p> <p><i>If potential tribal cultural resources, archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered during construction activities, all work shall cease within 100 feet of the find (based on the apparent distribution of cultural resources) or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist. Examples of potential cultural materials include ash or charcoal</i></p>	<p>City of Wheatland Community Development Department</p> <p>County Coroner</p> <p>NAHC</p> <p>Native American Representative</p>	<p>During project construction and noted on project Improvement Plans</p>	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>deposits, midden soil, artifacts, chipped stone, exotic (non-native) rock, or unusual amounts of baked clay, shell, or bone.</i></p> <p><i>A qualified cultural resources specialist from the Lead Agency and Native American Representative from the traditionally and culturally affiliated Native American Tribe(s) will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. Culturally appropriate treatment that preserves or restores the cultural character and integrity of a tribal cultural resource may be, but is not limited to, processing materials for reburial, minimizing handling of cultural objects, leaving objects in place within the landscape, construction monitoring of further construction activities by Tribal representatives of the traditionally and culturally affiliated Native American Tribe, and/or returning objects to a location within the project area where they will not be subject to future impacts. The United Auburn Indian Community of the Auburn Rancheria (UAIC) does not consider curation of tribal cultural resources to be appropriate or respectful and requests that materials not be permanently curated, unless specifically requested by the Tribe.</i></p>			



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of tribal cultural resources that are found or recovered during construction. Only Tribal representatives shall have access to the storage. Storage size shall be determined by the nature of the tribal cultural resource and can range from a small lock box to a conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.</i></p> <p><i>The construction contractor(s) and City of Wheatland shall facilitate the respectful reburial of the culturally sensitive soils or objects, which may include providing a reburial location consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.</i></p> <p><i>Any discoveries shall be documented on a Department of Parks and Recreation (DPR) 523 form within two weeks of the discovery and submitted to North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS) in a timely manner.</i></p>			



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>Work at the tribal cultural resource discovery location shall not resume until authorization is granted by the City of Wheatland in coordination with the culturally affiliated Tribe.</i></p> <p><i>If articulated or disarticulated human remains are discovered during construction activities, the County Coroner and Native American Heritage Commission shall be contacted immediately. Upon determination by the County Coroner that the find is Native American in origin, the Native American Heritage Commission will assign the Most Likely Descendant(s) who will work with the project proponent to define appropriate treatment and disposition of the burials.</i></p> <p><i>Following a review of the find and consultation with appropriate experts, the authority to proceed may be accompanied by the addition of development requirements which provide for protection of the site and/or additional measures necessary to address the unique or sensitive nature of the site. The treatment recommendations made by the cultural resource specialist and the Native American Representative will be documented in the project record. Any recommendations made by these experts that are not implemented, must be documented and explained in the project</i></p>			



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		<p><i>record. Work in the area(s) of the cultural resource discovery may only proceed after authorization is granted by the City of Wheatland Community Development Department following coordination with cultural resources experts and tribal representatives as appropriate.</i></p> <p>4.4-1(c) <i>The following language shall be noted on project Improvement Plans, subject to review and approval by the City of Wheatland Community Development Department, and shall be implemented during project construction:</i></p> <p><i>The project proponent shall give at least two (2) months' notice, if feasible, prior to initiating ground-disturbing activities within the mapped sensitive areas agreed upon during AB 52 consultation between the City of Wheatland and the UAIC (confidential mapped areas provided to the City). The purpose of the notification will be to allow UAIC the opportunity to conduct monitoring. In the event that UAIC does not respond, or a tribal monitor does not report to the job site at the scheduled time, construction activities may proceed without monitoring as long as at no time, regardless of the presence or absence of a tribal monitor, shall suspected tribal cultural resources be mishandled or disrespected.</i></p>	<p>City of Wheatland Community Development Department</p> <p>The United Auburn Indian Community of the Auburn Rancheria (UAIC)</p>	<p>During project construction as noted on project Improvement Plans</p>	



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		<p><i>A contracted Tribal Monitor(s) shall monitor the vegetation grubbing, stripping, grading, trenching, and other ground-disturbing activities in the project area. All ground-disturbing activities shall be subject to Tribal Monitoring unless otherwise determined unnecessary by the UAIC.</i></p> <p><i>The Tribal Monitor shall have the authority to temporarily pause ground disturbance within 100 feet of a discovery for a duration long enough to examine the resource. If no resources are identified, then construction activities shall proceed, and no agency notifications are required. In the event that a tribal cultural resource is identified, the Tribal Monitor shall flag off the discovery location and notify the City immediately to coordinate regarding appropriate and respectful treatment pursuant to State law.</i></p> <p><i>Appropriate treatment of tribal cultural resources may include, but is not limited to, the following:</i></p> <ul style="list-style-type: none"> <li><i>• Recordation of the resource(s)</i></li> <li><i>• Avoidance and preservation of the resource(s)</i></li> <li><i>• Recovery and reburial of the resource(s) on-site or in a feasible off-site location in a designated area not subject to future disturbance. The location of the</i></li> </ul>			



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>reburial shall be acceptable to the AUC.</i></p> <p><i>To track the implementation of this measure, the Tribal Monitor(s) shall document field-monitoring activities on a Tribal Monitor log. The Tribal Monitor shall wear appropriate construction safety equipment including steel-toed boots, construction vest, and hard hat.</i></p> <p><i>The Tribal Monitor, in consultation with the UAIC Tribal Historic Preservation officer and the project applicant, shall determine a mutual end or reduction to the on-site monitoring if/when construction activities have a low potential for impacting tribal cultural resources. The City of Wheatland shall assist with resolution of disagreements between the project applicant/contractor and the UAIC if such occurs.</i></p>			
<b>4.5 Utilities and Service Systems</b>					
4.5-5	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would	<p><i>4.5-5 As part of the improvement plan and final map submittal process, the project applicant shall prepare and submit a Final Drainage Plan to the City Engineer for review and approval. The Final Drainage Plan shall be reviewed in concert with the improvement plans to confirm conformity between the two. The Final Drainage Plan shall be prepared in conformance with the applicable requirements of City of Wheatland Public Works</i></p>	City Engineer	As part of the Improvement Plan and final map submittal process	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
	exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	<i>Construction Standards that are in effect at the time of improvement plan submittal.</i>			
<b>4.6 Other Effects</b>					
<b>4.6.4 Biological Resources</b>					
4.6.4	a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	<p><u>Crotch's Bumble Bee</u></p> <p>4.6-1 <i>A qualified biologist shall conduct one preconstruction nesting surveys with focus on detecting active Crotch's bumble bee nesting colonies within seven days prior to ground-disturbing activities that are scheduled to occur during the flight season (February through October). The results of the survey shall be submitted to the City of Wheatland Community Development Department.</i></p> <p><i>The survey shall be conducted within suitable nesting habitat during suitable weather conditions at an appropriate time of day for detection. If nests or Crotch's bumble bees are not observed, further measures are not necessary. If nests are not found, but the species is present, a qualified biological monitor shall be present during initial vegetation or ground-disturbing activities that are scheduled to occur between February and October. The qualified biologist shall immediately notify the California Department of Fish and Wildlife (CDFW) of the detection,</i></p>	<p>City of Wheatland Community Development Department</p> <p>CDFW</p>	<p>Within seven days prior to ground-disturbing activities that are scheduled to occur during the flight season (February through October)</p>	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>as further coordination may be required to avoid or mitigate certain impacts.</i></p> <p><i>If an active Crotch's bumble bee nest is detected on-site, an appropriate no-disturbance buffer zone shall be established around the nest, as determined by the qualified biologist, to reduce the risk of disturbance or incidental take. The designated biologist shall coordinate with CDFW to determine if additional avoidance or minimization measures are required. Nest avoidance buffers may be removed at the completion of the flight season and/or once the qualified biologist deems the nesting colony is no longer active, and CDFW agrees with the determination. Proof of compliance with applicable avoidance or minimization measures shall be submitted to the Wheatland Community Development Department.</i></p> <p><u>Northwestern Pond Turtle</u> 4.6-2 <i>Ten days prior to the start of ground- or vegetation-disturbing activities, a qualified biologist shall conduct a focused survey for northwestern pond turtle nests within all suitable habitat in the project site. Any discovered nests shall remain undisturbed until eggs have hatched. The results of the survey shall be submitted to the City of Wheatland Community Development Department.</i></p>	City of Wheatland Community development Department	Ten days prior to the start of ground or vegetation disturbing activities	



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		<p>4.6-3 <i>Forty-eight hours prior to the start of ground-or vegetation-disturbing activities, a qualified biologist shall conduct a preconstruction survey for northwestern pond turtle within all suitable habitat in the project site. Any individual northwestern pond turtles discovered on-site immediately prior to or during construction of the proposed project shall be allowed to move out of the work area of their own volition. If leaving the species to evacuate the project site voluntarily is not feasible, the on-site individuals shall be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat at least 100 feet from the on-site location where they were found. The results of the survey shall be submitted to the City of Wheatland Community Development Department.</i></p>	City of Wheatland Community Development Department	Forty-eight hours prior to the start of ground-or-vegetation-disturbing activities	
		<p><u>Valley Elderberry Longhorn Beetle</u> 4.6-4 <i>Prior to commencement of construction activities, avoidance zones for elderberry shrubs shall be established and clearly demarcated, where feasible, to the satisfaction of the City of Wheatland Community Development Department. Avoidance zones shall include the drip line of the elderberry shrub plus a 20-foot buffer, unless otherwise determined by a qualified biologist, and shall be maintained until the completion of construction. The area to be avoided shall be fenced and/or flagged as close to construction limits as possible. Ground- or vegetation-</i></p>	City of Wheatland Community Development Department	Prior to commencement of construction activities	



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Heritage Oaks Estates East Project**

Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>disturbing activities shall not occur within avoidance zones. A qualified biologist/biological monitor shall be present if work must occur within the avoidance buffer to ensure elderberry shrubs are not impacted by the proposed project.</i></p> <p>4.6-5 <i>Prior to commencement of construction activities, the elderberry shrub along Malone Avenue shall be transplanted to the portion of the Bear River riparian area located south of the project site at a location that avoids existing shrubs by a minimum of 20 feet. The transplanting shall follow USFWS VELB Guidance and the most current version of the Tree Care Industry Association (TCIA) ANSI A300 (Part 6) guidelines for transplanting. A qualified biologist/biological monitor shall be present for the duration of transplanting activities to ensure VELB and existing elderberry shrubs are not impacted by the work. Proof of transplantation shall be submitted to the Wheatland Community Development Department.</i></p> <p>4.6-6 <i>During construction activities associated with the proposed project, dust generation shall be minimized by applying water or by presoaking work areas for all work within 30 feet of elderberry bushes. Proof of compliance shall be submitted to the Wheatland Community Development Department.</i></p>	<p>City of Wheatland Community Development Department</p> <p>City of Wheatland Community Development Department</p>	<p>Prior to commencement of construction activities</p> <p>During construction activities</p>	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><u>Pallid Bat</u> 4.6-7 <i>Prior to any construction activities that may impact pallid bat habitat (e.g., mature trees), a qualified biologist shall conduct a bat habitat assessment for suitable bat roosting habitat. The results of the survey shall be submitted to the City of Wheatland Community Development Department. If suitable roosting habitat is not identified, further measures are unnecessary. If suitable roosting habitat and/or signs of bat use are identified during the assessment, the roosting habitat shall be avoided to the extent possible, and the following measures shall be implemented:</i></p> <ul style="list-style-type: none"> <li><i>If suitable roosting habitat and/or signs of bat use are identified in a tree or other habitat structure that must be removed, a qualified biologist shall conduct a night emergence survey within 14 days prior to habitat removal to determine if bats are roosting. Visual emergence surveys shall be conducted 45 minutes prior to sunset and continue for two hours. The qualified biologist shall observe potential roosting features using ambient light conditions and/or night observation devices, when applicable, for exiting bats. Acoustic monitoring shall be conducted to collect bat echolocation calls to facilitate species identification. Emergence surveys shall not be conducted during the bat</i></li> </ul>	<p>City of Wheatland Community Development Department  CDFW</p>	<p>Prior to any construction activities that may impact pallid bat habitat (e.g., mature trees)</p>	



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		<p><i>hibernation period (typically October 15 through March 1, or when nighttime low temperatures are 45°F or lower and rain is not over 0.5 inch in 24 hours), as bats are not detectable using emergence survey methods during their inactive period.</i></p> <ul style="list-style-type: none"> <li><i>If occupied roosting habitat is found within 50 feet of proposed construction activities, a qualified biologist shall prepare a Bat Management Plan for CDFW's review and approval prior to removal of the trees. The Bat Management Plan shall include specific methods and materials for passive exclusion of bats, and/or a two-step tree removal process, species-specific habitat replacement mitigation, and/or post-construction mitigation monitoring. If a maternity roost is located, the roost shall remain undisturbed until after the maternity season, or until a qualified biologist has determined the roost is no longer active. If bat roost mitigation is required, roost mitigation shall be installed as far in advance of the bat maternity season as possible, but at least than 30 days prior to roost removal.</i></li> </ul> <p><u>Western Red Bat</u> 4.6-8 <i>If the shrubs or trees proposed to be removed or trimmed are determined by a qualified bat</i></p>			
			City of Wheatland	Prior to the removal of any trees and	



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		<p><i>biologist to be suitable day-roosting habitat for western red bat, then a qualified bat biologist shall prepare a Bat Management Plan. The Bat Management Plan shall include specific avoidance and minimization measures to reduce impacts to roosting western red bats, including requiring preconstruction acoustic surveys for western red bats, a preconstruction survey report including methods, results, and recommendations based on the acoustic survey, roost removal timing outside of the maternity and hibernation seasons, non-disturbance buffers, methods and materials for bat deterrents, and/or species-specific habitat replacement mitigation as necessary and appropriate. The Bat Management Plan shall be submitted to CDFW and the Wheatland Community Development Department for approval prior to the removal of trees and shrubs.</i></p>	<p>Community Development Department CDFW</p>	<p>shrubs that are determined by a qualified bat biologist to be suitable day-roosting habitat for western red bat</p>	
		<p><u>Swainson's Hawk</u> 4.6-9 <i>If construction activities occur between March 1 to August 31, a qualified biologist shall conduct a preconstruction survey for Swainson's hawks' nests on-site and in a 0.25-mile buffer around the project site within 14 days prior to the start of ground- or vegetation-disturbing activities. The results of the survey shall be submitted to the City of Wheatland Community Development Department. Any active nests shall be designated a sensitive area and protected by an avoidance buffer established in coordination with CDFW until a</i></p>	<p>City of Wheatland Community Development Department CDFW</p>	<p>Within 14 days to the start of ground-or-vegetation-disturbing activities, if construction activities occur between March 1 to August 31</p>	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>qualified biologist has determined that the young have fledged or the nest is otherwise no longer occupied.</i></p> <p>4.6-10 <i>Prior to the commencement of ground-disturbing activities, the project applicant shall consult with CDFW to determine mitigation for loss of on-site Swainson's hawk foraging habitat, which consists of the disturbed grassland and agricultural areas on-site. Mitigation at a to-be-determined ratio based on CDFW guidelines may be achieved through purchase of CDFW-approved mitigation bank credits. A report summarizing compliance with the provisions established herein shall be submitted to the City of Wheatland Community Development Department.</i></p> <p><u>Burrowing Owl</u></p> <p>4.6-11 <i>Prior to the commencement of ground-disturbing activities, a qualified biologist shall conduct a take avoidance preconstruction survey according to CDFW guidelines. The results of the survey shall be submitted to the City of Wheatland Community Development Department. If no burrowing owls or evidence are detected, no further measures are necessary.</i></p> <p><i>If active or occupied burrows are detected during the breeding season (February 1 through August 31), avoidance buffers shall be established in coordination with CDFW until the end of the breeding season. If active or</i></p>	<p>CDFW</p> <p>City of Wheatland Community Development Department</p> <p>City of Wheatland Community Development Department</p> <p>CDFW</p>	<p>Prior to the commencement of ground disturbing activities</p> <p>Prior to the commencement of ground-disturbing activities</p>	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>occupied burrows are located within the project site and destruction is unavoidable, the project applicant shall develop a Burrowing Owl Exclusion Plan, which could include passive relocation according to CDFW guidelines. Upon CDFW review and approval of the Burrowing Owl Exclusion Plan, all measures contained therein shall be implemented.</i></p> <p><u>Tricolored Blackbird</u></p> <p>4.6-12 <i>Within 30 days prior to the start of construction activities, a qualified biologist shall conduct a preconstruction survey for nesting tricolored blackbird on-site and within a 500-foot buffer around the project site. The results of the survey shall be submitted to the City of Wheatland Community Development Department. If active nesting colonies are not present, further measures are not necessary.</i></p> <p><i>If any active nesting colonies are observed, the nesting colony shall be designated a sensitive area and protected by an avoidance buffer of 500 feet, or as otherwise determined in coordination with CDFW. The avoidance buffer shall be maintained until a qualified biologist has determined that the young have fledged and the colony is no longer active. Monitoring of active nesting colony shall be conducted by a qualified biologist during construction activities, and avoidance buffers may be adjusted if any agitated behavior by the nesting birds is observed.</i></p>	<p>City of Wheatland Community Development Department</p> <p>CDFW</p>	<p>Within 30 days prior to the start of construction activities</p>	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><b>Nesting Raptors and Migratory Birds</b></p> <p>4.6-13 <i>If construction activities begin during February 1 to September 30, a qualified biologist shall conduct a preconstruction nesting bird survey on-site and within a 500-foot buffer (for raptors) and a 100-foot buffer (for other non-raptor migratory birds) around the project site within 14 days prior to the start of ground- or vegetation-disturbing activities. If any active nests are observed, the nests shall be designated a sensitive area and protected by an avoidance buffer established in coordination with CDFW until a qualified biologist has determined that the young have fledged or that the nest is otherwise no longer occupied. The results of the survey shall be submitted to the City of Wheatland Community Development Department.</i></p>	<p>City of Wheatland Community Development Department</p> <p>CDFW</p>	<p>Within 14 days prior to the start of any ground-or-vegetation-disturbing activities, if construction activities begin during February 1 to September 30</p>	
4.6.4	<p>b) Have a substantial adverse effect on any riparian habitat or other Sensitive Natural Community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.</p>	<p>4.6-14 <i>Prior to the commencement of ground-disturbing activities, a qualified biologist shall conduct vegetation surveys within the project site and establish a 25-foot buffer to delineate Sensitive Natural Communities. If Sensitive Natural Communities are identified on-site, avoidance zones for Sensitive Natural Communities shall be established and clearly demarcated prior to construction. Avoidance zones shall include the extent of the Sensitive Natural Community plus a 25-foot buffer, unless otherwise determined by a qualified biologist, and shall be maintained until the completion of construction. A qualified biologist or biological monitor shall be present if work must occur within the avoidance buffer</i></p>	<p>City of Wheatland Community Development Department</p>	<p>Prior to the commencement of ground-disturbing activities</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM**  
**Heritage Oaks Estates East Project**

<b>Impact Number</b>	<b>Impact</b>	<b>Mitigation Measures</b>	<b>Monitoring Agency</b>	<b>Implementation Schedule</b>	<b>Sign-off</b>
		<i>to ensure Sensitive Natural Communities are not impacted by the work. Proof of compliance shall be submitted to the City of Wheatland Community Development Department for approval.</i>			
4.6.4	e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	4.6-15 <i>Prior to commencement of ground-disturbing activities, including tree removal, a certified arborist shall prepare an arborist report documenting all trees with a diameter at breast height (DBH) of five inches or greater within the project site. The results of the arborist report shall be submitted to the City of Wheatland Community Development Department. If such oak trees are identified as a result of the arborist report, further measures shall be taken according to the Oak Woodlands Conservation Law, including the creation of an Oak Woodlands Management Plan, dedication of easements, or other measures developed by the City of Wheatland, such as long-term cost-sharing incentive payments.</i>	City of Wheatland Community Development Department	Prior to commencement of ground-disturbing activities, including tree removal	
<b>4.6.5 Cultural Resources</b>					
4.6.5	b) Cause a substantial adverse change in the significance of a unique archaeological resource pursuant to Section 15064.5.  c) Disturb any human remains, including those interred outside of dedicated cemeteries	4.6-16 <i>Prior to commencement of any construction activities, a Contractor Awareness Training Program shall be delivered to train equipment operators about cultural resources. The program shall be designed to inform construction personnel about: federal and State regulations pertaining to cultural resources and tribal cultural resources; the subsurface indicators of resources that shall require a work stoppage; procedures for notifying the City of Wheatland of any</i>	City of Wheatland Community Development Department	Prior to commencement of any construction activities	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>occurrences; project-specific requirements and mitigation measures; and enforcement of penalties and repercussions for non-compliance with the program.</i></p> <p><i>The training shall be prepared by a qualified professional archaeologist and may be provided either through a brochure, video, or in-person tailgate meeting, as determined appropriate by the archaeologist. The training shall be provided to all construction supervisors, forepersons, and operators of ground-disturbing equipment. All personnel shall be required to sign a training roster. The construction manager is responsible for ensuring that all required personnel receive the training. The construction manager shall provide a copy of the signed training roster to the City of Wheatland as proof of compliance.</i></p> <p>4.6-17 <i>Prior to the start of trenching activity, the project applicant shall retain a qualified professional archaeologist to monitor all trenching activities and any below-ground utility installation associated with project construction. Monitoring is not required for placement of equipment or fill inside excavations that were monitored, above-ground construction activities, or redistribution of soils that were previously monitored (such as the return of stockpiles to use in backfilling).</i></p> <p><i>The monitoring archaeologist shall meet or work under the direct supervision of someone</i></p>	City of Wheatland Community Development Department	Prior to the start of trenching activity	



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Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>meeting the Secretary of the Interior's professional qualifications standards for prehistoric and historic archaeology. The monitoring archaeologist shall have the authority to temporarily halt ground-disturbing or construction-related work within 100 feet of any discovery of potential historical or archaeological resources in order to address unanticipated discoveries. Proof of compliance with this mitigation measure shall be submitted to the Wheatland Community Development Department.</i></p> <p>4.6-18 <i>The following requirements shall be included through a notation on all project improvement plans prior to the issuance of grading permits and shall be implemented during project construction, to the satisfaction of the City Engineer:</i></p> <p><i>In the event subsurface deposits believed to be cultural or human in origin are discovered during construction, all work shall halt within a 100-foot radius of the discovery. A qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for precontact and historic archaeologists, shall be retained to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</i></p>	<p>City Engineer</p> <p>Yuba County Coroner</p> <p>NAHC</p>	<p>Prior to issuance of grading permits and noted on project Improvement Plans</p>	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
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		<ul style="list-style-type: none"> <li>• <i>If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and agency notifications are not required.</i></li> <li>• <i>If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify the City of Wheatland and applicable landowner. The Office of Historic Preservation (OHP) shall be consulted on a finding of eligibility and appropriate treatment measures shall be implemented, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. Appropriate treatment measures that preserve or restore the character and integrity of a find may be, but are not limited to, processing materials for reburial, minimizing handling of historical objects, leaving objects in place within the landscape, construction monitoring of further construction activities, and/or returning objects to a location within the project area where they will not be subject to future impacts. Work shall not resume within the no-work radius until the determination is made through consultation, as appropriate, that the site either: 1) is not a historical resource</i></li> </ul>			



