

Attachment 1

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHEATLAND AMENDING ORDINANCE NO. 426 RELATING TO THE BISHOP'S PUMPKIN FARM 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 height limitation set forth in in the Bishop's Pumpkin Farm Planned Development Combining District. 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. On January 11, 2011, the Wheatland City Council adopted Ordinance No. 426 approving the Prezoning of the Bishops Pumpkin Farm to Agriculture Exclusive-Planned Development and adopting the Bishop's Pumpkin Farm Planned Development Combining District.
- B. On March 10, 2025, Bishop's Pumpkin Farm requested an amendment to the Bishop's Pumpkin Farm Planned Development Combining District to amend the height limitation in the Planned Development from 35 feet to 50 feet.
- C. The Wheatland Planning Commission has conducted a duly noticed public hearing on April 29, 2025, in accordance with the law, and recommends that the City Council amend the Bishop's Pumpkin Farm Planned Development Combining District.
- D. The City Council has conducted a duly noticed public hearing in accordance with the law and now desires to approve the amendment of the Bishop's Pumpkin Farm Planned Development Combining District.
- E. The City Council has evaluated the amendment of the Bishop's Pumpkin Farm Planned Development Combining District and the City's General Plan and has determined that the amendment of the Bishop's Pumpkin Farm Planned Development Combining District is consistent with the General Plan.
- F. The City Council has determined that, pursuant to the California Environmental Quality Act, and after full consideration of the administrative record, the Bishop's Pumpkin Farm Planned Development Combining District amendment is exempt from additional environmental review pursuant to the provisions of the California Environmental Quality Act under class 5, Section number 15305 (Minor Alterations in Land Use Limitations) which includes minor alterations in land use limitations in areas with an average slope of less than 20 percent, which does not result in any changes in land use or density.
- G. The area is physically suited to the uses authorized in the proposed zone.
- H. The land uses and their density and intensity allowed in the proposed zones are not likely to create serious health problems or create nuisances on properties in the vicinity.

- I. The City Council finds that the proposed Bishop's Pumpkin Farm Planned Development Combining District Amendment, is consistent with the Zoning Ordinance Chapter 18.51, Planned Development Zone.

SECTION 3: Amendment of Ordinance No. 426.

Section IV, subsection C (Height Limits) of the Bishop's Pumpkin Planned Development Zone, Exhibit B of Ordinance No. 426, is amended to read:

C. Height Limits

Buildings shall not exceed 50 feet in height. For buildings between 35'-1" and 50'-0", Planning Commission approval of Site Plan and Design Review, pursuant to Chapter 18.67, shall be required.

Except as expressly amended by this Ordinance, all other provisions of Ordinance No. 426 remain unchanged and in full force and effect.

SECTION 4: Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held by a court of competent jurisdiction to be invalid or unconstitutional, that portion shall be deemed a separate, distinct and independent provision, and the holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 5: Effective Date. This ordinance shall take effect 30 days after its final passage.

SECTION 6: 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