



# CITY OF WHEATLAND

## CITY COUNCIL MEETING STAFF REPORT

**September 28, 2021**

**SUBJECT:** Introduce the ordinance of the City of Wheatland amending Chapter 18.54 of the Wheatland Municipal Code pertaining to Agricultural Combining District regulations and the rezone of eight properties totaling 1,639.08 acres (APNs 015-360-030-000, 015-360-031-000, 015-360-038-000, 015-360-051-000, 015-360-052-000, 015-360-053-000, 015-360-054-000, AND 015-360-055-000) into the Agriculture Combining District and waive the full reading of the ordinance.

**PREPARED BY:** Tim Raney, Community Development Director

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### **Recommendation**

Staff recommends that the city council introduce the ordinance of the City of Wheatland amending Chapter 18.54 of the Wheatland Municipal Code pertaining to Agricultural Combining District regulations and the rezone of eight properties totaling 1,639.08 acres (APNs 015-360-030-000, 015-360-031-000, 015-360-038-000, 015-360-051-000, 015-360-052-000, 015-360-053-000, 015-360-054-000, AND 015-360-055-000) into the Agriculture Combining District and waive the full reading of the ordinance. (see Attachment 1). Staff recommends the mayor open the public hearing, receive public testimony, and then close the public hearing.

### **Background**

On June 11, 2019 the Wheatland City Council appointed two city council members, two planning commissioners, two local agriculture producers, and a local business owner to an Ad-Hoc Committee for the preparation of the Citywide Agricultural Production Standards project.

The City of Wheatland held five Ad-Hoc Committee meetings from January 23, 2020 to February 16, 2021.

1. January 23, 2020
2. February 18, 2020
3. October 1, 2020
4. December 15, 2020
5. February 16, 2021

The five Ad-Hoc Committee meetings provided an opportunity for discussion and input from the general public and the committee members to prepare the proposed Agricultural Combining

District Amendment. All five public meetings were publicly noticed per the city's standard noticing practices.

A combining district is a regulatory tool that creates a special zoning district, placed over an existing base zone, which identifies special provisions in addition to those in the underlying base zone. The City of Wheatland Zoning Code currently includes an existing Agriculture Combining District (Chapter 18.54); however, the combining district is currently not applied to any properties within the city.

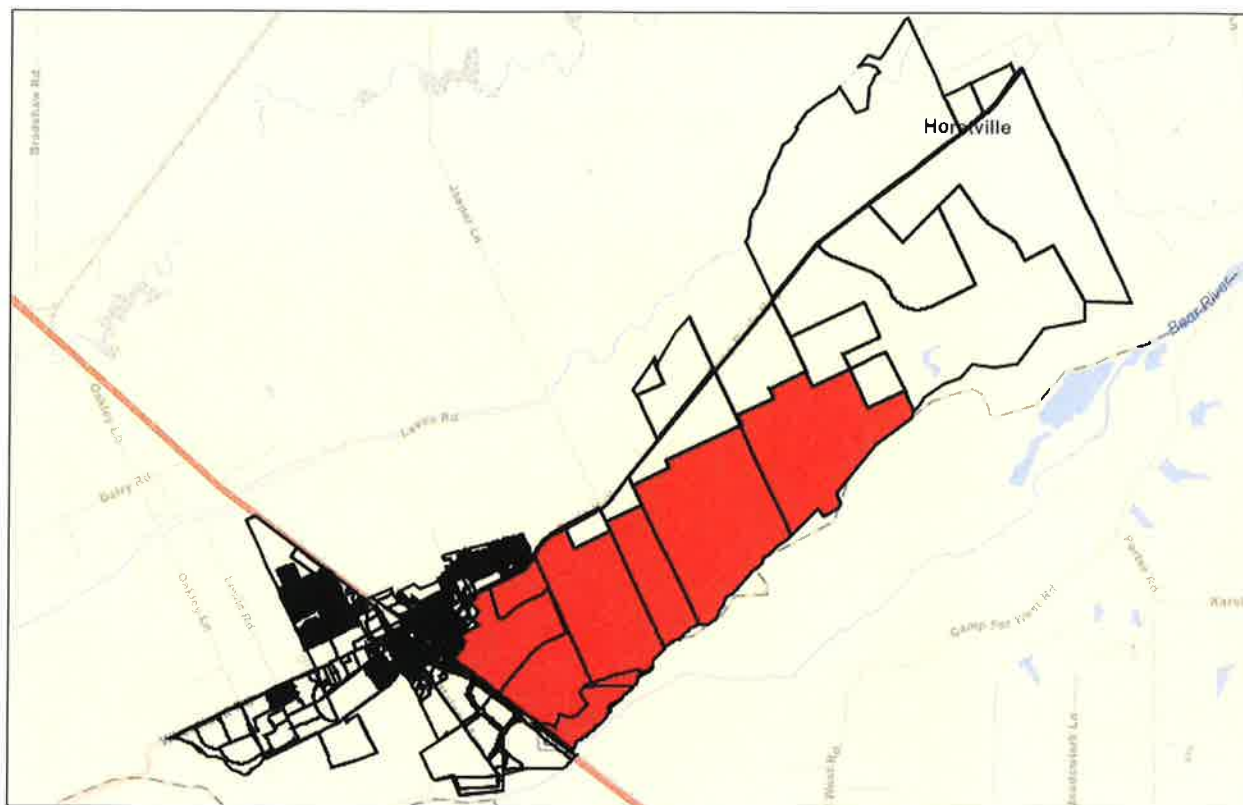
Staff worked with the selected Ad-Hoc Committee members and expanded the existing Agriculture Combining District to define the agricultural production allowed in the city, provide standards for such agricultural production, and assist in preserving and protecting existing agricultural uses.