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Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to the City's satisfaction.</i></p> <ul style="list-style-type: none"> <li><i>If the find includes human remains, or remains that are potentially human, the professional archaeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the City of Wheatland and the Yuba County Coroner (per Section 7050.5 of the Health and Safety Code). The provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California PRC, and AB 2641 shall be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner shall notify the NAHC, which then shall designate a Native American Most Likely Descendant (MLD) for the proposed project (Section 5097.98 of the PRC). The designated MLD shall have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC shall mediate (Section 5097.94</i></li> </ul>			



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>of the PRC). If an agreement is not reached, the landowner shall rebury the remains where they shall not be further disturbed (Section 5097.98 of the PRC). The burial shall also include either recording the site with the NAHC or the appropriate information center, using an open space or conservation zoning designation or easement, or recording a reinternment document with Yuba County (AB 2641). Work shall not resume within the no-work radius until the City, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction.</i></p>			
<b>4.6.7 Geology and Soils</b>					
4.6.7	<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <ul style="list-style-type: none"> <li>iii: Seismic-related ground failure, including liquefaction;</li> <li>iv. Landslides.</li> </ul> <p>c) Be located on a geologic unit or soil that is unstable as a result of</p>	<p>4.6-19 <i>Prior to issuance of any grading permits, the project applicant shall submit to the City of Wheatland Engineer, for review and approval, a design-level geotechnical exploration study produced by a California Registered Civil Engineer or Geotechnical Engineer and identify grading and building practices necessary to achieve compliance with the latest adopted edition of the California Building Standards Code's geologic, soils, and seismic requirements. The design-level geotechnical exploration study shall include additional soil borings and sampling, laboratory testing. The design-level geotechnical exploration study shall present the geotechnical engineering conclusions and specific recommendations for</i></p>	City Engineer	Prior to issuance of any grading permits	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
	the project, and potentially result in, on, or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.	<i>site preparation, foundation design, slab support, sound-wall foundations, site drainage, and pavement design. The City Engineer shall ensure that all recommendations specified in the design-level geotechnical exploration study are properly incorporated and utilized in the project design.</i>			
4.6.7	d) Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.	4.6-20 <i>Implement Mitigation Measure 4.6-19.</i>	See Mitigation Measure 4.6-19.	See Mitigation Measure 4.6-19.	
4.6.7	f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	4.6-21 <i>Should paleontological resources be discovered during ground-disturbing activities, work shall be halted in the area within 50 feet of the find. The City of Wheatland Community Development Department shall be notified and a qualified paleontologist shall be retained to inspect the discovery. If deemed significant under criteria established by the Society for Vertebrate Paleontology with respect to authenticity, completeness, preservation, and identification, the resource(s) shall then be salvaged and deposited in an accredited and permanent scientific institution (e.g., University of California Museum of Paleontology [UCMP]), where the discovery would be properly curated and preserved for the benefit of current and future generations. Construction may continue in areas outside of the buffer zone. The language of this mitigation measure</i>	City of Wheatland Community Development Department	Should paleontological resources be discovered during ground disturbing activities	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<i>shall be included on any future grading plans, utility plans, and improvement plans approved by the City of Wheatland Community Development Department for the proposed project, where ground-disturbing work would be required.</i>			
<b>4.6.8 Hazards and Hazardous Materials</b>					
4.6.8	b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment.	4.6-22 <i>Prior to approval of grading permits, the project applicant shall ensure that additional testing of on-site soils is conducted for the presence of organochlorine pesticides (OCPs), asbestos-containing materials (ACMs) and lead-based paints (LBPs) to determine both the lateral and vertical extent of the potential contamination. Soil samples shall be collected in areas previously used for agricultural purposes for the testing of OCPs, and in areas associated with the previous unidentified structure for the testing of ACMs and LBPs. The testing shall be conducted in accordance with U.S. Environmental Protection Agency (USEPA) Method 8081A for OCPs, USEPA Method 600/R-93/116 for ACMs, and USEPA Method 6010B for lead. Where the concentrations exceed the applicable California Department of Toxic Substances Control (DTSC) Human and Ecological Risk Screening Levels, the soil shall be excavated, and that portion of material may be transported, and disposed of off-site at an appropriate Class I or Class II facility permitted by DTSC, or other options implemented as deemed satisfactory to Yuba County Environmental Health Department (YCEHD) and/or DTSC. The results of soil</i>	City of Wheatland Community Development Department  YCEHD  DTSC	Prior to the approval of grading permits	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>sampling and analysis, as well as verification of proper remediation and disposal, shall be submitted to the City of Wheatland Community Development Department for review and approval. Any remediation shall be completed prior to acceptance of the site improvements.</i></p> <p>4.6-23 <i>Prior to improvement plan approval, the project applicant shall hire a licensed well contractor to obtain a well abandonment permit from the YCEHD for all on-site wells not proposed for use, and properly abandon the on-site wells, pursuant to Department of Water Resources Bulletin 74-81 (Water Well Standards, Part III). A report verifying abandonment of the on-site wells in compliance with Bulletin 74-81 shall be submitted for review and approval to the YCEHD and City of Wheatland Community Development Department.</i></p>	<p>City of Wheatland Community Development Department</p> <p>YCEHD</p>	<p>Prior to Improvement Plan approval</p>	
<b>4.6.9 Hydrology and Water Quality</b>					
4.6.9	a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	<p>4.6-24 <i>Prior to issuance of any grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the Central Valley Regional Water Quality Control Board (RWQCB). The contractor shall file the Notice of Intent (NOI) and associated fee to the State Water Resources Control Board (SWRCB). The SWPPP shall serve as the framework for identification, assignment, and implementation of Best Management Practices (BMPs). The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Construction</i></p>	<p>Central Valley RWQCB</p> <p>City Engineer</p>	<p>Prior to issuance of any grading permits</p>	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<p><i>(temporary) BMPs for the project may include, but are not limited to: fiber rolls, straw bale barrier, straw wattles, storm drain inlet protection, velocity dissipation devices, silt fences, wind erosion control, stabilized construction entrance, hydroseeding, revegetation techniques, and dust control measures. The SWPPP shall be submitted to the City Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.</i></p>			
		<p>4.6-25 <i>Prior to approval of final project improvement plans, a detailed BMP and water quality maintenance plan shall be submitted to the City Engineer for review and approval. The BMP and water quality maintenance plan shall meet the standards of the City's Unregulated Small Traditional MS4 Permit, and the California Stormwater Quality Association (CASQA) Stormwater BMP Handbook for New Development and Redevelopment. Site design measures, source control measures, hydromodification management, and Low Impact Development (LID) standards, as necessary, shall be incorporated into the design and shown on the improvement plans.</i></p>	City Engineer	Prior to approval of final project Improvement Plans	



<p align="center"><b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b></p>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
4.6.9	c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: iv. Impede or redirect flood flows.	<p>4.6-26 <i>Prior to construction of the foundation or at the completion of final grading, whichever comes first, project improvement plans shall show that all finished building pad elevations at the site shall be a minimum of one foot above the 100-year BFE, in accordance with Section 15.20.150 of the City of Wheatland Municipal Code. Project improvement plans shall be submitted to the City Engineer for review and approval.</i></p> <p><i>The final pad elevation shall be certified by a California registered civil engineer or licensed land surveyor and submitted to the City Engineer and Floodplain Manager for review and approval. Building construction shall not occur until the certification has been received and approved. Benchmark elevation and location shall be shown on the improvement plans to the satisfaction of the City of Wheatland Engineering Department.</i></p>	City Engineer	Prior to construction of the foundation or at the completion of final grading, whichever comes first	
		<p>4.6-27 <i>Prior to issuance of building permits, a Hydrology Study must be submitted to the City Engineer demonstrating the project's compliance with all relevant sections of the City's Municipal Code and applicable federal standards (such as those established by FEMA). Compliance with FEMA standards may include obtaining a Conditional Letter of Map Revision (CLOMR) or Conditional Letter of Map Revision based on Fill (CLOMR-F) for fill within a Special Flood Hazard Area, if required. A copy of the letter shall be provided</i></p>	City Engineer	Prior to issuance of building permits	



<b>MITIGATION MONITORING AND REPORTING PROGRAM</b> <b>Heritage Oaks Estates East Project</b>					
Impact Number	Impact	Mitigation Measures	Monitoring Agency	Implementation Schedule	Sign-off
		<i>to the Engineering and Surveying Division. A Letter of Map Revision (LOMR), or a Letter of Map Revision based on Fill (LOMR-F) from FEMA shall be submitted to the City's Engineer prior to acceptance of project improvements as complete.</i>			



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHEATLAND  
AMENDING THE HERITAGE OAKS ESTATES PLANNED DEVELOPMENT  
COMBINING DISTRICT**

The City Council of the City of Wheatland does ordain as follows:

**SECTION 1: Purpose and Authority.** The purpose of this ordinance is to amend the City’s zoning map in the Heritage Oaks Estates East Planned Development (PD) by incorporating the land plan and development standards allocated to the Heritage Oaks Estates East PD in the Heritage Oaks Estates East General Development Plan. This ordinance is adopted pursuant to Government Code sections 65853-65857, Wheatland Municipal Code chapter 18.85, and other applicable law.

**SECTION 2: Findings.** The City Council hereby finds and determines as follows:

- A. The Wheatland Planning Commission has conducted a duly noticed public hearing on December 3, 2024, in accordance with the law, and recommends that the City Council amend the City’s zoning map in the Heritage Oaks Estates East PD by incorporating the land plan and development standards allocated to the Heritage Oaks Estates East PD in the Heritage Oaks Estates East General Development Plan.
- B. The City Council has conducted a duly noticed public hearing in accordance with the law, and now desires to approve the amendment of the Heritage Oaks Estates East PD zoning map.
- C. The City Council has evaluated the amendment of the Heritage Oaks Estates East PD zoning map and the City’s General Plan and has determined that the amendment of the Heritage Oaks Estates East PD is consistent with the General Plan.
- D. The City Council has determined that, pursuant to the California Environmental Quality Act, and after full consideration of the administrative record, including the Environmental Impact Report, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations prepared for the project, that there is no substantial evidence that these changes to the previously approved project will have a significant effect on the environment.

**SECTION 3: Approval of Amendment.** The City Council hereby approves the land plan and development standards allocated to the Heritage Oaks Estates East PD in the Heritage Oaks Estates East General Development Plan, attached as Exhibit A.

**SECTION 4: Effective Date.** This ordinance shall take effect 30 days after its final passage.

**SECTION 5: Posting.** Within 15 days from the date of passage of this ordinance, the City Clerk shall post a copy of it in at least three public places in the City.

\* \* \* \* \*

**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 \_\_\_\_\_ of \_\_\_\_\_, 2025, and passed and adopted at a regular meeting thereof, held on the \_\_\_\_\_ of \_\_\_\_\_, 2025, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Mayor of the City of Wheatland

**ATTEST:**

\_\_\_\_\_  
City Clerk of the City of Wheatland

**Exhibit A**



# HERITAGE OAKS

Wheatland, CA

## GENERAL DEVELOPMENT PLAN

# CONTENTS

## 1 - INTRODUCTION

1.0	Purpose	01
1.1	Location and Setting	01

## 2 - PROJECT DESCRIPTION

2.0	Project Description	03
2.1	Document Authority	04
2.2	Administration Overview	04
2.3	Residential Design Review Process	04

## 3 - LANDSCAPE DESIGN

3.1	Design Inspiration	07
3.2	Landscape Architecture	07

3.3	Theming and Monumentation	10
3.3.1	Monumentation Hierarchy	11
3.3.1.1	Project and Village Monumentation	11
3.3	Site Furnishings and Materials	14
3.4	Fencing	14
3.4.1	Masonry Walls	14
3.4.2	Wood Fencing	17
3.4.3	Open Fencing	17
3.5	Open Space	19
3.5.1	Parks	19
3.5.2	Residential Subdivision Design	19
3.5.3	Malone Paseo	24
3.6	Landscape Irrigation	25

Section 5, Item # 5.1

## 4 - RESIDENTIAL VILLAGES

*Section 5, Item # 5.1*

4.1	Introduction	27
4.2	Single Family Residential Architecture	27
4.2.1	Single Family Site Planning	31
4.2.2	Parking	32

## APPENDIX

# CHAPTER 1: INTRODUCTION

## 1.0 PURPOSE

The purpose of the General Development Plan is to assist the City Council, Planning Commission, and Staff to ensure consistent, high-quality development with the Heritage Oaks General Development Plan (HOGDP). These design standards present specific criteria that will be used for the siting, design, and construction of the project. Unless otherwise specified, the Heritage Oaks development must adhere to all applicable zoning and code requirements of the City of Wheatland. These guidelines are defined to reflect unique site characteristics as well as development and design objectives in excess of the city's minimum standards. The theme of Heritage Oaks is extrapolated from the local agricultural presentation. A Modern Agrarian theme will emphasize quality natural materials that are at home in a rural setting and contribute to Wheatland's character as a farming community.



## 1.1 LOCATION AND SETTING

Heritage Oaks encompasses 150+/- acres within the City of Wheatland west of State Route 65 and is considered to be the southern gateway to the City.



The ultimate design focus is primarily residential while encouraging market differentiation, varied streetscape, and pleasing architectural massing, by:

- Assuring that a consistent design theme evolves for the Heritage Oaks development including the individual villages, parks, and trails that will serve it.
- Designing each village as part of the master planned community with a cross section of architectural styles so that its identity is distinct yet compatible with the overall theme.
- Vary the mix of housing types and sizes in order to be responsive to City housing needs.
- Local interior streets may feature separated sidewalks, in which case the minimum sidewalk width is 4 feet and minimum planter width is 5 feet between back of curb and front of walk.



## CHAPTER 2: PROJECT DESCRIPTION

### 2.0 PROJECT DESCRIPTION

The Project area is presently zoned PD (Planned Development) within the southern city limits of the City of Wheatland.

Approval of the Project would require the City of Wheatland City Council to approve a General Development Plan and a Vesting Tentative Subdivision Map that includes:

- 685 Single Family Residential Homes within ten (10) distinct villages
- Community and Village Parks
- Central Paseo/Trail Corridor
- Open Space
- Multi-Use Recreation/Detention Basins
- Municipal Water Well and Storage Facilities
- State Route 65 Gateway Landscape Frontage

The Heritage Oaks General Development Plan (GDP) implements the land plan and provides specific guidance and standards for development of the site. The GDP provides a description of the desired outcome (guidelines) for each land use, and zoning and construction requirements (standards) that direct construction of improvements and homes within the plan area.

The General Development Plan is a zoning document that conforms to the PD Zone (Chapter 18.51) of the Wheatland Municipal Code. As provided in Chapter 18.51 of the City Code, the Planned Development (PD) Zone applies to all Residential, and Commercial lands in the Plan area. As further provided in Section 18.51.010, the purpose of this classification is to promote integrated quality development by:

- Authorize the establishment of a planned development zoning district through which one or more properties are planned as a village with development standards tailored to the site.
- Provide maximum flexibility and diversification in the development of property.
- Maintain consistency with, and implement the provisions of, the Wheatland general plan and applicable specific plans.
- Protect the integrity and character of both residential and nonresidential areas of the city.
- Encourage efficient use of land for preservation of sensitive environmental areas such as open space areas and significant topographic features.
- Provide for effective development of public facilities and services for the site.
- Encourage use of design features to achieve development that is compatible with the area.
- Allow for creative and imaginative design that will promote amenities beyond those expected or provided in conventional developments.
- Create a more desirable use of the land, a more coherent and coordinated development, and a better physical environment than would otherwise be possible under a single zoning district or combination of zoning districts. (Ord. 418 § 3, 2010).

Section 5, Item # 5.1

## 2.1 DOCUMENT AUTHORITY

The Plan Area within the city limits of the City of Wheatland is subject to the land use and jurisdictional authority of the city's relevant ordinances and codes. Adoption of these guidelines is subject to the California Environmental Quality Act (CEQA) and requires consistency with the City's General Plan. The General Plan provides the overall guidance for the city's physical development by setting forth general goals, objectives, policies, and programs for the entire city planning area. This set of guidelines establishes a link between the General Development Plan and future individual project level development proposals.



## 2.2 ADMINISTRATION OVERVIEW

This project, as a Planned Development, and its associated Rezoning/Preliminary Planned Development Zoning Ordinance for the property, as approved and adopted by the Wheatland City Council, will serve as a supplement to the

existing Wheatland Zoning Code for the Plan Area. Section 5, Item # 5.1 will use these Development Guidelines as a vehicle to review specific development proposals and to implement the project's vision and regulations. Future development proposals and plans, whether individual buildings or collectively phased projects, must comply with these guidelines, as well as the General Plan and Zoning Code, where applicable. These Development Guidelines are intended to be used by city staff, property owners, architects, landscape architects, designers, builders, and developers in the planning and design of individual projects within the Plan Area. Should particular elements in these guidelines or the Rezoning/Preliminary Planned Development Zoning Ordinance adopted for the property conflict with development standards or regulations in the Wheatland Zoning Code, these Development Guidelines shall prevail. Conversely, any particular element or provision not specifically covered in these guidelines shall be subject to the provisions of the City Zoning Code.

## 2.3 RESIDENTIAL DESIGN REVIEW PROCESS

The design review process is intended to ensure that residential projects developed for Heritage Oaks contribute equally to the character and quality envisioned for the village. This process is intended to be efficient without compromising the quality of design solutions. Heritage Oaks Design Review Committee (HODRC), comprised of representatives of the master developer and design professionals appointed by the master developer, will review all residential designs developed for the project village prior to submittal to the city. The three step Residential Design Review process is initiated with Step 1 upon receipt of the Builder's Application Form (found in Appendix A) and review fee. Step 2 involves a Schematic Design Review, intended to establish and define the project's architectural and landscape character and concepts at the schematic design phase. Upon review and approval of the Builder's Schem

Submittal Package, the HODRC will schedule a Schematic Design Review session, to meet with the builder to review and discuss the submittal. This Schematic Design Review session is an opportunity to review the following design criteria:

- Selected primary and secondary architectural styles.
- Architectural form, massing, roofs, and details, which establish character.
- Preliminary thoughts on colors and materials.
- Landscape concepts identifying major tree and shrub massing, hardscape areas, and proposed character.

Step 3, upon approval of the schematic design review, more detailed project plans shall be prepared and submitted to the HODRC for design review. Plans shall be a progression of the approved plan and direction established during Schematic Design Review.

Professionals licensed to practice in the State of California shall prepare all Architecture, Civil Engineering, and Landscape Architecture improvement plans. No non-licensed design work shall be permitted.

Section 5, Item # 5.1

## 3: LANDSCAPE DESIGN

### 3.1 DESIGN INSPIRATION

While traveling north through the orchards adjacent to Hwy. 65, the crossing over Bear River sets a distinctive experience into what will be Heritage Oaks. The elevated view of Bear Creek to the west, the orchard rows and existing California Sycamore trees to the east will inherently define the community edge, while acting as a “front door” to the community of Wheatland for years to come. These landscape features symbolize the special character of the agricultural community and will integrate seamlessly into the community offering visual and emotional connections to the surrounding agricultural rich area.

### 3.2 LANDSCAPE ARCHITECTURE

Overview and approach for the organization and intent of these guidelines for landscaping are established with an overall intent to create a unifying basic landscape theme with subtle intent to differentiate, yet integrate, the finish of the materials between the villages. The guidelines for landscaping unifying elements of the Heritage Oaks General Development Plan (HOGDP) reinforcing the sense of place envisioned for the planned community. Landscape plans prepared for roadway corridors, entrance gateways, and open space edges should conform to these guidelines. Landscape design should be appropriate for the local climate and soil conditions, use of water-conserving plant species whenever possible, utilize recycled water irrigation systems, install water efficient, low volume irrigation systems and controls, harmonize with the native vegetation, and provide an appropriate transition between the built landscaping in developed areas and the natural character of the

open space areas. This section outlines landscape themes and corridor planting concepts. The planting approach incorporates a hierarchy of trees, shrubs, and groundcovers to define the public realm. Along streetscapes, the landscape architecture should utilize a consistent application of plantings from the plant palette, with trees which hold a strong street edge and create an intimate environment for the pedestrian experience. In larger landscaped areas, such as entrance gateways, landscape concepts should reinforce the landscape theming concepts with a diversity of trees, groundcovers, and shrubs used to visually accentuate these areas and make them distinct features in the landscape.

Along open space preserve interfaces, the landscape design approach should enhance the Plan Area’s existing setting by incorporating native plant species which create a visual transition from the developed environment. Landscaping should utilize water-conserving plant material to the extent needed to comply with the City and State Water Efficient Landscape Ordinance (WELO), recognizing groundcovers may be used in many areas and turf in select locations. Water-conserving plants should be selected on their ability to thrive without the use of spray irrigation when established. Landscape corridors and medians (where applicable) on arterial streets shall be landscaped with a combination of trees and shrubs without the use of groundcover as the general spaces do not afford their practical use, while reducing the grounds maintenance and water resources. All material shall be consistent with the following landscape fabric guidelines:

- The landscape corridor along Highway 65 is the main highway frontage adjacent to the northern edge of the project. This corridor will be characterized with a combination of landscaping, meandering sidewalks, and decorative walls that will buffer noise levels for the villages that back up to this corridor. The materials and planting style will be reminiscent

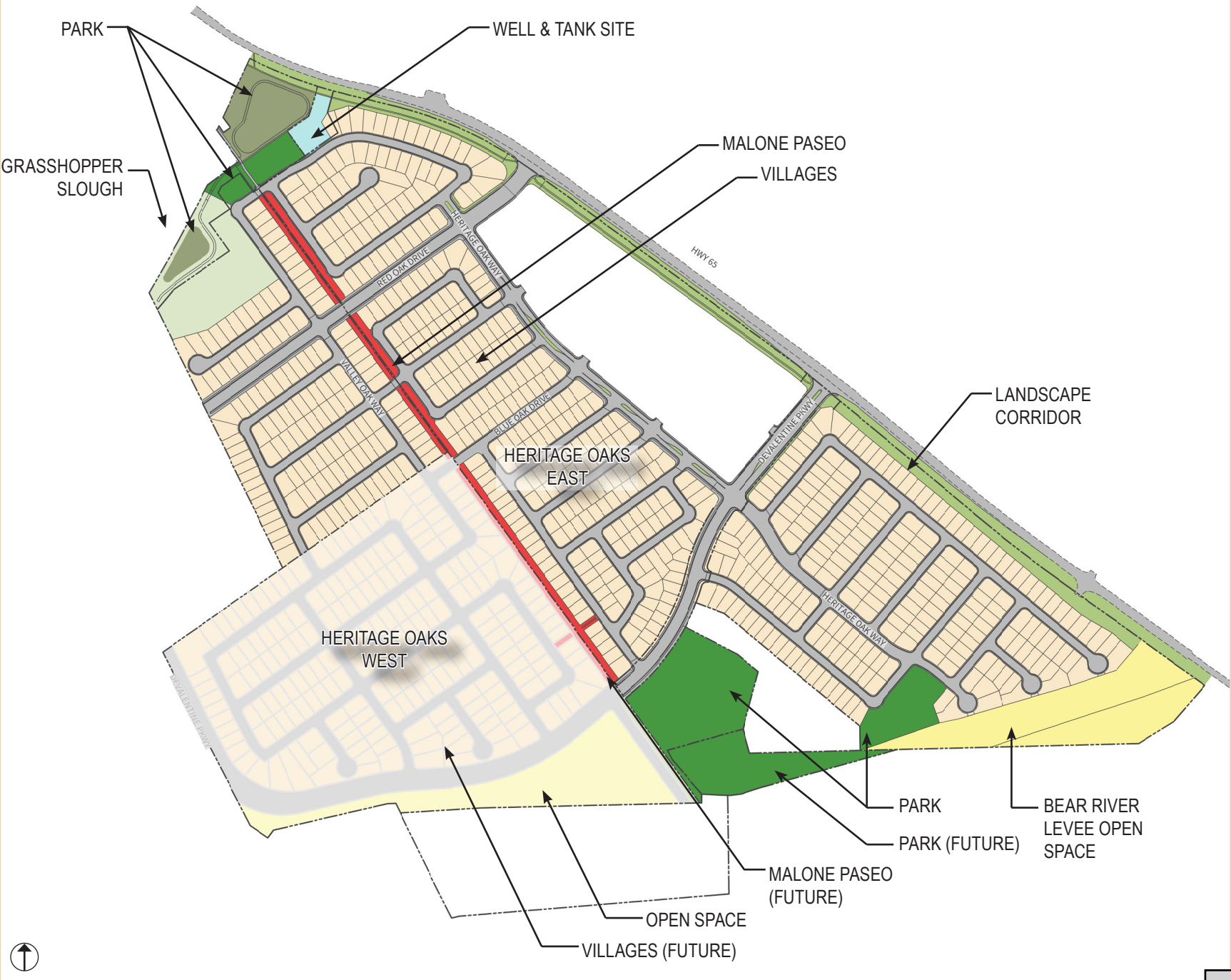


FIGURE 1: Overall Project Map

of agricultural themes with clean rows, strong form, and a splash of seasonal color.

- The arterial connectors off Highway 65 are DeValentine Parkway and Red Oak Drive. Each of these two corridors will vary but the theme shall remain the same. Where perimeter walls are required, the landscaping will be dense with shrubs and large trees. Adjacent to the park sites, which link the north and south ends of the project, the landscaping will be open at ground level but large canopy trees will continue providing views into the park beneath the canopies. Additional evergreen and screening trees will be provided between the meandering sidewalk and residential lots. Where opportunities exist for pedestrian access to adjoining villages, the landscaping and fencing will provide visual access onto those areas.
- Secondary streets intersecting with the two arterials will be landscaped with street trees and shrubs into the individual villages.

### **Primary Street Trees**

Primary Street Trees should be planted between the street edge and sidewalk or in a front yard as appropriate per each street design standard. Consistent application of a primary street tree will provide a scale to each street helping define its form and visual character. Special consideration should be given to tree types in special places, such as entrance gateways or near the Red Oak/DeValentine and Hwy. 65 intersections, where a deviation in tree type will visually distinguish these features from the balance of the streetscape. Primary street trees shall be:

- Large-scale, single-trunk trees, primarily deciduous, with high canopies growing over the roadway.
- Selected from the City's Tree List.
- Spaced a maximum 30-feet on center.
- Planted from a minimum 15-gallon container.
- Planted in a regular linear fashion set back from the curb far enough to accommodate ultimate growth. Root barriers and deep root irrigation shall be installed

on trees planted within 5-feet of a curb, paved surface sidewalk or wall.

- Street Trees for major roadways are as follows:
  - Highway 65 frontage: *Platanus racemosa*
  - Red Oak Dr.: *Quercus rubra*
  - DeValentine Pkwy: *Ulmus wilsoniana* 'Prospector'
  - Heritage Oak Way : *Acer rubrum* 'October Glory'



### **Subordinate Street Trees**

Where appropriate, subordinate street trees shall be used as background trees in the landscape corridors to add contrast to the linear plantings of primary street trees. Median trees are also considered subordinate trees, and may duplicate the primary street trees or provide contrast in the median to reinforce a street's landscape theme. Subordinate trees should also be used to provide color and accents at Village entries and at points of interest along the streetscape. Subordinate trees shall be:

- Medium-scaled, single-or multi trunk trees, evergreen or deciduous, with more vertical habit to screen adjacent homes.
- Selected from the City's Tree List.
- Spaced a maximum 30-feet on center.
- Planted from a minimum 15-gallon container.
- Planted in a regular linear fashion set back from the curb far enough to accommodate ultimate growth.

- Root barriers and deep root irrigation shall be installed on trees planted within 5-feet of a curb, paved surface, sidewalk or wall.
- Subordinate Trees for major roadways are as follows:
  - Hwy. 65: *Quercus wislizenii*
  - Red Oak Dr.: *Cercis canadensis*
  - DeValentine Parkway: *Acer rubrum* 'Armstrong'
  - Heritage Oak Way : *Olea europaea* 'Swan Hill'



### Shrubs

Understory shrubs should be used in landscape corridors and medians to provide a visual barrier to fences, walls, and utility equipment, to soften the ground plane and visually link all landscape materials. Plant material should be selected with an intent to layer them in height from front to back with varying form and texture creating a pleasing context in the landscape. Shrubs should be:

- Planted from a minimum one- to five-gallon container.
- Selected according to size, color, texture, water use, and seasonal interest.
- Placed to not obstruct important pedestrian or vehicular sight lines or threaten the safety of pedestrians.
- Grouped with similar cultural and maintenance requirements.

### Groundcover

Section 5, Item # 5.1

Along the two arterials, including collectors, groundcover does not need to be used. Design of shrub material shall be selected for these arterials to fill in the landscaped area without the use of ground cover.

Along the frontage of Hwy. 65 frontage groundcover may be planted in portions of landscape corridor and entrance gateways, and/or medians not planted with shrubs. Selection of plant material should also consider the pedestrian use of a particular area. High-activity areas, such as parks and pedestrian corridors, should be strategic in the use of turf in order to maximize water conservation. Utilization of groundcover should consider the following:

- Non-turf groundcover (or a combination of turf and non-turf groundcover) is preferred behind the back of sidewalks on major highway frontage. Other non-living materials, such as bark and boulders, may be combined with groundcover to add variety to the landscape.
- Turf may be installed in areas with a maximum 4:1 slope. Non-turf groundcovers should be used on slopes steeper than 3:1.
- Drought-tolerant or water-conserving groundcover species requiring low-water usage and low flow irrigation are encouraged.

### 3.3 THEMING AND MONUMENTATION

In order to navigate, or often referred to as wayfinding, you need to know where you are in the built environment and where other destinations are located. If you are able to orientate yourself within the built environment, it will be easier to understand destinations and to navigate through the community. With the usage of directional signs, people can be guided along their path towards their destination. When creating a wayfinding system it is essential to develop a strategic signage scheme. With this s

you are able to build up a modular wayfinding system, or signage family, that will adapt to the local environment and the human expectations for orientation and navigation purposes.

### 3.3.1 MONUMENTATION HIERARCHY

Entry monuments will provide identification to the individual villages within Heritage Oaks. Each monument will display the Heritage Oaks theme to associate each village with the overall development. Project monument shall be located at intersection of DeValentine Parkway and Hwy 65.

Monuments mark specific spaces and locations. This reinforces the recognition of places and plays a part in overseeing a larger area. With the use of hierarchal monuments an area will become more visible and be retained in memory creating a sense of place. Monuments can be art-objects, buildings, street art, wayfinding signs or striking elements in a landscape. Entrance features are visually prominent elements of the public realm which create a sense of arrival into both the City and HOGDP. Sited at key locations, these features should have a unified application of hardscape elements, project icons, landscaping, and accent materials to define HOGDP's visual character. Through repetition of a consistent application of hardscape and landscape elements the overall design theme of the public realm is reinforced. Two types of entry features are planned; Project monument and Village Entry monuments. **Figure 2** illustrates the location of these entry features.

#### 3.3.1.1 PROJECT AND VILLAGE MONUMENTATION

Project and Village monuments (shown in **Figure 2A, 2B, 2C and 2D**) will be located in the landscape corridor within the right of way at the corners of intersections (typically where a corner clip is provided in the adjacent residential Village) which creates an enlarged landscape corridor along the street. The design characteristics of project and village entry features shall

be directed by the following guidelines:

- Large-scale iconic hardscape elements, such as masonry walls, pilasters, or obelisks, which flank each side of the roadway to visually demark entry into a Village. Materials shall be natural and non-painted with introduction of smooth, washed cobble and/or native boulders.
- Hardscape features should include iconic elements, such as monuments, walls, pilasters, raised planters, plazas, and/or architectural elements, derived from a common palette of materials, colors and exterior finishes.
- Low walls used in conjunction with pilasters at street edges, reinforcing the sense of arrival.
- Hardscape elements clad with stone or other natural materials, which complement the streetscape design theme and reinforce the character of the landscape.
- Identification signage, if provided, incorporated into the design of hardscape features in a subtle manner, monolithic, bolt-in and non-metallic, as permitted by the City Sign Ordinance.
- Landscape materials shall utilize water-conserving species and incorporate accent trees, shrubs, and groundcovers which harmonize with the overall landscape theme of HOGDP, visually punctuating the gateway as a significant element of the public realm.
- Indirect above-ground accent lighting incorporated with concealed fixtures to provide a subtle lighting wash across hardscape and landscape elements during nighttime hours.
- Evergreen and deciduous accent trees are selected and incorporated to further define the design and physical form of the entry feature, sized to complement hardscape elements and reinforce the sense of arrival.

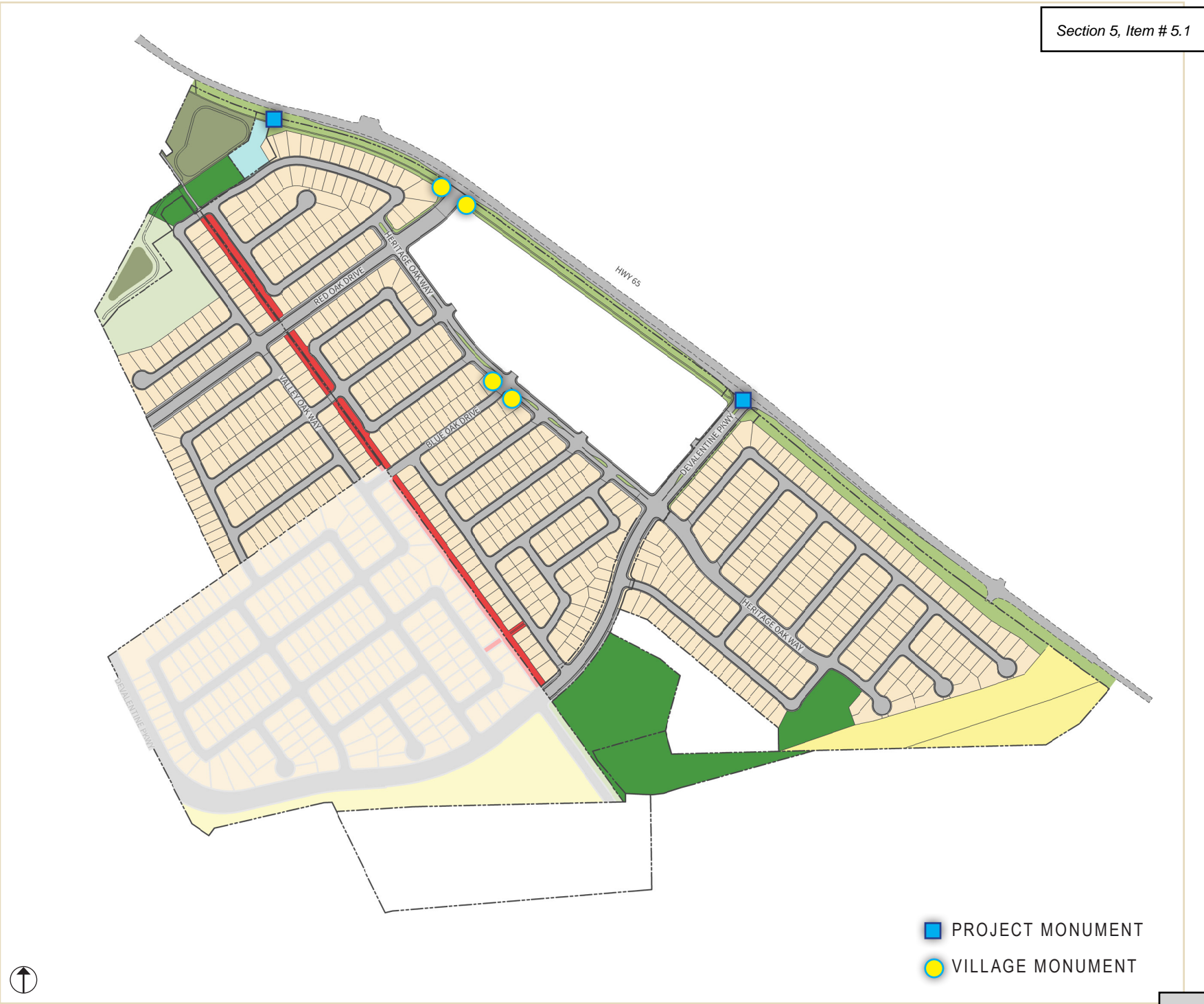


FIGURE 2: Monumentation Map



FIGURE 2A: Project Monument - Windmill (Elevation)

- Water-conserving accent plants and groupings of shrubs and groundcovers to add color and variety to the entry
- Flush mount channel letters
- Signs and sign lettering are encouraged to be monolithic or panels/plaques, versus individual letters, such as those listed below.

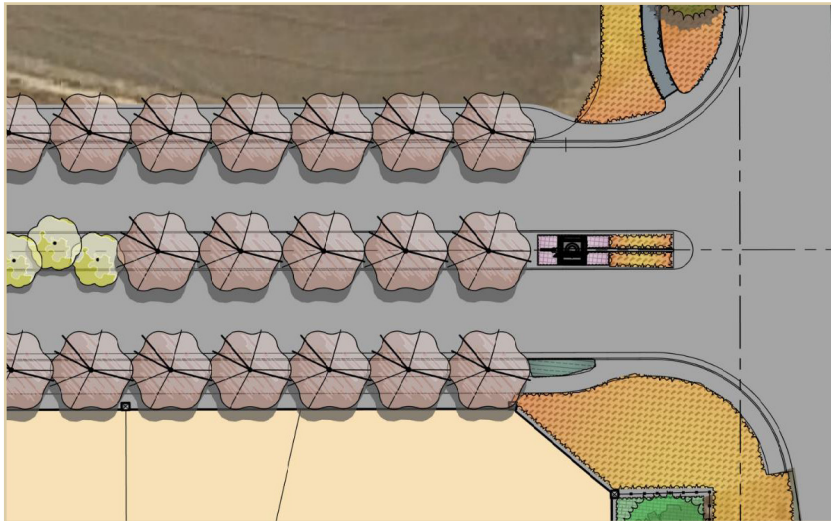


FIGURE 2B: Project Monument (Plan View)

- All sign elements on pilasters or walls shall use mounting hardware securely embedded into the surface onto which it is affixed. Salvageable materials (brass or aluminum metals) shall be avoided. No epoxy-mounted elements are permitted. Where signs and monuments are to be up-lit, such lighting equipment shall be approved by the City.



FIGURE 2C: Project Monument - Water Tank (Perspective)

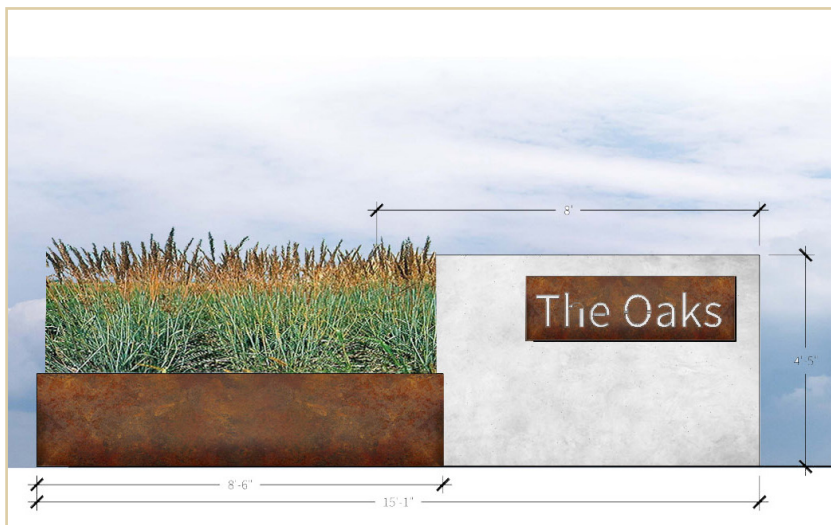


FIGURE 2D: Village Monument (Elevation)

### 3.3 SITE FURNISHINGS AND MATERIALS

The design concept of site accessories is to express a narrative that residents live in harmony with nature. A consistent palette of furniture and materials will help support the community character giving places a unique identity and meaning for people. Street furniture, including benches (Figure 4), arbor structures, waste receptacles, light poles and bollards should have a consistent style to promote a sense of community. In addition, site lighting presents another opportunity to enhance and unify the landscape fabric on site. Light pollution not only affects the numbers of stars people can see in the night and disturbs the natural order of wildlife, it also creates safety hazards and wastes energy and money. Lighting design should reduce light pollution and promote an eco-friendly element. Common light pollution such as excessive lighting, light trespassing, and glare are reduced when the specific needs are carefully defined according to activity time and location, implementing shielded lighting fixtures and utilizing smart lighting equipment. Themed street lights can help establish an overall design theme for the Plan Area. Where desired, decorative, “acorn” fixtures with shielding may be used on collector and residential streets.

Decorative light fixtures are also encouraged on private streets and on major driveways within medium-density and high-density residential developments. All street lighting shall meet the street lighting standards established by the city, including illumination standards and fixture style. Figure 3 illustrates a City-approved design detail of an acorn-style light fixture.



FIGURE 3: Street Lighting



FIGURE 4: Site Furnishings

### 3.4 FENCING

Fences shall provide security, privacy, noise mitigation and landscape definition. Masonry or pre-cast walls shall be used where sound attenuation is required. The wall shall utilize a minimum of two colors and include a decorative cap. Wood and tilt up panels are not acceptable. Perimeter masonry walls shall have a break or visual and pedestrian opening at the end of open-ended cul-de-sacs.

Walls and fences throughout the plan area are intended to provide screening to land uses, create a transition between developed areas and open space, secure off-site edges from public access, and provide privacy and security for private property. Design and material for walls and fencing varies throughout the Plan Area, depending on the specific purpose. The location of each wall and fence type is shown on Figure 5. Several wall and fence types are specified for use in Heritage Oaks, with the general design characteristics for each specified below.

#### 3.4.1 MASONRY WALLS

Masonry walls are intended to provide security, screening, privacy, and/or sound attenuation where appropriate along roadways or between differing land uses. The typical application of masonry walls is on arterial roadways, along the back edge of the landscape corridor where needed for sound attenuation, as illustrated on Figure 5A. The following guidelines outline the key design requirements and common applications for masonry walls.



FIGURE 5: Wall and Fencing Map

walls in the Plan Area:

- Masonry walls along public streets should be placed to avoid blocking views to the open space corridors and should not obstruct underground or above-ground electric, telephone, cable, water, or sewer services or equipment.
- Walls should be a minimum of 6'-high along arterial roads, or higher if necessary to meet the requirements of site specific noise analyses. For walls higher than 6' in height, designs should be encouraged for walls to be constructed atop low earthen berms.
- Opportunities for wall openings between land uses should be included where appropriate to encourage and facilitate pedestrian connection/access between land uses (i.e. between residential and commercial sites and between residential Villages to provide connectivity thought the plan).
- Wall materials shall have a textured face such as cast patterns, split-faced on the side facing the street or

public view and include a trim cap with a material and texture change and visual interest.

Section 5, Item # 5.1

- Pilasters shall be used at each side of Village vehicular and pedestrian entrances to define openings and at each angle point or change in direction to enhance wall aesthetics.
- Continuity in theme and materials shall be incorporated among walls including design, color, block style, trim style, and cap style. Landscaping in front of the wall shall include shrubs close to the wall to break up any stretches of wall not interrupted by columns.
- Pilasters should have sufficient bulk and dimensions to appear in proportion to the height and mass of the wall.
- Pilasters may not be less than 24" in face dimension at the base, and must be rectangular in shape.
- Walls located adjacent to LDR Villages, the maintenance obligation of the wall is the responsibility of the City.



FIGURE 5A: Masonry Wall

### 3.4.2 WOOD FENCING

Wood fencing shall be used within the individual villages along side yards and back property lines. Two types of wood fencing are specified for use in the Plan Area:

- Enhanced and Good Neighbor. Both fence types are intended to provide security, screening, and privacy.
- Enhanced wood fences are located along roadways and the Malone Paseo where facing the public view. The structural fence panels are all facing the private, (home side).
- Good Neighbor wood fences are located in areas not visible from public view, such as between residential properties. The structural fence panels articulate back and forth.

#### **Enhanced Wood Fence**

As illustrated in **Figure 5B**, enhanced wood fences have a consistent architectural design appearance on each side and incorporate a cap rail. This fence type is typically located adjacent to public facilities, such as parks and paseos or on lots which back or side to a residential street, where a masonry wall is not required. Minimum solid-wood fence height adjacent to parks is 6-feet. Guidelines for Enhanced wood fences are:

- Minimum height of solid wood fence along all residential streets within Villages is a minimum height of 5', preferably 6'0" redwood or cedar board construction and semi-transparent stained in an earth tone color.
- Fence sections may be supported by metal 'Z' Posts or minimum 4-by-4 wood posts.

#### **Good Neighbor Wood Fence**

Good neighbor wood fencing does not incorporate a cap rail but is characterized with alternating panel faces as shown in **Figure 5C**. It is intended to provide privacy and security within residential villages. This fence type is typically located between private residential lots.

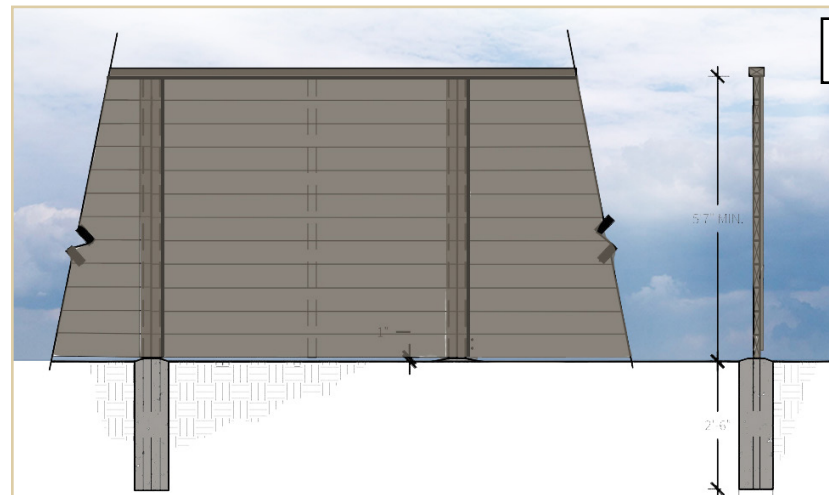


FIGURE 5B: Enhanced Wood Fence

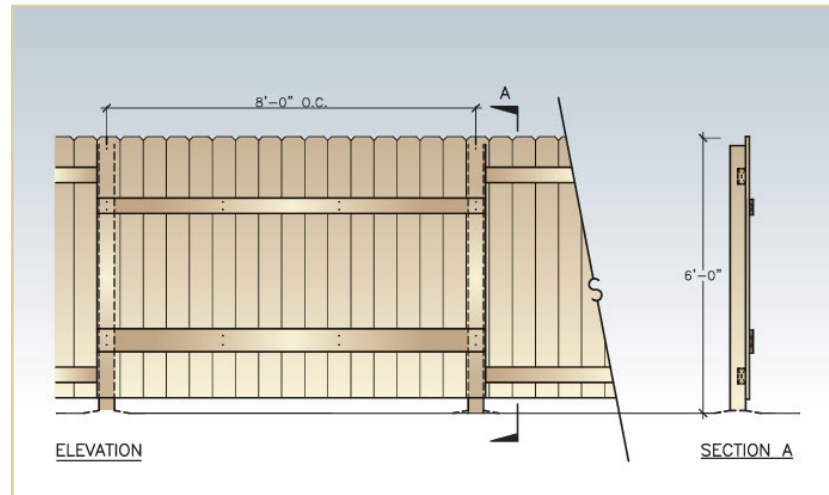


FIGURE 5C: Good Neighbor Wood Fence

### 3.4.3 OPEN FENCING

Open fences are intended to provide a visually transparent barrier at developed edges adjacent to open space parcels and shall be constructed of tubular steel (See **Figure 5D**). Depending on the interface, open fencing may be used between open space areas and the rear and side property line of residential parcels, along a street adjacent to open space, or along pedestrian pathways at the edges of open space parcels. Open fences may also be used to separate different functions within landscape corridors (for

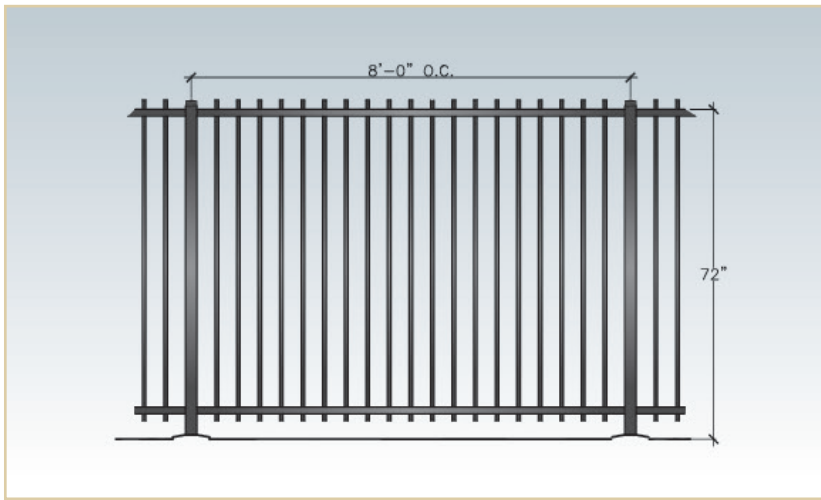


FIGURE 5D: Open Metal Fence

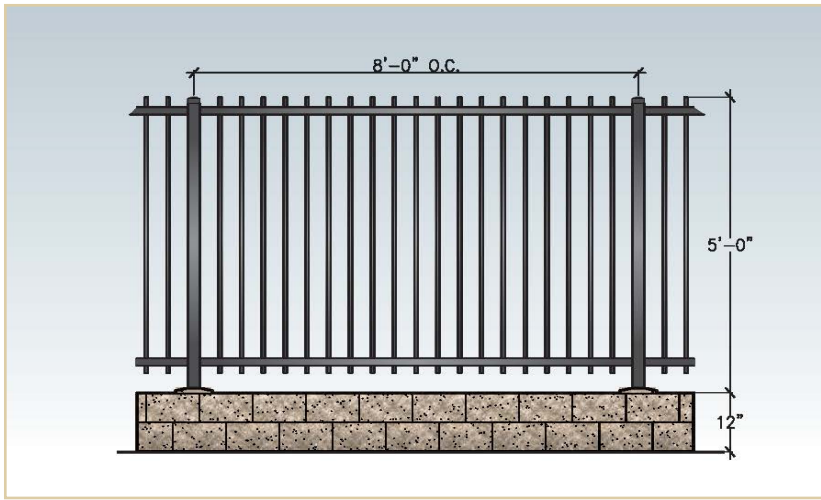
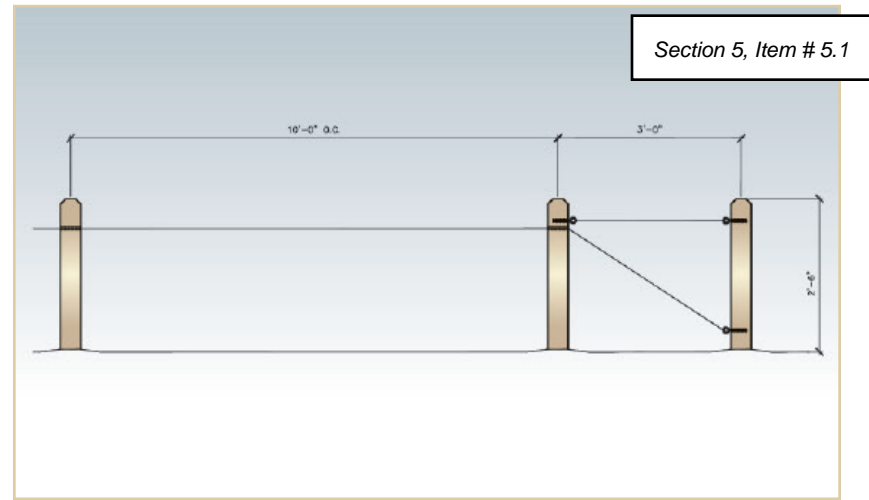


FIGURE 5E: Open Metal Fence on 12" CMU

example, to restrict access of dirt bikes and motorized vehicles) and at other miscellaneous locations within the Plan Area. Open fencing is the preferred fencing type adjacent to open space, where a single-loaded street is not located adjacent to open space. The following guidelines should be used to direct the design and application of open fencing throughout the HOGDP, as appropriate for each location.



Section 5, Item # 5.1

FIGURE 5F: Post & Cable Fence

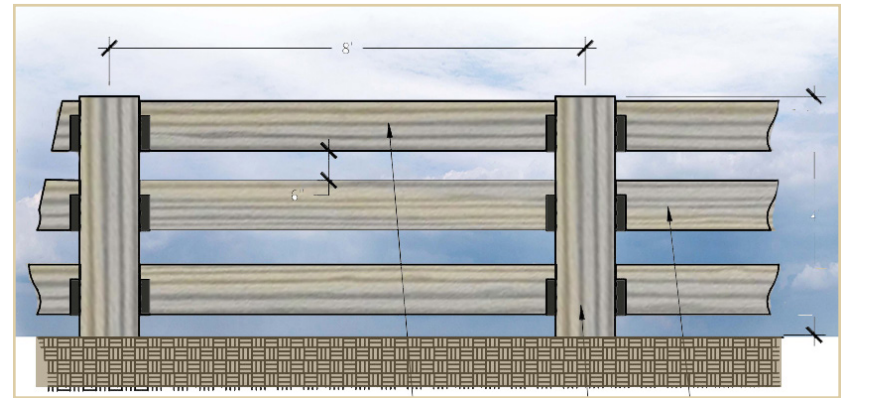


FIGURE 5G: Decorative 3-Rail Fence

**Fencing Between Residential and Open Space**

Open fencing should be four to six feet in height and constructed of tubular steel and black in color. Both sides of fencing are to be addressed aesthetically if they are visible from streets. Where residential lots back up to open space, open fencing will be used. Open fencing at open space edges may incorporate a CMU masonry knee wall (See [Figure 5E](#)).

### **Other Fencing Conditions at Open Space**

Post-and-cable fencing should be used along the street edge adjacent to open space preserves to define the landscape edge and discourage access of dirt bikes and motorized vehicles (See [Figure 5F](#)).

### **Decorative Fencing**

Decorative 3-rail fencing shall be used along the landscape frontage corridor adjacent to Highway 65 to further enhance the monumentation and theming for the Heritage Oaks development (See [Figure 5G](#)).

## 3.5 OPEN SPACE

The open space and recreation area network proposed for Heritage Oaks consists of approximately 25 acres of dedicated land. This dedicated open space is made up of four parks, the Malone Paseo, and passive open space. The design of the Heritage Oaks encourages highly-connected residential Villages. This type of connectivity is typically achieved through street connections between residential subdivisions and can also be provided via pedestrian connections or paseo connections. To minimize barriers between Villages and to enhance connectivity, street patterns are encouraged to allow connection points between neighboring subdivisions. Paseo access should be used as a means for integrating multiple subdivisions, consistent with the proposed Parks & Paseo Map in [Figure 6](#).

### 3.5.1 PARKS

Four parks shall be provided within Heritage Oaks all connected within and external to the adjacent existing neighborhood by Malone Parkway.

The first park of approximately 9.9 acres will be located along the north end of the project adjacent to Grasshopper Slough. The park, which will combine public Lots A, C, K, and L, It will be designed as a Community Park with play structure, lawn games,

sports courts, with multi-use areas that will provide both sports play field areas and serve as a storm water and water quality control basins ([Figure 6A](#)).

The second, Riverside park, of approximately 2.0 acres will be located adjacent to Villages 9 and 10 and will be designed as a Village Park which will include preserved oak trees surrounded by benches and tables to create a quiet serene picnic area. ([Figure 6B](#)).

The third park of approximately 5.1 acres will be located south end of the project near Village 10 adjacent to the City Wastewater Treatment Plant. The park will be designed as a Community Wide Park which will include play structures, sports courts and sports play fields. The park may be expanded in the future pending the re-purposing of the 3.6 acre wastewater treatment facility and other adjacent land uses. ([Figure 6B](#)).

The fourth park of approximately 7.9 acres a passive recreation area that includes two public parcels for the Bear River Levee and open space adjacent to the Bear River. ([Figure 6B](#)).

### 3.5.2 RESIDENTIAL SUBDIVISION DESIGN

Residential subdivisions are subject to design requirements of the City's Subdivision Ordinance. To ensure Villages provide cross connectivity for automobiles, bicyclists, and pedestrians, subdivision design should be guided by the design goals in this sub-section. The intent is to design individual subdivisions that appear seamless and are well-connected. While connectivity is desired, some Villages may be gated provided they do not limit access to open space, trails, paseos, or parks. Ground cover and shrub areas should be located adjacent to the house fronts and side yard fences. The edge between the ground cover and the turf should modulate in smooth sweeping curves. Turf is not permitted against a building. Landscaping from the back



FIGURE 6: Parks & Paseo Map

of sidewalk to the front of the home and wing fence must be installed by the builder with the completion of the home. The goal of these guidelines is to create an attractive streetscape for the various single-family Villages. An additional goal is to create a strong connection between the major gateway improvements and residential villages. The elements of the streetscape for these developments are as follows:

- **Front Yard Landscape:** This is the contiguous area along the street between the front curb and the face of the homes. The combined front yard landscapes along the street will reinforce the unified character created by the street trees.
- **Side Yard Landscape:** This is a combination of right of way and adjacent private property usually



FIGURE 6A: Community Park (9.9 Acres)



COMMUNITY WIDE PARK (5.34 AC.)

FUTURE IMPROVEMENTS

RIVERSIDE PARK (2.0 AC.)

LEVEE & OPEN SPACE (7.9 ACRES)



FIGURE 6B: Community Park (Master Plan)

found along residential streets and collector streets. The importance of this area is often over-looked in single-family residential development, with the result being narrow poorly maintained areas between the sidewalk and adjacent private fence.

- **Street Trees:** Street trees perform several functions in residential landscape. They provide shade for parked cars and pedestrians, they provide shade for homes, they unify the Village landscape, and they are the thread that sews the individual streets into a cohesive community. Street trees shall be planted at one fifteen (15) gallon tree per general mature spread of tree up to thirty feet (30') max., on center. Corner lots shall include trees along all frontages. All trees shall be planted in logical and aesthetically pleasing locations. All street trees shall be located at six feet (6') from the back of walk and shall be coordinated with streetlights, utility pedestals and driveways. To avoid mass loss of trees as a result of a species specific disease, a single street tree shall be selected by street at the time landscape plans are presented to the Architectural Review Committee. Once approved there shall be no deviation from the approved tree without written approval of such changes
  - **Subordinate Trees:** Subordinate trees should also be used to provide color and accents at Village entries and at points of interest along an internal residential village street scene that unites the individual village into a cohesive community.
  - **Accent Trees:** These trees provide seasonal color and or visual interest due to their shape or texture.
  - **Shrubs:** Shrubs or understory planting maintain the uniformity or character of the landscape fabric.
- Background shrubs are usually planted at the foundation of buildings and fences. They vary in height, low in front of windows, high in front of fences and walls. Their main purpose is to provide a green foil or transition between other landscape elements and the house, or wall. Additionally they are used to screen objectionable views, or to re-direct or restrict pedestrian traffic. Facer or Filler shrubs are usually planted in front of the background shrubs. They can vary in height, but are traditionally lower in height than the background shrubs, with their main purpose is to provide a textural or color transition between other landscape plants and to achieve a layered planting effect.
- **Accent Shrubs:** Accent shrubs are usually larger and bolder in character and or color. They show off during one or more seasons with flowers, leaf color and/or fruit. They usually occupy an important and significant amount of space in the landscape. Accent shrubs or sometimes referred to as specimen shrubs, show off during one or more seasons. Their function is to accent certain architectural elements, e.g. a front entry, or break up a monotonous street scene with visual interest.
  - **Ground Covers:** Ground cover is an important group of plants is usually low growing (6" to 18") and spreading (3' to 12'). Its most significant function is to provide quick cover to the ground, keep weeds down, and maintain soil moisture levels. In addition, it can add seasonal interest with flower and foliage color and help prevent soil erosion.
  - **Turf:** Turf areas are generally focused to usable areas, while some new introduced drought tolerant native mixes can be used with less water and maintenance

requirements. Turf shall comply with the City of Wheatland's Water Efficient Landscape Ordinance and the HOGDP area is restricted to a percentage of the landscaped area. Builders should refer to both documents before designing or submitting plans for review. Turf is to be provided in areas of high visibility and impact so as to provide a permanent green area within the landscaped yard. When used it should be sized to an area at least 10' x 10' and be purposely identified with a usable purpose.

- **Front Yard Landscaping minimum design intent as follows:**

- The minimum depth for ground cover area is five feet (5') and the maximum depth is ten feet (10').
- Ground Cover to Turf ratio is a maximum of thirty percent (30%) of front yard in turf, and approximately seventy percent (70%) in ground cover and shrubs.
- Minimum of one (1) Accent Tree per front yard. Minimum size fifteen (15) gallon.
- Minimum one (1) specimen shrub per front yard. Minimum size five (5) gallon.

- Background (minimum size 5 gallon), Filler (minimum size 1-gallon), and Accent Shrubs (minimum size 1-gallon) mix shall be a minimum of twenty (20) per front yard.
- Ground Cover minimum from flats, 1 gal preferred, with a maximum max spacing 36" inches and shall be of a type to cover the planting area within a twelve (12) month period.
- Turf from sod shall be of a drought resistant variety, i.e. Dwarf Fescue, Bluegrass Blend 95/5, or rhizomatous tall fescue.
- All shrub and ground cover beds shall be top dressed with a minimum of 3" depth bark mulch.
- Side Yard Landscaping requirements apply only to side yards adjacent to the public street or visible from any public space as follows: A planter area should run adjacent to the fence and be an average width of five (5'). The planter area should be planted in low maintenance ground cover and accent trees.
- Street Trees shall be provided at one (1) tree for every thirty (30) linear feet of side yard street frontage. Minimum fifteen (15) gallon.

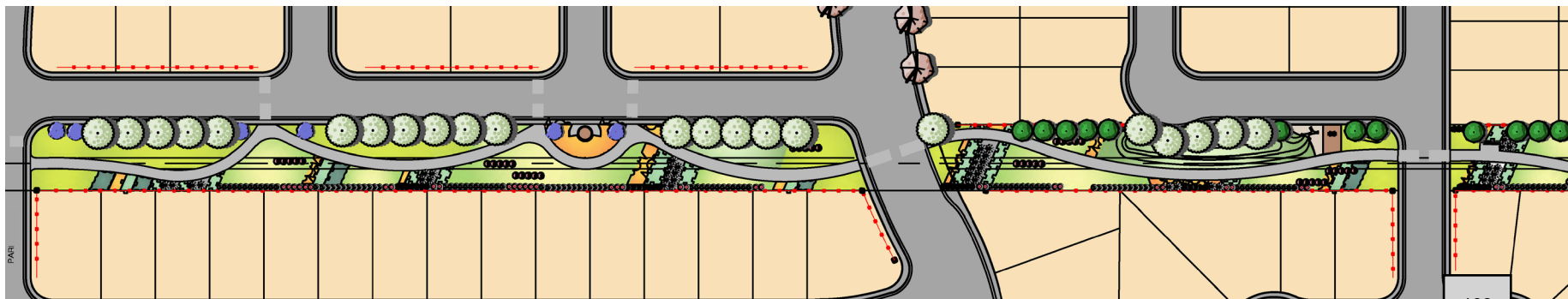


FIGURE 7: Malone Paseo Plan

### 3.5.3 MALONE PASEO

Paseos are a key element which provide pedestrian and bikeway linkages throughout the plan area. Paseos are intended to be active, usable areas which encourage pedestrian activity, interaction among residents and connectivity between Villages. See [Figure 7](#) for Malone Paseo Plan. The following design criteria shall be applied to ensure paseos are adequately connected with adjacent Villages to provide pedestrian/bicycle access:

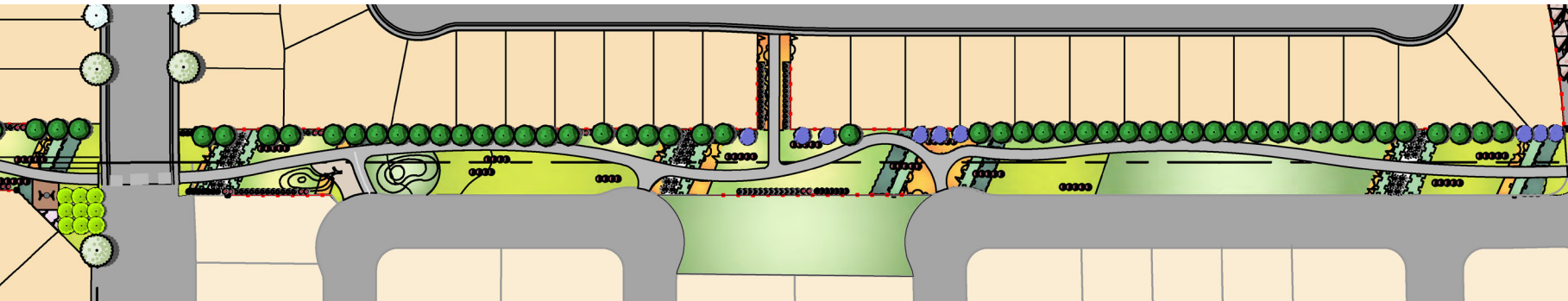
- Connections between a paseo and residential Village may be achieved via roadways, live-end cul-de-sacs, sidewalk pass-through, or a combination thereof.
- It may not be possible or desirable, in all cases, to orient front doors of all residential homes toward paseos. In such cases, refer to [Figure 7](#) for other proposed lotting design techniques.

Malone Paseo is located internal to the residential Villages, generally linking the north to south villages, as designated on [Figure 6](#). This paseo features a 10-foot wide, meandering, multi use path and a landscape strip along one street edge. For this paseo type, homes immediately adjoining the paseo edge either front or side on to the paseo, and for MDR parcels, individual driveway cuts for each home are not permitted to cross the paseo.

**Paseo Connections at Park Sites:** Where paseo linkages are planned at park sites, connections are provided via a sidewalk along the street edge matching the sidewalk width of the adjacent paseo. Pedestrian and bikeway linkages are made through park sites. Refer to the comprehensive Parks & Paseo Map ([Figure 6](#)), where paseos are not adjacent to a street, they must be open on one side at all times to prevent a tunnel effect and create security concerns.

### 3.6. LANDSCAPE IRRIGATION

The landscape and irrigation design shall be implemented in compliance with State and City requirements for water conservation. Generally provide high-efficiency irrigation systems. Planted areas are served primarily by a drip irrigation system with irrigation efficiency ratings of 0.81 as well as some spray head systems with irrigation efficiency ratings of 0.75. Irrigation controllers will have water moisture sensors and a “smart mode” that has the capacity to adjust the duration, frequency, and soak time by several factors. Weather Data combined with geographical location, sprinkler type, plant type, soil type, and a fine tuning option, enables the controller to make precise watering decisions. High efficiency irrigation systems paired with low-water plant selection combined enable the landscape design Estimated Total Water Use (ETWU) to fall below the City’s Maximum Allowed Water Allowance (MAWA) based on the Water Efficient Landscape Worksheet.



Section 5, Item # 5.1

# CHAPTER 4: RESIDENTIAL VILLAGES

## 4.2 SINGLE FAMILY RESIDENTIAL ARCHITECTURE

Section 5, Item # 5.1

### 4.1 INTRODUCTION

Residential villages within the Heritage Oaks community are comprised of a variety of housing types interconnected by a logical system of tree-lined walkable streets, open space, and the Malone Parkway Paseo bisecting the community and connecting the east and west ends. By employing an authentic architectural palette and creative site planning techniques, Heritage Oaks will embody a strong architectural identity to create an iconic and sustainable village within the City of Wheatland. The residential design principles and development standards shall be applied to all proposed development within Heritage Oaks. These guidelines and standards articulate the lot characteristics, setbacks, garage type and orientation, and building massing for each housing type. Further, this chapter includes a detailed architectural design guidelines section, which identifies, defines, and articulates the architectural styles appropriate for the community.

Architectural design standards and guidelines provide an orderly and aesthetically pleasing development of high quality architecture. Builders and architects are encouraged to incorporate a variety of styles, massing, colors, and materials.

Architectural variations should occur throughout the planned community in order to create high quality and interesting streetscapes. To achieve the desired visual setting, designs should include one and two story building elements, porches, garages with several orientations, and an array of architectural detail. 45-foot wide lots shall exhibit architectural styles of Spanish, Ranch, Farmhouse and Californian detail. 50-foot wide lots shall model designs of Cottage, Craftsman and Mission. See Figures 2 thru 8.

- On corner lots, 25% of the single-family residences should be one story or contain one-story plates and elements. Two-story residences on internal lots with second story setbacks will be encouraged to soften the architectural forms and enhance streetscapes.
- Repetitive floor plans and elevations should be alternately reversed along streets. No more than two identical plans shall be located next to each other. Similar plans that are adjacent or opposite each other shall have different colors and elevations.
- Garage elements that project out in front of the main building mass shall be predominantly one story.
- Various materials and color schemes will be incorporated to visually enhance building styles:
  - The use of high quality material such as brick, stone, and tile shall be encouraged.
  - A variety of facades, finishes, and patterns is encouraged.
  - Texture and color shall be used to create visual interest.



FIGURE 1: Typical Street Scene

- Side and rear building elevations that face the public right of way shall be given architectural treatments consistent with the primary frontages.
- Trim on the front elevation shall be extended around the side two feet minimum. Elevations with blank walls shall be avoided.
- Useable front porches and varied front elevations are encouraged. Porches and overhangs should protect the front door from rain.
- Architectural detailing should include window trim, pop outs, recessed windows, and doors, balconies and varied column designs.
- Single-family detached residential houses shall not exceed 35 feet in height.



FIGURE 2: Spanish Elevation (45 x)

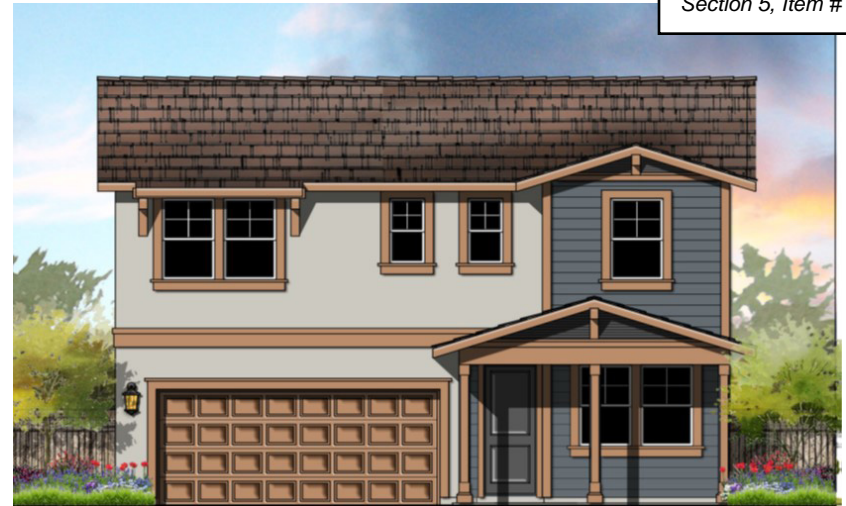


FIGURE 3A: Ranch Elevation - A (45 x)



FIGURE 3B: Ranch Elevation - B (45 x)



FIGURE 4A: Farmhouse Elevation - A (45 x)



FIGURE 4C: Farmhouse Elevation - C (45 x)



FIGURE 4B: Farmhouse Elevation - B (45 x)



FIGURE 5: Californian Elevation - A (45 x)



FIGURE 6A: Cottage Elevation - A (50 x)



FIGURE 7A: Craftsman Elevation - A (50 x)



FIGURE 6B: Cottage Elevation - B (50 x)



FIGURE 7B: Craftsman Elevation - B (50 x)



FIGURE 8: Mission Elevation (50 x)

### 4.2.1 SINGLE FAMILY SITE PLANNING

Site planning guidelines ensure compliance with the City of Wheatland’s planning standards in order to meet design objectives. Heritage Oaks communities will offer a variety of lot sizes and product types, thus providing a range of housing market segments. In the community, there shall be a range of densities that comply with the densities specified by the Land Use Designations in the Final EIR (Environmental Impact Report).

See Table 1 for proposed densities and housing mixes.

- Pre-plotting of floor plans is encouraged to achieve lot width and variations in streetscapes.
- Loop roads and open ended cul-de-sacs are encouraged adjacent to trails, open space and drainage areas where possible. Lots in these areas should not back onto the open space when possible.

- For the purpose of determining setback requirements, single-story elements are defined as architectural masses with an elevation to the plate line of 16 feet or less. Two-story elements are those with an elevation greater than 16 feet to the plate line.
- All setbacks shall be measured from the foundation of the structure to the sidewalk or adjacent foundation.
- Eaves, bay windows, fireplaces, cornices, and similar architectural features less than 12 feet wide may project into the required setback a maximum of 2 feet.
- Front yard setbacks for R-1 SFR (Single Family Residential) shall be at least 20 feet to the garage face and 15 feet to any other part of the structure, including turn-in garages and porches. Where separated sidewalks are used, the front yard setback shall be at least 20 feet from the back of the walk to the garage face and 10 feet from the back of the walk to any other part of the structure, including turn-in garages and porches.
- Rear yard setbacks for detached accessory structures shall be a minimum of 3 feet when the detached accessory structure is one story. When the detached accessory structure is two stories the minimum rear yard setback shall be 5 feet.
- Side yard setbacks for detached accessory structures shall be a minimum of 3 feet.
- Rear yard setbacks for R-1 SFR shall be a minimum of 15 feet.

SUMMARY OF RESIDENTIAL USE BY LOT SIZE		
LOT SIZE (MIN.)	CATEGORY	UNITS
45' X 85'	MDR	3
45' X 100'	LDR	2, 6, 7 & 10
50' X 80'	MDR	4 & 9
50' X 100'	LDR	1, 5 & 8

TABLE 1: Proposed Densities & Housing Mixes

- Side yard setbacks for R-1 SFR shall be an aggregate of 10 feet, with a minimum of 5 feet. Corner lots shall have a total of 15 feet minimum with a minimum of 10 feet on the street side.
- Side and rear yard setbacks on irregular shaped lots (i.e., cul-de-sac lots) may be less than standard if there is adequate building separation and outdoor living space is achieved as determined by the Community Development Director.
- Fence heights shall be limited to 6 feet unless taller heights are required for acoustical purposes. Should side yard fences protrude into the required front yard setback, the height shall be limited to 36 inches. Fences, landscape material and other structures shall not exceed 36 inches in height within the 35-foot corner visibility triangle.

#### 4.2.2 PARKING

All R-1 single-family residences shall have a minimum two car garage and a minimum of two uncovered on-site parking spaces. The driveway shall be a minimum of eighteen-foot (18') long from the garage face to the back of walk and ten-foot wide (10'). Tandem garages are allowed.

RESIDENTIAL ZONING STANDARDS					
HEIGHT REGULATION		The maximum height for principle buildings in residential districts shall be thirty-five (35) feet.			
		The maximum height for accessory structures in the residential districts shall be sixteen (16) feet.			
LOT COVERAGE		The maximum lot coverage by all structures shall not exceed sixty (60) percent of the lot area.			
	<b>DENSITY CATEGORY</b>	<b>LDR</b>	<b>MDR</b>	<b>LDR</b>	<b>MDR</b>
	Lot Type (Minimum Dimensions)	50' X 100'	50' X 80'/90'	45' X 100'	45' X 85'/95'
<b>MINIMUM LOT AREA (square feet)</b>					
	Corner Lot	5440	4340	4940	4265
	Interior Width	5000	4000	4500	3825
<b>MINIMUM LOT WIDTH (feet)</b>					
	Corner Lot (Average Width)	55	55	50	50
	Interior Width (Right of Way)	50	50	45	45
<b>MINIMUM FRONTAGE (feet)</b>					
	Cul-de-sac (Right of Way)	30	30	30	30
<b>MINIMUM YARD SETBACK (feet)</b>					
	<b>Front Yard</b>				
	Porch	10	10	10	10
	Living Area	15	15	15	15
	Garage Door	18	18	18	18
	Side Yard	5	5	5	5
	Street Side Yard	10	10	10	10
	<b>Rear Yard</b>				
	Main Building	15	10	10	10
	Accessory Building	10	5	5	5
<b>DEVELOPMENT STANDARDS FOR CONDITIONAL USE</b>					
	Minimum Lot Area	10,000			
	Minimum Lot Width	1000			
	Minimum Front Yard	25			
	Minimum Rear Yard	20			
	Maximum Height	40			
Notes:					
1. Minimum Lot frontage is measured at the front parcel line or back of sidewalk.					

TABLE 2: Residential Zoning Standards



# VESTING TENTATIVE SUBDIVISION MAP TSTM 2023-0001 (LARGE AND SMALL LOT) HERITAGE OAKS ESTATES - EAST

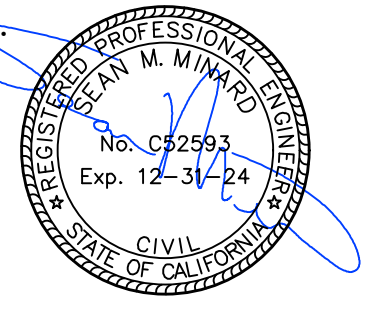
WHEATLAND, CALIFORNIA  
NOVEMBER 2022 - REVISED MARCH 25, 2024  
PAGE 1 OF 4

### LAND USE SUMMARY

VILLAGE AND LOT SUMMARY*			
VILLAGE 1 (50'X100' TYP) =	72 LOTS	13.00 AC	5.54 DU/AC
VILLAGE 2 (45'X100' TYP) =	71 LOTS	10.56 AC	6.72 DU/AC
VILLAGE 3 (45'X85' TYP) =	89 LOTS	11.05 AC	8.05 DU/AC
VILLAGE 4 (50'X80' TYP) =	80 LOTS	11.11 AC	7.20 DU/AC
VILLAGE 5 (50'X100' TYP) =	35 LOTS	06.00 AC	5.83 DU/AC
VILLAGE 6 (45'X100' TYP) =	101 LOTS	15.67 AC	6.45 DU/AC
VILLAGE 7 (45'X90' TYP) =	49 LOTS	07.47 AC	6.56 DU/AC
VILLAGE 8 (50'X100' TYP) =	50 LOTS	08.08 AC	6.19 DU/AC
VILLAGE 9 (50'X90' TYP) =	70 LOTS	11.99 AC	5.84 DU/AC
VILLAGE 10 (45'X95' TYP) =	64 LOTS	09.73 AC	6.58 DU/AC
<b>SUBTOTAL =</b>	<b>681 LOTS**</b>	<b>104.66 AC</b>	<b>6.51 DU/AC</b>
MAJOR ROAD - DEVALENTINE PKWY 3.94 AC			
MAJOR ROAD - RED OAK DRIVE 3.73 AC			
MAJOR ROAD - HERITAGE OAK WAY 3.40 AC			
LOT A - DETENTION/PARK 2.98 AC			
LOT B - WATER WELL SITE #1 0.78 AC			
LOT C - NORTH PARK (EAST) 0.93 AC			
LOT D - MALONE PASEO (NORTH) 0.85 AC			
LOT E - SR 65 PASEO/LANDSCAPE 1.33 AC			
LOT F - FUTURE MULTI-FAMILY 0.46 AC			
LOT G - MALONE PASEO (CENTRAL) 0.49 AC			
LOT H - MALONE PASEO (CENTRAL) 0.53 AC			
LOT I - MALONE PASEO (CENTRAL) 0.38 AC			
LOT J - MALONE PASEO (CENTRAL) 0.55 AC			
LOT K - NORTH PARK (WEST) 0.54 AC			
LOT L - MULTI-USE POND/PARK 5.41 AC			
LOT M - SR 65 PASEO/LANDSCAPE 0.78 AC			
LOT N - SR 65 PASEO/LANDSCAPE 0.51 AC			
LOT O - SR 65 PASEO/LANDSCAPE 1.19 AC			
LOT P - RIVERSIDE PARK 2.00 AC			
LOT Q - LEVEL ROW 5.09 AC			
LOT R - RIVERSIDE OPEN SPACE 2.83 AC			
LOT S - COMMUNITY PARK 5.34 AC			
<b>SUBTOTAL =</b>	<b>44.04 AC</b>		
<b>TOTAL =</b>	<b>148.70 AC</b>	<b>4.58 DU/AC**</b>	

\*ALL ACREAGES AND DENSITIES EXCLUDE MAJOR ROADS.  
\*\*ENTITLEMENTS ARE BASED ON 685 LOTS AND GROSS DENSITY OF 4.61 DU/AC.

**SURVEYORS STATEMENT:**  
I HEREBY STATE THAT ALL EASEMENTS OF RECORD ARE SHOWN AND LABELED PER PRELIMINARY TITLE REPORT BY FIRST AMERICAN TITLE COMPANY ORDER NUMBER 5102-593317 DATED DECEMBER 30, 2021.



SEAN MINARD, P.E. 52593, P.L.S. 8397

### LEGAL DESCRIPTION:

REAL PROPERTY IN THE CITY OF WHEATLAND, COUNTY OF YUBA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL ONE:  
LOTS A, B, C, 1, 2, 4, AND 5, AS SHOWN ON THE MAP ENTITLED "HERITAGE OAKS ESTATES EAST LARGE LOT FINAL MAP", TRACT NO. 2006-019, FILED IN THE OFFICE OF THE COUNTY RECORDER OF YUBA COUNTY, STATE OF CALIFORNIA ON DECEMBER 12, 2007 IN BOOK 88 OF MAPS, AT PAGES 27 THROUGH 32.

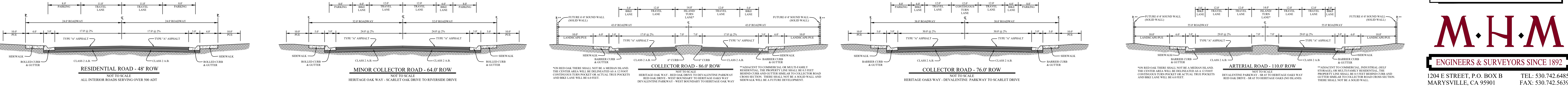
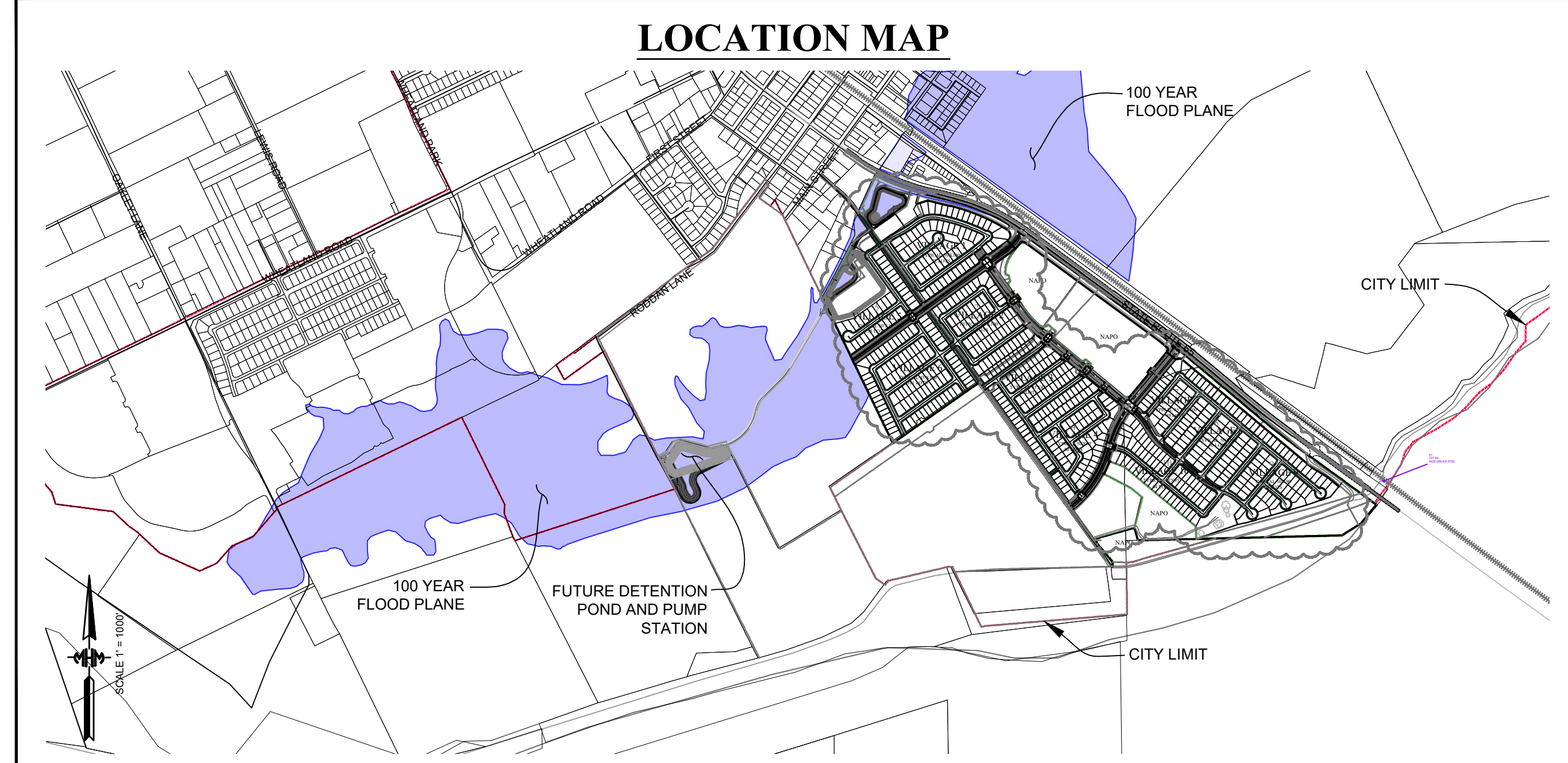
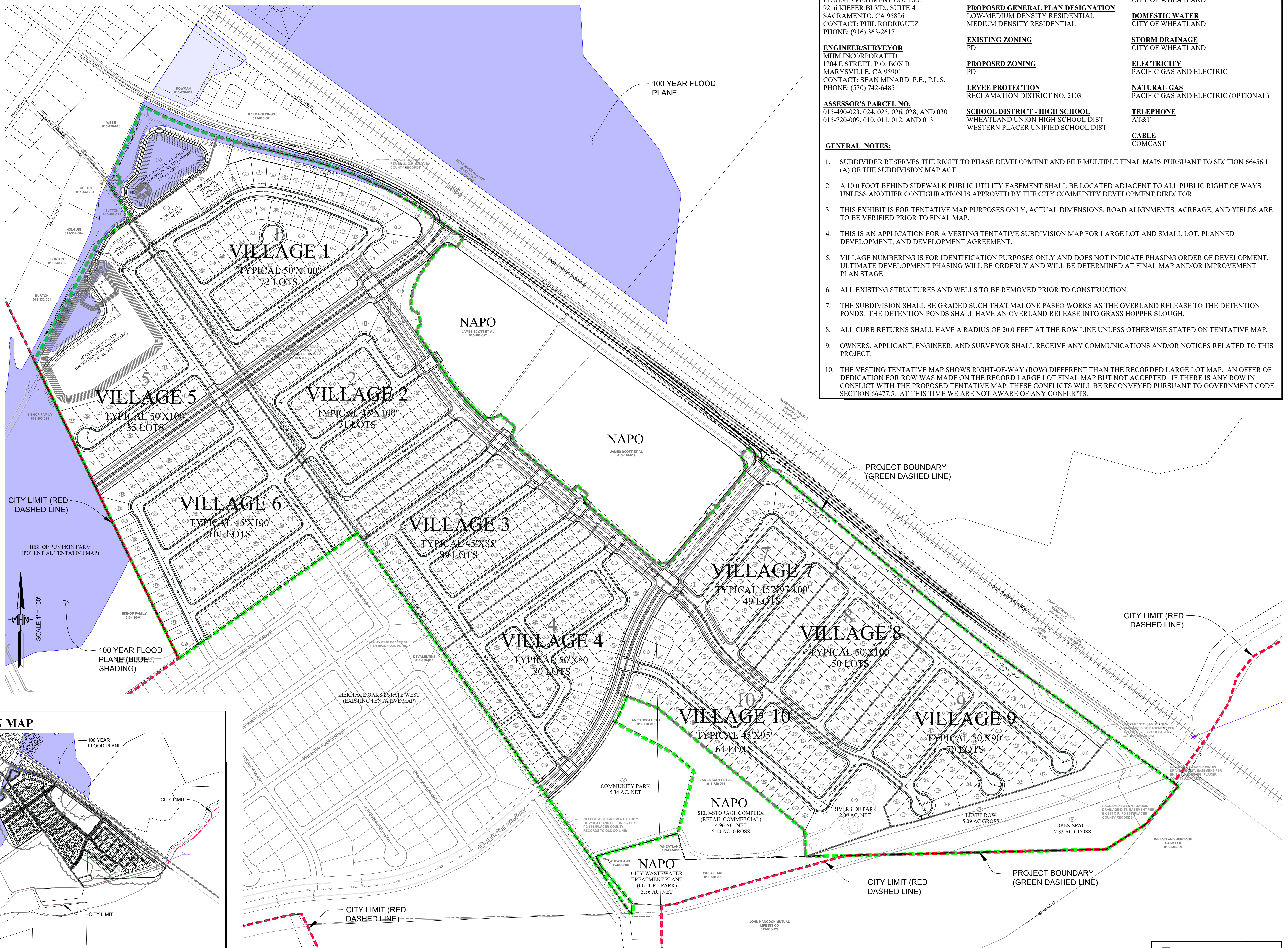
APN: 015-490-023, 015-490-024, 015-490-025, 015-490-026, 015-490-028, 015-720-009, 015-720-010, 015-720-011, 015-720-012 & 015-720-013.

PARCEL TWO:  
THE STREETS SHOWN AS HERITAGE OAKS PARKWAY, BLUE OAK PARKWAY AND DEVALENTINE PARKWAY ON THE MAP ENTITLED "HERITAGE OAKS ESTATES EAST LARGE LOT FINAL MAP", TRACT NO. 2006-019, FILED IN THE OFFICE OF THE COUNTY RECORDER OF YUBA COUNTY, STATE OF CALIFORNIA ON DECEMBER 12, 2007 IN BOOK 88 OF MAPS, AT PAGES 27 THROUGH 32.

APN 015-490-030-000

**CITY OF WHEATLAND APPROVAL:**  
THE CITY OF WHEATLAND PLANNING COMMISSION HAS CONSIDERED AND APPROVED RESOLUTION 24-0XX APPROVING TENTATIVE PARCEL MAP NO. 2023-0001 DURING THE PLANNING COMMISSION MEETING ON \_\_\_\_\_, 2024.

CITY OF WHEATLAND DATE:



### SUBDIVIDER STATEMENT

**OWNER**  
LEWIS INVESTMENT CO., LLC  
9216 KIEFER BLVD., SUITE 4  
SACRAMENTO, CA 95826  
CONTACT: PHIL RODRIGUEZ  
PHONE: (916) 363-2617

**APPLICANT**  
LEWIS INVESTMENT CO., LLC  
9216 KIEFER BLVD., SUITE 4  
SACRAMENTO, CA 95826  
CONTACT: PHIL RODRIGUEZ  
PHONE: (916) 363-2617

**ENGINEER/SURVEYOR**  
MHM INCORPORATED  
1204 E STREET, P.O. BOX B  
MARYSVILLE, CA 95901  
CONTACT: SEAN MINARD, P.E., P.L.S.  
PHONE: (530) 742-6485

**ASSESSOR'S PARCEL NO.**  
015-490-023, 024, 025, 026, 028, AND 030  
015-720-009, 010, 011, 012, AND 013

**AREA OF TENTATIVE MAP**  
148.70 GROSS ACRE

**EXISTING USE**  
VACANT

**EXISTING GENERAL PLAN DESIGNATION**  
LOW DENSITY RESIDENTIAL

**PROPOSED GENERAL PLAN DESIGNATION**  
LOW-MEDIUM DENSITY RESIDENTIAL  
MEDIUM DENSITY RESIDENTIAL

**EXISTING ZONING**  
PD

**PROPOSED ZONING**  
PD

**LEVEE PROTECTION**  
RECLAMATION DISTRICT NO. 2103

**SCHOOL DISTRICT - HIGH SCHOOL**  
WHEATLAND UNION HIGH SCHOOL DIST  
WESTERN PLACER UNIFIED SCHOOL DIST

**SCHOOL DISTRICT - ELEMENTARY**  
WHEATLAND ELEMENTARY SCH DIST  
WESTERN PLACER UNIFIED SCH DIST

**FIRE PROTECTION**  
WHEATLAND FIRE AUTHORITY

**SANITARY SEWER**  
CITY OF WHEATLAND

**DOMESTIC WATER**  
CITY OF WHEATLAND

**STORM DRAINAGE**  
CITY OF WHEATLAND

**ELECTRICITY**  
PACIFIC GAS AND ELECTRIC

**NATURAL GAS**  
PACIFIC GAS AND ELECTRIC (OPTIONAL)

**TELEPHONE**  
AT&T

**CABLE**  
COMCAST

- GENERAL NOTES:**
- SUBDIVIDER RESERVES THE RIGHT TO PHASE DEVELOPMENT AND FILE MULTIPLE FINAL MAPS PURSUANT TO SECTION 66456.1 (A) OF THE SUBDIVISION MAP ACT.
  - A 10.0 FOOT BEHIND SIDEWALK PUBLIC UTILITY EASEMENT SHALL BE LOCATED ADJACENT TO ALL PUBLIC RIGHT OF WAYS UNLESS ANOTHER CONFIGURATION IS APPROVED BY THE CITY COMMUNITY DEVELOPMENT DIRECTOR.
  - THIS EXHIBIT IS FOR TENTATIVE MAP PURPOSES ONLY. ACTUAL DIMENSIONS, ROAD ALIGNMENTS, ACREAGE, AND YIELDS ARE TO BE VERIFIED PRIOR TO FINAL MAP.
  - THIS IS AN APPLICATION FOR A VESTING TENTATIVE SUBDIVISION MAP FOR LARGE LOT AND SMALL LOT, PLANNED DEVELOPMENT, AND DEVELOPMENT AGREEMENT.
  - VILLAGE NUMBERING IS FOR IDENTIFICATION PURPOSES ONLY AND DOES NOT INDICATE PHASING ORDER OF DEVELOPMENT. ULTIMATE DEVELOPMENT PHASING WILL BE ORDERLY AND WILL BE DETERMINED AT FINAL MAP AND/OR IMPROVEMENT PLAN STAGE.
  - ALL EXISTING STRUCTURES AND WELLS TO BE REMOVED PRIOR TO CONSTRUCTION.
  - THE SUBDIVISION SHALL BE GRADED SUCH THAT MALONE PASEO WORKS AS THE OVERLAND RELEASE TO THE DETENTION PONDS. THE DETENTION PONDS SHALL HAVE AN OVERLAND RELEASE INTO GRASS HOPPER SLOUGH.
  - ALL CURB RETURNS SHALL HAVE A RADIUS OF 20.0 FEET AT THE ROW LINE UNLESS OTHERWISE STATED ON TENTATIVE MAP.
  - OWNERS, APPLICANT, ENGINEER, AND SURVEYOR SHALL RECEIVE ANY COMMUNICATIONS AND/OR NOTICES RELATED TO THIS PROJECT.
  - THE VESTING TENTATIVE MAP SHOWS RIGHT-OF-WAY (ROW) DIFFERENT THAN THE RECORDED LARGE LOT MAP. AN OFFER OF DEDICATION FOR ROW WAS MADE ON THE RECORD LARGE LOT FINAL MAP BUT NOT ACCEPTED. IF THERE IS ANY ROW IN CONFLICT WITH THE PROPOSED TENTATIVE MAP, THESE CONFLICTS WILL BE RECONVEYED PURSUANT TO GOVERNMENT CODE SECTION 66477.5. AT THIS TIME WE ARE NOT AWARE OF ANY CONFLICTS.

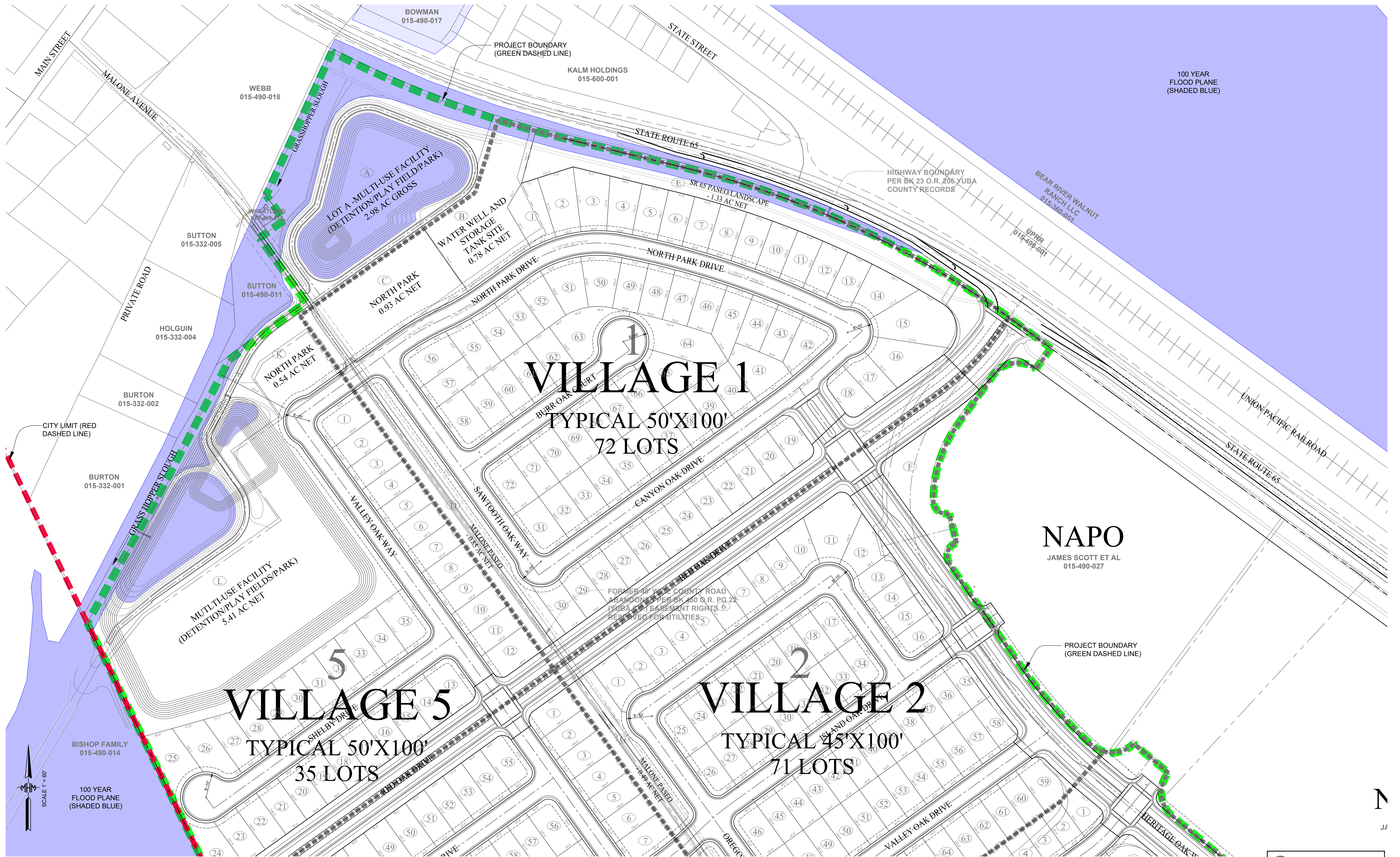
2 INDICATES PROPOSED PHASE

**M.H.M.**  
ENGINEERS & SURVEYORS SINCE 1892

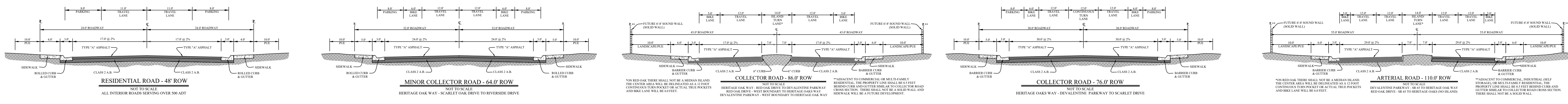
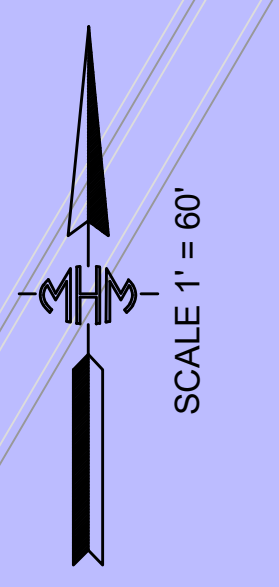
1204 E STREET, P.O. BOX B  
MARYSVILLE, CA 95901  
TEL: 530.742.6485  
FAX: 530.742.5639

# VESTING TENTATIVE SUBDIVISION MAP TSTM 2023-0001 HERITAGE OAKS ESTATES - EAST

WHEATLAND, CALIFORNIA  
NOVEMBER 2022 REVISED MARCH 25, 2024  
PAGE 2 OF 4



**NAPO**  
JAMES SCOTT ET AL  
015-490-027



2 INDICATES PROPOSED PHASE

**M.H.M.**  
ENGINEERS & SURVEYORS SINCE 1892

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MARYSVILLE, CA 95901  
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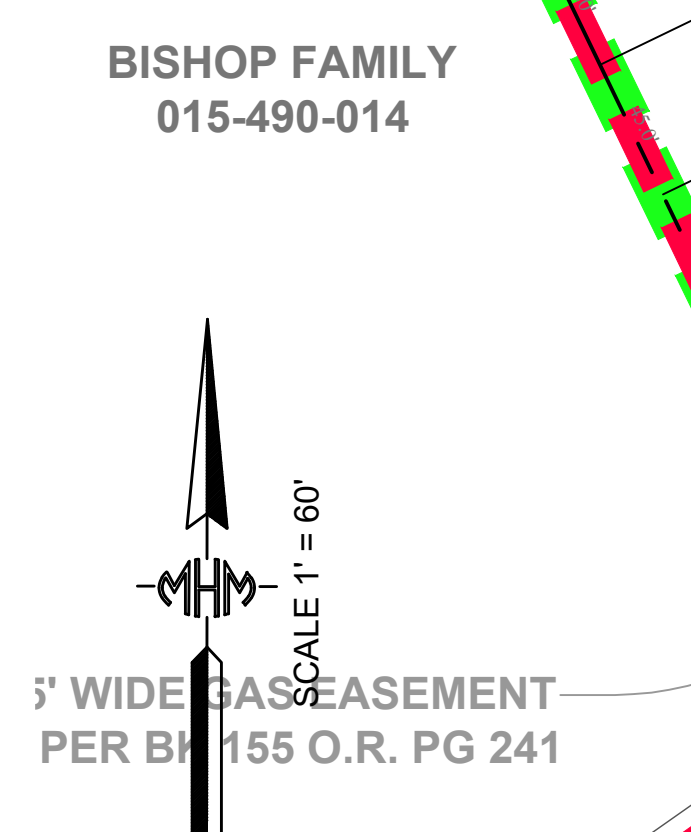
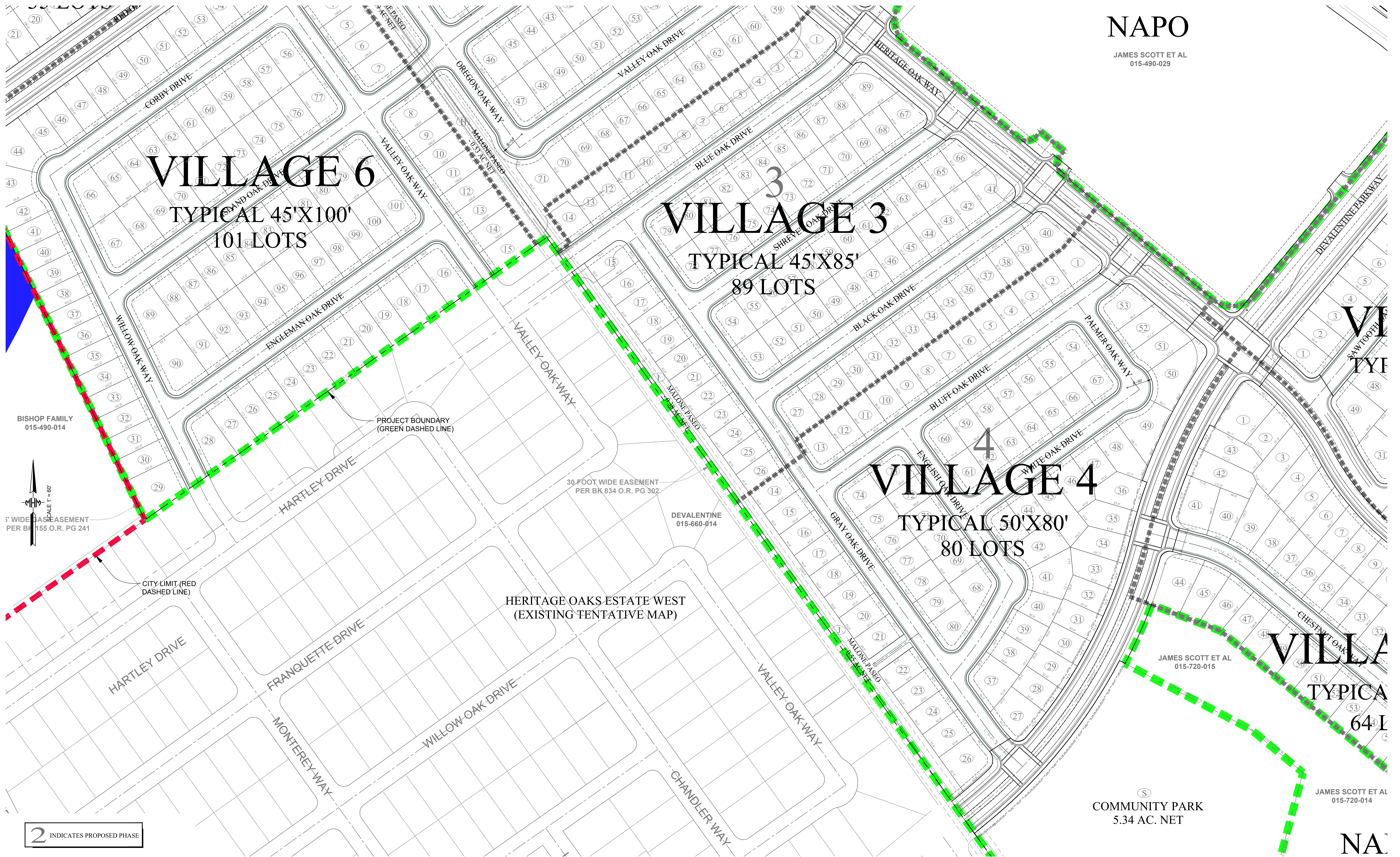
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# VESTING TENTATIVE SUBDIVISION MAP TSTM 2023-0001 HERITAGE OAKS ESTATES - EAST

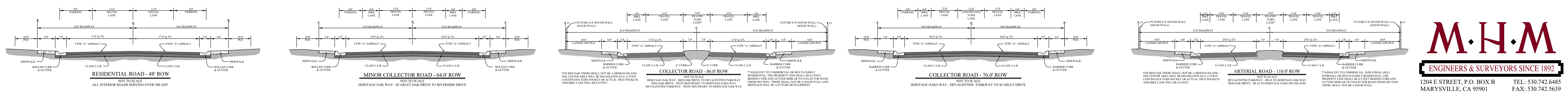
WHEATLAND, CALIFORNIA  
NOVEMBER 2022 REVISED MARCH 25, 2024  
PAGE 3 OF 4

## NAPO

JAMES SCOTT ET AL  
015-490-029



2 INDICATES PROPOSED PHASE



**M.H.M.**  
ENGINEERS & SURVEYORS SINCE 1892

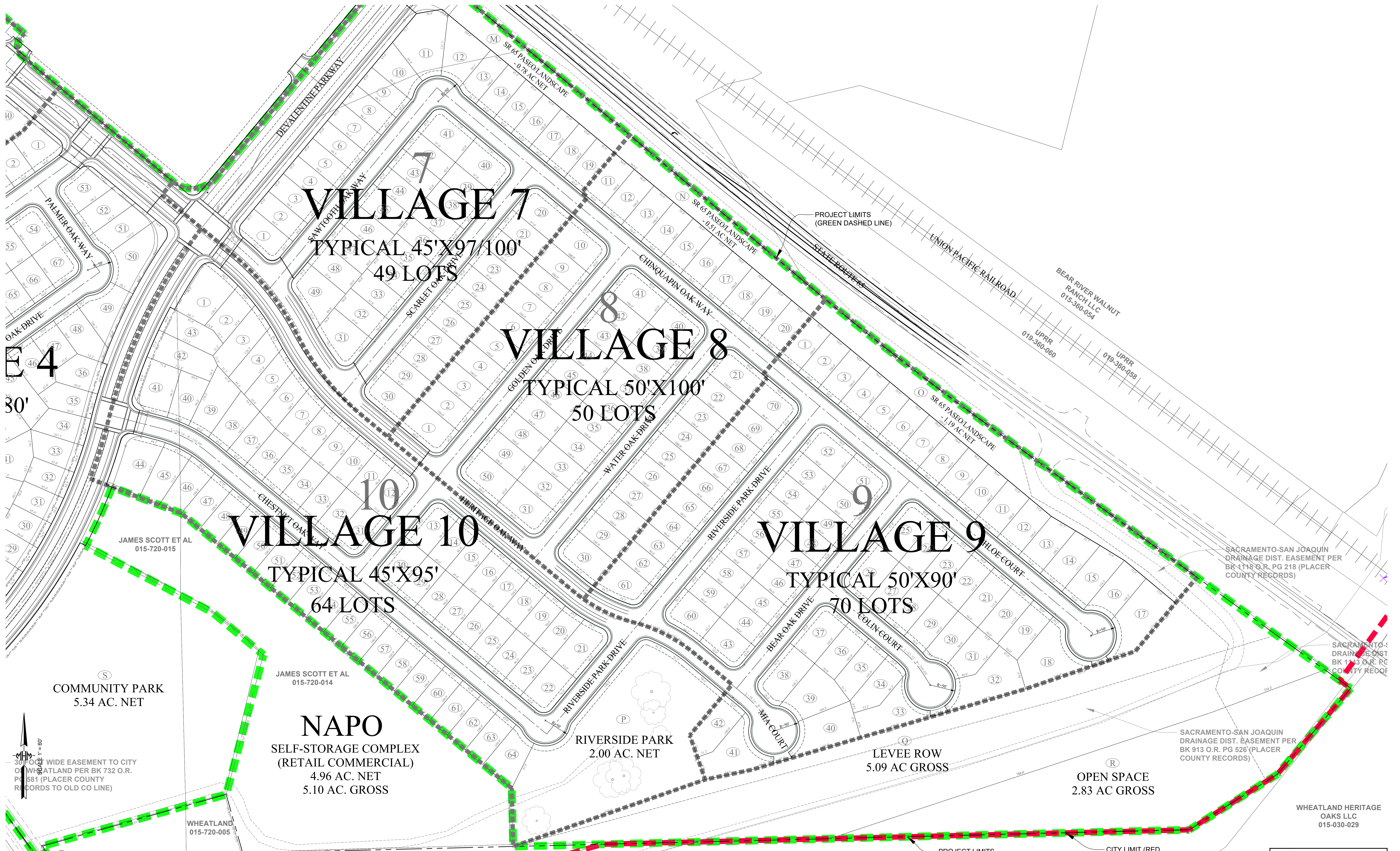
1204 E STREET, P.O. BOX B  
MARYSVILLE, CA 95901

TEL: 530.742.6485  
FAX: 530.742.5639

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# VESTING TENTATIVE SUBDIVISION MAP TSTM 2023-0001 HERITAGE OAKS ESTATES - EAST

WHEATLAND, CALIFORNIA  
NOVEMBER 2022 REVISED MARCH 25, 2024  
PAGE 4 OF 4



COMMUNITY PARK  
5.34 AC. NET

30' FOOT WIDE EASEMENT TO CITY OF WHEATLAND PER BK 732 O.R. PG 581 (PLACER COUNTY RECORDS TO OLD CO LINE)

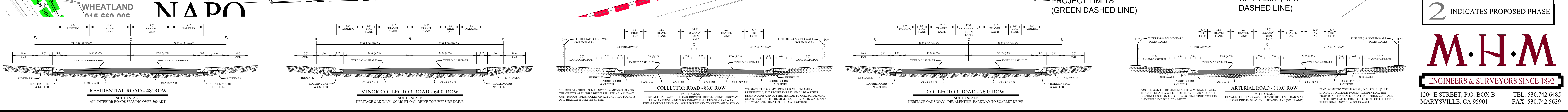
NAPO  
SELF-STORAGE COMPLEX  
(RETAIL COMMERCIAL)  
4.96 AC. NET  
5.10 AC. GROSS

RIVERSIDE PARK  
2.00 AC. NET

LEVEE ROW  
5.09 AC GROSS

OPEN SPACE  
2.83 AC GROSS

WHEATLAND HERITAGE OAKS LLC  
015-030-029



2 INDICATES PROPOSED PHASE

**M.H.M.**  
ENGINEERS & SURVEYORS SINCE 1892

1204 E STREET, P.O. BOX B  
MARYSVILLE, CA 95901

TEL: 530.742.6485  
FAX: 530.742.5639

PLOT DATE: 3/28/2024  
PLOT TIME: 5:32 AM

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**Heritage Oaks Estates – East Vesting Tentative Subdivision Map  
Draft Conditions of Approval**

**Planning Conditions**

1. The developer/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 developer/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 developer/applicant is not current on fees, reimbursement payments, and any other payments that are due.
3. The developer/applicant shall comply with all mitigation measures identified in the Heritage Oaks Estates East Project Final Environmental Impact Report (SCH# 2024031192).
4. With the submittal of all grading plans, improvement plans, and building permit plans, the developer/applicant shall submit to the Wheatland Community Development Department a Conditions and Mitigation Measures Compliance Matrix that lists: each Condition of Approval and Mitigation Measure, the City Department and/or Agency responsible for review, and how the developer/applicant meets the Condition of Approval or Mitigation Measure. The developer/applicant shall update the compliance matrix and provide it with each submittal.
5. The developer/applicant shall submit a phasing plan for the entire proposed residential development of the project to the Community Development Department prior to submittal of any improvement plans, reports, construction documents and final maps to the City for review. The phasing plan shall provide an implementation schedule that will be in compliance with these conditions of approval. The proposed phasing plan shall include rough grading, installation of the various back bone sewer, water and drainage, and dry utilities, and roadway improvements needed for the entire project development. It will also consist of those improvements that could be constructed within each phase of development of various residential lots. These phasing plans shall be part of the first set of improvement plans for review and approved by the City Engineer prior to the issuance of any building or site improvement permits.
6. With the submittal of improvement plans, the developer/applicant shall submit designs for a decorative seven-foot-tall masonry wall to be constructed along both sides of Red Oak Drive during the first phase of development to the Community Development Department for review and approval.
7. Consistent with the approved General Development Plan (dated March 2024), building designs shall consist of one of the seven approved architectural styles (Spanish, Ranch, Farmhouse, California, Cottage, Craftsman, and Mission).
8. Wood burning fireplaces and stoves shall not be included in the building designs. Natural gas only fireplaces are permitted.

9. Residential lots located along the Bear River Levee (Lots # 17, 18, 32, 33, 40, and 41) shall not construct in-ground swimming pools unless approval is obtained from Central Valley Flood Control Board (CVFPB) and Reclamation District No. 2103.
10. The Vesting Tentative Subdivision Map approval is subject to the timelines established in the State of California Subdivision Map Act, unless modified by applicable law or other written agreement with the City.
11. Pursuant to Section 17.05.180 of the Wheatland Municipal Code, this approval expires two years from the date of approval (Expires \_\_\_\_\_), unless the final map has been recorded by Yuba County. Requests for extensions must be received in writing with the appropriate fees prior to the expiration of this approval. No more than one one-year extension shall be granted except as provided by law or pursuant to a written agreement between City and the developer/applicant.
12. All HVAC equipment shall be ground mounted and shall not be visible from any street or pedestrian views. No roof mounted HVAC unit allowed.
13. Front yard and side yard landscaping, including fencing shall be consistent with the landscape plans and the approved General Development Plan and shall not create a sight distance problem.
14. Landscaping shall be watered, weeded, pruned, fertilized, sprayed, and/or otherwise maintained in good condition. Plant materials shall be replaced as needed to maintain the landscaping in accordance with the approved landscaping plans. Water conservation measures, including the use of drought tolerant landscaping shall be used.
15. All trees shall be planted at least eight (8) feet away from any public water, sewer, or storm drain lines, unless a closer location is approved by the City. All trees planted within the public right-of-way shall be installed with support staking. All nursery stakes must be removed from trees. All trees planted within eight (8) feet of a sidewalk or driveway shall be installed with root guards or other root barrier as determined acceptable by City Engineer or Public Works.
16. Any modification to the project shall be subject to the review and approval of planning staff (and may require additional entitlements).
17. If the developer/applicant requests model homes, a sales trailer, or construction trailer, the developer/applicant shall submit a site plan showing the exact location of the trailer with adequate parking. The plan shall be submitted to the Community Development Department for review and approval prior to installation of any homes. All sales or construction trailers shall be placed out of the private or public right-of-way to the satisfaction of the City Engineer.
18. Changes to street names shall require Community Development Director review and approval.
19. The developer/applicant shall obtain all necessary building permits prior to commencing construction.

20. Prior to the issuance of any building permits, the developer/applicant and the Wheatland Community Development Director shall establish a process for submitting plotting plans that indicates which plan, including elevation, will be located on each lot. The plotting plan shall indicate compliance with the adopted design guidelines, including, but not limited to, the following:
  - (a) The same floor plan or exterior colors for dwelling units shall not be placed side by side. Flipping the orientation of the floor plan does not constitute a change in floor plan.
  - (b) Homes directly across the street from one another should not have the same floor plan, unless they have different elevations.
21. Standard dust control methods and designs shall be used to stabilize the dust generated by construction activities, including implementation of the FRAQMD's Standard Construction Mitigation Measures (including completion of a Fugitive Dust Control Plan). The developer/applicant shall post dust control signage with a contact number of the developer/applicant, City staff, and the Feather River Air Quality Management District (FRAQMD).
22. During construction, the Contractor shall be responsible for controlling noise, odors, dust and debris (boxes, junk, garbage, etc.) to minimize impacts on surrounding properties and roadways. Contractor shall be responsible that all construction equipment is equipped with manufacturers approved muffler's baffles. Failure to do so may result in the issuance of an order to stop work.
23. All construction activities shall avoid Grasshopper Slough.
24. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control measures, conforming to the project erosion control plans shall be in place before October 1st. Erosion control measures shall be monitored and maintained continuously throughout the storm season.
25. The project and all proposed improvements shall comply with the City of Wheatland Municipal Code and City Standards unless a specific exception is granted thereto or as approved by the City Engineer.
26. All buildings, parking and access shall meet ADA/Title 24 requirements as determined by the Chief Building Official.
27. Signs were not reviewed as part of the approval of the proposed project. A sign permit shall be required for the installation of any new signs and shall be subject to approval by the Community Development Department staff before the issuance of the sign permit and shall be in compliance with sign code. Signage shall not create a sight distance problem.
28. All other notes and drawings on the final plans as submitted by the developer/applicant are deemed conditions of approval. Any work that differs from the final set of plans approved by the Planning staff shall be subject to review and approval prior to issuance of a building permit or work undertaken.

- 29. At the time of Building Permit issuance by the City, the developer/applicant shall be required to pay the appropriate development impact fees, connection charges and other fees in accordance with applicable ordinances, resolution, and agreements for each lot for which the developer/applicant receives a Building Permit.

### **Engineering Conditions**

#### General Requirements

- 30. The developer/applicant shall comply with the City of Wheatland General Plan and supporting technical studies.
- 31. The developer/applicant shall be responsible for all City plan check, map check and inspection costs. The developer/applicant shall enter into a Cost Recovery Agreement and deposit funds with the City upon the initiation of plan check services. The amount of the initial deposit shall be determined by the City. Additional funds may be required based upon the City's actual costs.
- 32. The developer/applicant shall submit improvement plans prepared by a California Registered Civil Engineer for all necessary and required on-site and off-site public and private improvements. The Improvement Plans shall show all existing and proposed utilities, above and below ground, including water, sanitary sewer, storm sewer, communication lines, electricity, natural gas, transformers, vaults and meters. The final plan set shall include all civil, landscape and joint trench drawings under a single cover sheet. Improvement plans must be approved by the City Engineer prior to any on-site or off-site construction. An encroachment permit is required for any work within City right of way. An Encroachment Permit will not be issued prior to the approval of the Improvement Plans.
- 33. All improvements shall be designed and constructed in accordance with the City of Wheatland Municipal Code, City of Wheatland Public Works Standards (City Standards), except as directed by the City Engineer and/or as specifically noted otherwise in these conditions. Deviations from City Standards and applicable Code requirements shall be approved by the City Engineer. The developer/applicant's engineer shall request all design exceptions in writing. Approval of a site plan depicting improvements that do not conform to the municipal code does not constitute approval of a design exception, unless explicitly stated herein or in another approved City resolution.
- 34. The developer/applicant shall not begin clearing, grubbing, or rough grading at the site prior to approval of the Improvement Plans, unless explicitly approved by the City Wheatland.
- 35. The developer/applicant shall secure all necessary rights-of-way and public and private easements for both onsite and offsite improvements. The developer/applicant shall prepare all necessary legal descriptions and deeds.
- 36. All existing and proposed overhead electrical and communications lines, both on the site and along its frontages, shall be placed underground at the developer/applicant's expense. All pull boxes, junction structures, service cabinets, vaults, valves and similar devices shall be installed behind the back edge of walkways within the City right-of-way or within a public utility easement, at locations approved by the City Engineer. If any utility

appurtenances are permitted to be above ground, such as vaults and boxes, they shall be painted a City approved color. New improvements within existing and proposed utility easements shall be subject to the approval of the appropriate utility company.

37. Unless otherwise explicitly permitted, all existing wells, septic tanks and/or underground fuel storage tanks shall be abandoned under permit and inspection of Yuba County Department of Environmental Health Services or other designated agency. If there are none, the developer/applicant's engineer shall provide a letter describing the scope of the search done to make this determination. This condition shall be satisfied prior to approval of the Improvement Plans. No new private wells or septic systems are permitted on the subject property.
38. The developer/applicant shall submit and obtain approval of a grading plan, which contains the requirements of Title 17, Chapter 08, Section 170 of the Wheatland Municipal Code. Grading will not be permitted prior to approval of the grading plan and issuance of a grading permit. Securities for grading, erosion control, winterization operations and site restoration and any necessary inspection fees shall be posted prior to permit issuance.
39. A detailed design level geotechnical investigation and report shall be prepared and submitted for review with the initial submittal of the Improvement Plans. The report shall determine site soil characteristics and provide design parameters for all proposed improvements. The geotechnical investigation shall also look for the possible presence of asbestos-bearing rock. At a minimum the report shall address, geologic hazards, potential for liquefaction, R-values, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the geotechnical report. Mitigation measures in the geotechnical report shall have final approval by City Engineer.
40. Prior to City approval of the Improvement Plans, the geotechnical engineer shall sign off on the cover sheet confirming or provide a letter stating plans have been reviewed and that the improvement plans are in conformance with recommendations.
41. If at any time, prior to final acceptance of the project improvements, the City Engineer requests an independent geotechnical investigation and report, then an independent geotechnical engineer, shall be retained by the City at the developer/applicant's expense, to conduct requested investigations.
42. A drainage study prepared by a California Registered Civil Engineer shall be included with the initial submittal of the improvement plans. The drainage study shall demonstrate that development of the proposed project area will not increase downstream water surface elevations. The report shall include hydrologic and hydraulic calculations, narrative and exhibits to support the design and sizing of all public and private drainage facilities including storm drains and detention facilities. The report shall include on-site- mitigation for increased runoff. The report shall address existing downstream storm drain facilities and hydraulic conditions which may impact the design of proposed facilities and improvements. This study shall include a hydraulic grade line analysis of the existing downstream storm drain. Analyses of the conveyance of onsite and downstream facilities shall be based on the 25-year storm. The report shall also include an analysis of the 100-year storm overland flow.

43. The developer/applicant shall submit for review and approval a detailed Stormwater Control Plan (SWCP) prepared in accordance with the State Stormwater control Standards. Site improvements shall incorporate Low Impact Design (LID) principles and permanent post-construction storm water pollution BMPs. The Stormwater Control Plan shall be submitted for review with the initial submittal of the Improvement Plans.
44. A Post Construction Stormwater Operations and Maintenance Plan that includes a plan sheet showing all storm drain and water quality infrastructure that is to be maintained, along with detailed instructions and schedules for the ongoing maintenance and operation of all post-construction stormwater BMPs shall be submitted for review and approval by the City Engineer. Once approved, the property owner(s) shall enter into an agreement with the City that provides the terms, conditions, and security associated with the ongoing requirements of the post-construction Stormwater Best Management Practices.
45. Prior to the approval of the Improvement Plans, the developer/applicant shall submit a copy their Storm Water Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) for coverage under the State Water Resources Control Board's General Construction Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities.
46. Prior to the approval of the Improvement Plans and prior to the issuance of a grading permit, the developer/applicant shall obtain all necessary permits, approvals and/or clearances from any other regulatory agencies with jurisdiction over the project. Necessary permits and/or clearances shall be submitted to the City prior to approval of the improvement plans. A complete set of improvement plans shall be submitted to all agencies, districts, and utilities affected by, or providing service to the development, for review and comment.
47. Any newly created parcels shall be annexed or incorporated into Community Facilities District 2015-1.
48. The developer/applicant shall design and construct all new pedestrian walkways, ramps, accessible parking spaces, parks and any other public improvements to meet current Americans with Disabilities Act Accessibility Guidelines, and California Title 24 requirements.
49. Mailbox plans and locations shall be approved by the City of Wheatland Postmaster prior to improvement plan approval. The developer/applicant shall provide a letter from the City of Wheatland Postmaster approving mailbox locations.
50. Stenciling shall be provided on curb inlets to prohibit dumping of pollutants. The stencil detail shall be included in the improvement plans.
51. Prior to the approval of a final map, the landscaping plans for the map shall be reviewed and approved by the Planning Director.
52. Landscape plans shall be submitted with the improvement plans and shall meet the requirements of sight distance to the satisfaction of the City Engineer.
53. The WDID Number issued by the State Water Resources Control Board shall be reference on the face of the improvement plans for the project improvements.

54. Improvement plans shall be based on a National Geodetic Survey (NGS) North American Vertical Datum of 1988 (NAVD 88) for vertical datum and North American Datum of 1983 (NAD 83) for horizontal datum.
55. The developer/applicant shall pothole and physically locate (by way of geodetic surveys) the actual horizontal location and vertical depth of all existing underground utilities throughout the proposed area of work and provide the design of all new utility installations required to serve the project including a schedule for implementation of such work as to prevent disrupting of utility service to adjacent properties.

#### Special Conditions

56. The developer/applicant shall coordinate with the Community Development Director in the preparation of required residential buyer disclosures including disclosures for:
  - a. Surrounding agricultural uses
  - b. Flood control levee and associated maintenance activities
  - c. Wastewater treatment plant and wastewater pump station odors
  - d. Bishop Pumpkin Farm traffic.
57. Access to surrounding lands with legal access over Heritage Oaks East lands shall be maintained at all times during and after construction of various improvements and phases of the Heritage Oaks Estates East development.
58. The developer/applicant shall support Wheatland School District and Wheatland Union High School District desire to modify the school boundaries with Western Placer Unified School District.
59. The developer/applicant shall provide all-weather, continuous access to the City's Wastewater Treatment Plant and Malone pump station.
60. If requested by the City, the developer/applicant shall provide early dedication of Lot A or portions thereof for the construction of a new sewer pump station and relocation of existing overhead and underground utilities at the northly limits of the Heritage Oaks Estates East development.
61. Extreme caution and coordination with PG&E is required regarding existing PG&E high pressure gas transmission mains and electric facilities in the project area. The developer/applicant to coordinate directly with PG&E prior to any ground disturbing activities.
62. Red Oak Drive shall be constructed as shown on the tentative map from State Route 65 to the western boundary to provide access to the lands west of Heritage Oaks Estates East. From west boundary to Heritage Oaks Way, the roadway shall be a collector road with 48 feet of asphalt lip to lip. From Heritage Oaks Way to State Route 65, the roadway shall be an arterial road with 72 feet of asphalt lip to lip.
63. The developer/applicant shall cooperate with the construction of the City's proposed regional sewer pipeline and pump station project including but not limited to: early

dedication of land, coordination with City and developer/applicant's improvement plans, right-of-entry, and access to accomplish the City's project.

64. Any prior obligations associated with the Heritage Oaks Estates East development or attached to the land shall be satisfied with the processing and approval of the first final map including any financial obligations, past due fees or reimbursements, fair share contributions and the like.
65. The developer/applicant shall submit Improvement Plans for each phase of development, including both onsite and offsite improvements, prepared by a civil engineer registered in the State of California (Engineer of Record).
66. All on-site improvements (within the subdivision boundaries) including streets, parking lots, sidewalks, streetlights, sanitary sewer facilities, storm drain facility, stormwater quality facilities and landscaping shall become publicly owned and maintained after acceptance by the City.
67. The developer/applicant shall design and construct all of the "Public Improvements" generally indicated on the approved Vesting Tentative Map and also as described below.
68. Asphalt pavement for arterial streets shall be designed in accordance with Caltrans Mechanistic-Empirical (ME) methodology or as approved by the City Engineer. The structure section shall be based on a traffic index of no less than 11 and R-value of 5 unless there is a geotechnical report with a recommended R-value but in no case shall an R-value greater than 50 be used. The minimum structural section shall be no less than of 6.5" asphalt concrete on 9.0" aggregate base.
69. Asphalt pavement for collector streets shall be designed in accordance with Caltrans Mechanistic-Empirical (ME) methodology or as approved by the City Engineer. The structure section shall be based on a traffic index of no less than 8 and R-value of 5 unless there is a geotechnical report with a recommended R-value but in no case shall an R-value greater than 50 be used. The minimum structural section shall be no less than of 4.5" asphalt concrete on 6.0" aggregate base.
70. Asphalt pavement for minor collector streets be designed in accordance with Caltrans Mechanistic-Empirical (ME) methodology or as approved by the City Engineer. The structure section shall be based on a traffic index of no less than 7 and R-value of 5 unless there is a geotechnical report with a recommended R-value but in no case shall an R-value greater than 50 be used. The minimum structural section shall be no less than of 4.0" asphalt concrete on 4.5" aggregate base.
71. Asphalt pavement for residential streets shall be designed in accordance with Caltrans Mechanistic-Empirical (ME) methodology or as approved by the City Engineer. The structure section shall be based on a traffic index of no less than 6.5 and R-value of 5 unless there is a geotechnical report with a recommended R-value but in no case shall an R-value greater than 50 be used. The minimum structural section shall be no less than of 3.5" asphalt concrete on 4.5" aggregate base.
72. Asphalt pavement for dead-end streets serving 10 homes or less shall be designed in accordance with Caltrans Mechanistic-Empirical (ME) methodology or as approved by the City Engineer. The structure section shall be based on a traffic index of no less than 6

and R-value of 5 unless there is a geotechnical report with a recommended R-value but in no case shall an R-value greater than 50 be used. The minimum structural section shall be no less than of 3.0" asphalt concrete on 4.0" aggregate base.

73. All cul-de-sacs shall be designed in accordance with City detail ST-19 with ROW of no less than 50.0 feet and curb face of no less than 42.5 feet.
74. Valley gutters shall not be utilized in public streets.
75. The developer/applicant shall be responsible for obtaining a Caltrans encroachment permits for all work within state rights-of-way.
76. No residential building permit, excluding permits for model homes, shall be issued until the property has been annexed into Community Facilities District (CFD) 2015-1 and the City has authorized the levy of a special tax or assessment for the purpose of funding City services and maintenance obligations.
77. The initial phase of subdivision improvements shall be completed and accepted by the City within twelve (12) months after issuance of the first building permit for any particular phase of development and no occupancies will not be allowed until subdivision improvements have been accepted by the City or as approved by Community Development Director. This condition shall not apply to the construction of model homes.
78. Ramps shall be provided at all intersections and crosswalks where sidewalks are proposed.
79. Parkway and median areas shown on the tentative map or improvement plans to be landscaped shall be landscaped and irrigated prior to acceptance of public improvements by the City.
80. Pedestrian and bike facilities, including bike facility and sidewalk widths, shall conform to the adopted City of Wheatland Bikeway Master Plan. Any conflicts between the substantial conformance exhibit/map and the Master Plan will be resolved at the discretion of the Community Development Director and City Engineer.
81. Prior to the issuance of building permits, the developer/applicant shall pay all applicable fees to, and provide will-serve letters from any school districts having jurisdiction over the area.

#### Final Map Requirements

82. A final map, as defined in the State Subdivision Map Act, shall be prepared by a licensed land surveyor or qualified civil engineer. The final map shall show all parcels, rights-of-way, and easements, and shall be submitted to the City Engineer for review. The final map shall be in substantial conformance with all applicable conditions of approval. The final map is not valid until it has been approved by the City and recorded. Closure calculations shall be provided at the time of initial final map submittal. All calculated points within the map shall be based upon one common set of coordinates. All information shown on the final map shall be directly verifiable by information shown on the closure calculation printout. The point(s) of beginning shall be clearly defined. All lot sizes shall be shown on the final map and shall be verifiable from information shown on the closure calculation

printout. A current title report (within past 90 days) shall be submitted at the time of initial final map submittal.

83. The developer/applicant shall transmit by certified mail a copy of the conditionally approved Tentative Map together with a copy of Section 66436 of the State Subdivision Map Act to each public entity or public utility that is an easement holder of record.
84. On the final map, the developer/applicant shall indicate that all common parcels are or will be dedicated to the City of Wheatland.
85. Easements and other public rights-of-way within and outside the project that are necessary to serve the project (as determined by the City) shall be dedicated to the City.
86. On the final map, the developer/applicant shall dedicate the public utility easements and emergency vehicle access easements over the private roadway areas as shown on the Tentative Map. The waterline easements and sanitary sewer easements shall be created by separate instrument.
87. The developer/applicant and City shall enter into a Subdivision Improvement Agreement (SIA) for each proposed phase of the development to ensure satisfactory completion of all on-site and off-site improvements, including but not limited to, grading and construction of any curbs, gutters, sidewalks, roadway improvements, storm drainage facilities, water facilities, sewer facilities, street lighting, signage, striping, and other utilities, to the satisfaction of the City Engineer. The Improvement Agreement shall be secured to guarantee the faithful performance of the agreement in the amount of 100 percent of the estimated cost of the improvements and for the payment of labor and materials in the amount of 100 percent of the estimated cost of the improvements. A certificate of occupancy shall not be issued for any structure until required improvements are completed to the satisfaction of the City Engineer and formally accepted by the City Council.
88. Prior to recordation of a final map, developer/applicant shall submit for review and approval by the City Engineer, a Post Construction Stormwater Operations and Maintenance Plan that provides a plan sheet showing all storm drain and water quality infrastructure that is to be maintained, along with detailed instructions and schedules for the ongoing maintenance and operation of all post-construction stormwater BMPs.
89. All improvements shall be designed and constructed to City of Wheatland standards. The City anticipates adopting new standards in 2025 and occasional updates thereafter. Notwithstanding, street cross-sections represented on the approved Vesting Tentative Map, including overall right-of-way width, number of vehicular lanes, bicycle facilities, sidewalks and landscape areas, will not be subject to revisions in the City standards unless mandated by other superseding health and safety laws or regulations.
90. The developer/applicant shall pay all applicable taxes, fees and charges at the rate and amount in effect at the time such taxes; fees and charges become due and payable.
91. The developer/applicant, at his sole expense, shall repair existing public and private facilities damaged during the course of construction to the satisfaction of the City Engineer.

92. Existing overhead distribution utility lines within the project limits shall be placed underground except for those utility lines that are specifically exempted from undergrounding by City Ordinance.
93. The developer/applicant shall provide the following easements/dedications on final maps:
  - a. Public utility easements as required to serve existing and proposed public utilities.
  - b. Public Utility Easements (PUE), a minimum 10 feet wide, adjacent to all roadways measured from back of curb on roads without sidewalk and from back of walk all other streets.
  - c. All applicable slope, drainage and special purpose easements that are required for this development and located outside the roadway easements.
  - d. Emergency Vehicular Access (EVA) easements connecting the subdivision to Main Street via Malone Avenue.
  - e. An access easement to the levee right of way shall be provided through the Riverside Park in favor of RD2103 and/or the Sacramento-San Joaquin Drainage District.
94. Prior to approval of the first final map, conceptual hardscape and landscape designs of all paseos shall be reviewed and approved by the Community Development Director.
95. Prior to approval of any final map, the developer/applicant shall provide will-serve letters from the following agencies/service providers to the City Engineer and comply with their requirements:
  - a. Telephone communications provider (landline telephone service)
  - b. Pacific Gas & Electric Company (natural gas, if installed, and electricity)
  - c. Recology Yuba Sutter

#### Roadway Lighting, Signing and Striping Plan Requirements

96. Striping, pavement markings and traffic signage shall be provided on all streets as necessary and as required by the CA-MUTCD, City standards, and the City Engineer. Signage restricting parking and red painted curbing shall be installed where appropriate and directed by the City. Speed limit signs shall be installed at locations determined by the City Engineer. Stop signs, yield signs and speed limit signs shall be installed within the subdivision at locations determined by the City Engineer.
97. The developer/applicant shall provide spare streetlights and associated components for replacement purposes of at least five (5) percent of total required for the subdivision.
98. The developer/applicant shall provide warrant studies as directed by Caltrans and/or the City Engineer for controls associated with proposed intersections on State Route 65.
99. The developer/applicant shall provide, at the discretion of the City Engineer, warrant studies for controls at new street intersections during design and approval of improvement plans.

100. The developer/applicant shall complete a bike and pedestrian access (Caltrans Class 1 or equal as determined by the City Engineer) from the Heritage Oaks Estates East development to Main Street at Malone Avenue.

#### Drainage Plan Requirements

101. Drainage on each lot shall sheet-flow from the back of the lot to the public right of way. Lot-to-lot drainage will not be allowed. All site drains must discharge into swales or sub-drains then either sheet flow across sidewalks or, if concentrated flow, connect to sub-drains that discharge through the face of curb to street gutters.
102. Storm-water detention shall be provided per the requirements of the City approved drainage report.
103. The velocity of concentrated storm flows from impervious surfaces should be reduced by the use of energy dissipaters. These structures should be placed so that the velocity reduction occurs before water enters wetland areas.
104. Water pollution control devices shall be placed at the appropriate locations in the system. The design and placement of the devices should be performed by a qualified engineer with demonstrated experience in the design of Storm Drainage Best Management Practices. The placement of the devices should be such that drainage from large paved areas is intercepted prior to discharge to the natural on-site or off-site drainage systems. These systems may not be required if adequate water quality treatment can be achieved with detention basins, as approved by the City Engineer.
105. Any proposed on-site/private storm drainage systems shall be privately owned and maintained.

#### Grading Improvement Requirements

106. A grading plan shall be prepared by a California registered civil engineer and included with the improvement plans.
107. Where soil or geologic conditions encountered during grading operations that are different from those anticipated in the Soils Report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.
108. The developer/applicant shall submit and obtain approval of a grading plan, which meets the requirements of Title 17, Chapter 08, Section 170 of the Wheatland Municipal Code. Grading will not be permitted prior to approval of the grading plan and issuance of a grading permit. Securities for grading, erosion control, winterization operations and site restoration and any necessary inspection fees shall be posted prior to permit issuance.
109. Improvements plans shall include an erosion control (winterization) plan.

110. If construction includes blasting or the use of controlled explosives, the grading contractor and the developer/applicant shall comply with all conditions of the Public Works Department, which include, but are not limited to, the following:
- a. Make all test hole logs available to road and underground contractors.
  - b. Require that the blasting contractor be licensed, bonded and insured.
  - c. Have the contractor visit neighbors personally to tell them the estimated schedule for blasting and to explain the warning signals.
  - d. Ensure that the conventional OSHA signals for blasting are followed prior to and while firing each shot, with a sufficient air whistle that can be heard for a minimum of 2,000 feet.
  - e. Set signs indicating a blasting area on nearby streets. Flag persons shall be used.
  - f. Cover shallow shots on exposed rock with soil and/or a blasting mat to mitigate flying rock. Soil should be free of round boulders or cobbles.
  - g. A pre-blast survey of all surrounding structures and facilities shall be prepared along with a blasting program including blast peak velocity limits at various points for the blasting required to create roads and major utility lines. The blasting program and pre-blast survey shall be kept on file with the Police Department. Blasting operations shall be coordinated with the Wheatland Fire Authority.
  - h. The contractor must secure a valid blasting permit from Yuba County prior to using explosives.
111. The slope of cut surfaces of permanent excavations shall not be steeper than two (2) horizontal to one (1) vertical unless supported by a geotechnical/soils report and approved by the City Engineer.
112. Dust control specifications shall be included on the improvement plans to minimize dust nuisance during construction. Dust control measures shall be developed to take into account the possible presence of asbestos bearing rock formations and the measures necessary to deal with this type of dust.
113. The developer/applicant shall re-vegetate cut and fill areas as soon as possible using native seed mixes and compatible plantings as specified by the City Engineer and City Standards.
114. Any retaining walls necessary as a part of the on- or off-site grading shall have designs and calculations prepared and submitted as a part of the grading plan submittal. Said walls shall be reviewed and approved by the City Engineer. Wooden retaining walls on- or off-site shall not be allowed.

115. Grading/improvement plans shall identify all oak trees that are located within 50' of all proposed improvements and that are five-inches (5") in diameter or larger at breast height. In addition, plans shall show the following information:
- a. Location of each oak tree and limits of the critical root zone (CRZ). The Critical Root Zone shall be defined as the dripline radius plus 1 foot. Each valley oak tree shall be identified using the tree number from the arborist report (if applicable).
  - b. All areas disturbed by grading and/or construction.
  - c. Retaining walls, aeration systems, or other information related to each oak tree.
  - d. A fencing plan illustrating the placement of tree protective/exclusion fencing at the limits of the CRZ.
  - e. Signs shall be provided on tree fencing identifying the protected/excluded areas.
116. The proposed contour information submitted with the Tentative Map is not approved at this time. The final slopes and grades shall be reviewed with the improvement plans.
117. If grading is to take place between October 15 and April 15, both temporary and permanent erosion control measures, conforming to the project erosion control plans shall be in place before October 1st. Erosion control measures shall be monitored and maintained by a certified third-party Qualified SWPPP Practitioner (QSP) firm.
118. Plans and certifications shall demonstrate compliance of all improvements, including building pads and finished floor elevations, with the City's Flood plain Ordinance, to the satisfaction of the Building Official and City Engineer. Pad elevations shall be certified by a licensed surveyor prior to construction of building foundations.
119. Tree preservation requirements shall be shown on the grading plan or a separate tree preservation plan as approved by the City Engineer and Planning Director.
120. Street trees will be planted and spaced in accordance with City of Wheatland Standards or as directed by the Community Development Director.

#### Utility Improvements

121. All proposed utilities (of 26,000 volts or less), both on-site and along project frontages, shall be placed underground (excluding the existing 12,000 volt distribution system that runs concurrent with existing high voltage transmission lines over the existing detention pond and south down the existing utility corridor in former Malone Avenue) . This does not include surface mounted transformers, pedestal mounted terminal boxes and meter cabinets. Existing overhead facilities shall be protected in place or relocated as needed if in conflict with proposed roadways and improvements.

### Sanitary Sewer Improvement Requirements

122. Sewer grades must be designed such that ultimate finished floors are a minimum of 12" higher than the rim elevation of the nearest upstream manhole or clean-out. Inadequate elevation differentials or grade on private sewer laterals, as determined by the City, must be mitigated.
123. Design and construction of necessary sewer system improvements including sewer main construction, collection systems and lift stations will be the responsibility of the developer/applicant. Size of new sewer mains shall take into account future development.
124. All sanitary sewer mains shall be constructed with a minimum 8-inch diameter pipe with 4-inch laterals.

### Water Improvement Requirements

125. Necessary water line extension(s) shall be the responsibility of the developer/applicant. The developer/applicant shall be required to install and construct all necessary water line(s), booster pumps, wells and storage as needed to meet projects needs and the City's requirements. Size of new waterline(s), booster pumps, wells and storage facilities shall take into account future development.
126. All water mains shall be constructed with a minimum 8-inch diameter pipe with minimum 1-inch ID service lines and water meters. Larger services from water mains may be required to achieve adequate fire flow to structures. Sample fire flow calculations shall be submitted with water infrastructure improvement plans to demonstrate that fire flow to residential and commercial buildings can be achieved with the proposed system.
127. The developer/applicant shall provide water modeling to demonstrate the water system is capable of meeting all fire flow conditions required by Wheatland Fire Authority.
128. New water system mains must connect to the City's existing system near Malone Avenue and Main Street, and near State Route 65 and State Street.
129. Construction of the proposed new well site (well, storage tank and treatment [if any]) will be required during the course of the development at a threshold as determined by the City Engineer based on analysis provided by the developer/applicant's water system engineer.

### Wheatland Fire Authority Requirements

130. The developer/applicant shall obtain written confirmation and approval from Wheatland Fire Authority for requirements for emergency vehicular access and appropriate posted signage. The developer/applicant shall locate signs required to the satisfaction of the City Engineer.
131. Improvement plans for the various phases of work shall be submitted to the Wheatland Fire Authority for approval prior to work on the project being approved by the City Engineer. The developer/applicant shall obtain signatures from representatives of the Wheatland Fire Authority on the final Improvement Plans acknowledging their review.

132. All applicable Wheatland Fire Authority fees and permits are to be paid in full prior to issuance of Building permits by the City.
133. Fire access roads shall be designed to provide an all-weather driving surface. The access road shall be constructed to the following requirements subject to the approval of the City Engineer:
  - a. Grades shall not exceed 15 percent except upon review and approval by the City Engineer and the Wheatland Fire Authority.
  - b. Fire access roads shall be a minimum of 20 feet wide, no parking allowed. Fire access roads within the vicinity of buildings over 30 feet in height as defined in the California Fire Code Appendix D shall be a minimum of 26 feet with no parking and meet the requirements of CFC Appendix D Section 105. Signage shall be provided as applicable which may include posted signs and or red curbing.
  - c. At least 15 ft. of vertical nominal clearance shall be provided over the full width of the roads, driveways, and other means of vehicular access.
  - d. A fire access that exceeds 150 feet shall provide a turnaround and/or secondary emergency access for fire apparatus. The turnaround shall be designed and located to the satisfaction of the Wheatland Fire Authority and shall be in service during construction.
134. No parking is allowed on roadways used for emergency access if the road is less than 20' wide.
135. "No Parking" signs or other designation indicating that parking is prohibited shall be provided at all normal and emergency access points in and around structures.
136. All improvements, including paving and maintenance of restricted access ways, shall be performed to the satisfaction of the Wheatland Fire Authority and the City Engineer. Access shall be continuously maintained during the building construction period and required fire lanes shall be maintained in an unobstructed manner and subject to inspection by the Fire Authority.
137. Fire Authority vehicular access to all structures under construction shall be provided at all times. In areas where ground surfaces are soft or likely to become soft, hard all-weather surface access roads shall be provided.
138. During construction, the fire protection water supply system, including fire hydrants, shall be installed and in service prior to placing combustible building materials for structures or combustible pre-tested fabricated building assemblies on the project site or utilizing them in the construction of building structures (formwork for foundations is exempted from this requirement). If phased construction is planned, coordinated installation of the fire protection water system is permitted. Trash and debris shall be removed from the construction site as often as necessary to maintain a fire safe construction site.

139. Flammable or combustible liquids shall be stored, handled, or used on the construction site in accordance with the applicable provisions of NFPA 30 (Flammable and Combustible Liquids Code); NFPA 58 (Standard for the Storage and Handling of Liquefied Petroleum Gases); and NFPA 395 (Standard for the Storage of Flammable and Combustible Liquids on Farms and Isolated Construction Projects). At least one portable fire extinguisher having a rating of at least 4-A, 30-BC shall be within a distance of 75 ft. or less to any point of a structure under construction. Personnel normally on the construction site shall be instructed in the use of the fire extinguishers provided.
140. Fire hydrants shall be provided as directed by Wheatland Fire Authority and in accordance with the applicable fire codes.
141. Fire hydrants shall comply with the following standards:
- a. Hydrant spacing shall be in accordance with the Uniform Fire Code
  - b. Maximum distance to any fire hydrant shall not be greater than 250 feet.
  - c. When access, fire lanes, or cul-de-sac depth exceed 450 feet (450'), hydrants shall be required mid-depth.
  - d. Hydrants shall be clearly identified with a blue reflective marker located 6 inches (6") from centerline of street or roadway on the hydrant side of the centerline.
  - e. Curbing in front of hydrants shall be painted red ten feet (10') on each side of hydrant.
  - f. The number and placement of fire hydrants approved by Wheatland Fire Authority shall be installed for the development.

### Flooding

142. The developer/applicant shall comply with the recommendations and intent of the *Drainage Report for Internal Drainage (Five Watershed Plan)*, November 2005, by Civil Solutions.
143. The developer/applicant shall participate in the planning for the relocation of the Bear River Levee Road access from State Route 65 at the southeasterly corner of the development.
144. The developer/applicant shall comply with the California Department of Water Resources (DWR) Urban Levee Design Criteria (ULDC) and 200-year level of flood protection criteria.
145. The developer/applicant shall dedicate a minimum of twenty (20) feet of right of way beyond the landside toe of the flood protection system in accordance with Section 7.11.1 (Right-of-Way for Access and Inspection) of the DWR Urban Levee Design Criteria (ULDC) dated May 2012.

### Construction Requirements

146. Construction stormwater pollution prevention measures as indicated in the SWPPP shall be consistent with the details in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction or the Caltrans Storm Water Quality Handbook Construction Site BMPs Manual. A Qualified SWPPP Practitioner shall be responsible for implementing the measures at the site and

performing all required monitoring and inspection/maintenance/repair activities. The developer/applicant shall also prepare a Rain Event Action Plan (if required based on the determined risk level) as part of the SWPPP.

147. If any hazardous materials are encountered during the construction of this project, all work shall be immediately stopped and the Yuba County Environmental Health Service Department, the Wheatland Fire Authority, and the City Inspector shall be notified immediately. Work shall not proceed until clearance has been issued by all of these agencies.
148. The developer/applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
149. The following shall be added to the general notes on the civil plans, "All roads used within the City of Wheatland during construction shall be cleaned daily, or more often as required by the City Engineer, of all dirt and debris spilled or tracked onto the City streets, or private driveways."
150. Prior to final preparation of the subgrade and placement of base materials, all underground utilities shall be installed, and service connections stubbed out behind the sidewalk. Public utilities, Cable TV, sanitary sewers and water lines, shall be installed in a manner that will not disturb the street pavement, curb, gutter and sidewalk, when future service connections or extensions are made.
151. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the soil and/or geologic investigation report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. Additionally, if field conditions warrant installation of any subdrains, the location, size and construction details must be provided to the City for review and approval prior to construction.
152. Utilities to be abandoned shall be removed or completely filled with suitable material and capped to the approval of the applicable utility agency and to the approval of the City Engineer.
153. After all of the new underground utilities within existing public streets have been installed, the entire affected areas shall be milled and repaved to present a neat finished pavement area. Multiple trench patches are not acceptable.
154. Prior to placing the final lift of asphalt, all public storm drains and sanitary sewer lines shall be video inspected at the developer/applicant's expense. All video media (CD, DVD, or portable hard drive) shall be submitted to the City. If any inadequacies are found, they shall be repaired prior to the placement of the final lift of asphalt.
155. The developer/applicant, at his sole expense, shall repair existing public and private facilities damaged during the course of construction to the satisfaction of the City Engineer.

156. Upon completion of the building and site improvements, the developer/applicant shall clean, repair, or reconstruct the curb, gutter, and sidewalk along the entire frontage of the developed property as may be required by the City Engineer to conform to the City standards prior to receiving an occupancy permit for the building.
157. Prior to issuance of a building permit, the developer/applicant shall pay the appropriate City of Wheatland Facilities and Equipment Program Fee.
158. Prior to commencement of construction activities, the developer/applicant shall:
  - a. Pay any outstanding account balances with the City of Wheatland.
  - b. Pay an inspection deposit in amount to be determined at the time of commencement for the City's inspection of the Public Improvements.
  - c. Conduct a pre-construction meeting with representatives of the City whereby the developer/applicant, the Legally Responsible Party (LRP), Qualified SWPPP Practitioner (QSP), Qualified SWPPP developer/applicant (QSD), and/or the Contractor provides the following:
    - i. Six (6) full-size bond copies of the approved Improvement Plans for the City's use.
    - ii. One (1) job-site copy of the latest edition of the City Standards for the Contractor use.
    - iii. One (1) job-site copy of the SWPPP for use by the LRP, QSP, QSD, and Contractor.
    - iv. Electronic copies of Improvement Plans and SWPPP.
159. For the construction phase, the developer/applicant shall submit an Off-Road Construction Equipment Emissions Reduction Plan to the Feather River Air Quality Management District and City of Wheatland for review and approval.
160. The developer/applicant shall sign a District Fugitive Dust Control Plan to acknowledge the state and local fugitive dust emission laws and Air Quality District approved fugitive dust control measures for implementation. The Plan shall be signed prior to issuance of grading permits.
161. Every reasonable effort shall be made by the developer/applicant to accommodate seasonal agricultural traffic from neighboring farm lands before and during construction of the project.

#### Acceptance of Public Improvement Requirements

162. Prior to acceptance of the public improvements, The developer/applicant shall provide a written statement signed by the Civil Engineer of Record certifying that all the site improvements were constructed and inspected in conformance with the plans approved by the City Engineer.

163. Prior to acceptance of the public improvements, the developer/applicant shall provide a mylar and digital copy of the Improvement Plans that include all as-built or field changes. Digital files shall include AutoCAD Civil 3D (.dwg) format compatible with the City's current version, and tied to the State Plane coordinate system.
164. Upon completion of the project and prior to acknowledgment of completion, all new storm drains shall be video inspected for conformance and the recording delivered to the City for review. The video shall indicate the pipe being televised, station points along each pipe, and shall have the bottom of the pipe at the bottom of the monitor when viewed. The speed of advancement shall be slow enough to ascertain the pipe condition and paused as necessary at sags, gaps, obstructions and damaged areas of the pipe. Pipe damage, repairs and obstructions shall be repaired to the satisfaction of the City Engineer.
165. Prior to acceptance of the public improvements, all existing and adjacent off-site road surfaces utilized during construction shall be repaired and restored to pre-project conditions.
166. Prior to acceptance of the public improvements, submit a certification by the Geotechnical Engineer of Record that all the work has been completed in substantial conformance with the recommendations in Soils Investigation/Geotechnical Report.
167. Prior to acceptance of the public improvements, provide a letter stating that all of the developer/applicant's Conditions of Approval have been met.
168. Occupancy Conditions of Approval:
  - a. Prior to occupancy of any building, the developer/applicant shall submit a certification by the Geotechnical Engineer of Record confirming that all on-site work has been completed in substantial conformance with the recommendations in Soils Investigation/Geotechnical Report.
  - b. Prior to occupancy of any building, the developer/applicant shall provide a letter from the Civil Engineer of Record certifying that all the site improvements were constructed and inspected in substantial conformance with the approved plans and City Standards.
  - c. Prior to occupancy of any building, the developer/applicant shall provide a mylar and digital copy of the Improvement Plans that include all as-built or field changes.