The proposed Agriculture Combining District Amendment is intended to ensure that designated agricultural lands on the City of Wheatland's official zoning map are treated sensitively to the location of and pressures from surrounding urban development. The proposed combining district amendment is intended to protect the vital agricultural uses by limiting land use activity to those uses which are compatible and supportive of agricultural and related uses and/or agricultural by-products. Additionally, the proposed combining district Amendment will provide standards for agricultural production and agricultural supportive uses in the city.

Furthermore, the proposed Agriculture Combining District Amendment is a way for the city to preserve agriculture as the interim land use of areas of land recently annexed into the city until it is appropriate to commence development of the land. For example, the Johnson Rancho and Hop Farm development will occur over many years, so the underlying base zoning of the Johnson Rancho and Hop Farm properties will be for the future residential or commercial development; however, the proposed Agriculture Combining District would ensure that the interim agriculture uses are protected.

In addition to the proposed Agriculture Combining District Amendment, staff is proposing to rezone eight properties located in the Johnson Rancho and Hop Farm Annexation Area to include the Agriculture Combining District. These eight properties listed below all currently include current agricultural production and total 1,639.08 acres:

- 015-360-030-000 – 458.49 acres
- 015-360-031-000 – 128.59 acres
- 015-360-038-000 – 404 acres
- 015-360-051-000 – 145.4 acres
- 015-360-052-000 – 145.4 acres
- 015-360-053-000 – 285.9 acres
- 015-360-054-000 – 60.64 acres
- 015-360-055-000 – 10.66 acres



## **Discussion**

Discussion during the August 10, 2021 workshop provided staff with direction to revise the proposed Agriculture Combining District Amendment.

Staff included new detail and clarification in the proposed combining district amendment for the following topics pursuant to the council's direction:

- Agritourism definition: The proposed agritourism definition has been revised to provide additional clarification.

"Agritourism" means any activity incidental to the operation of an agricultural operation that brings members of the public to the operation for educational, recreational, or retail purposes, excluding uses that would be considered entertainment (i.e., concerts, roller coasters, hotels).

- Permitted uses and conditionally permitted uses in the \_\_\_-A district: Proposed land use table 18.54.040 identifies the uses of land that are permitted, conditionally permitted, and prohibited in the \_\_\_-A district. Single Dwelling units, certified farmers markets, fruit stands, offices in conjunction with row, field, tree, plant nursery or crop production operation, not to exceed 1,500 square feet in size (one per parcel), row, field, tree, and crop production, and seasonal sales are the only permitted uses in the proposed \_\_\_-A district. All other allowed uses would require planning commission approval of a use permit. Staff has included an additional note for fruit stands stating if any of the fruit stand requirements identified in table footnote #5 are not met, the proposed fruit stand would require planning commission approval of a use permit.

- Vegetation management (i.e., burning): Objective 1.3 and Implementation Measure 1.3.1 in the Citywide Agricultural Goals, Objectives, and Implementation Measures state the following:
  - Objective 1.3 – Support management programs (controlled burning, etc.) when it is found they improve the quality of rangeland for livestock and wildlife.
  - ✓ Implementation Measure 1.3.1 – The city shall amend the existing Agriculture Combining District to allow for vegetation management on agricultural land.

Staff has included vegetation management as an allowed accessory use in the proposed \_\_\_-A district for additional clarification (Section 18.54.080 A).

- Pest control (i.e., discharge of firearms): Objective 1.3 and Implementation Measure 1.3.2 in the Citywide Agricultural Goals, Objectives, and Implementation Measures state the following:
  - Objective 1.3 – Support management programs (controlled burning, etc.) when it is found they improve the quality of rangeland for livestock and wildlife.
  - ✓ Implementation Measure 1.3.2 – The city shall amend the existing Agriculture Combining District to allow for pest control on agricultural land.

Staff has included pest control as an allowed accessory use in the proposed \_\_\_-A district for additional clarification (Section 18.54.080 B).

- Agriculture water wells: Pursuant to the City Engineer, existing agriculture water wells may continue as long as there is no change of use on the property. The City of Wheatland does not allow the construction of new agriculture water wells within the city.

Staff has included new agriculture water well as a prohibited use in the proposed \_\_\_-A district for additional clarification (Section 18.54.090 D).

### **Fiscal Impact**

None.

### **Attachment**

1. Draft ordinance amending Chapter 18.54 of the Wheatland Municipal Code pertaining to Agriculture Combining District regulations and the rezone of eight properties totaling 1,639.08 acres into the Agriculture Combining District.

**ORDINANCE NO. 483**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF WHEATLAND, CALIFORNIA,  
AMENDING CHAPTER 18.54 OF THE WHEATLAND MUNICIPAL CODE  
PERTAINING TO AGRICULTURAL COMBINING DISTRICT REGULATIONS  
AND THE REZONE OF EIGHT PROPERTIES TOTALING 1,639.08 ACRES  
(APNs 015-360-030-000, 015-360-031-000, 015-360-038-000, 015-360-051-000,  
015-360-052-000, 015-360-053-000, 015-360-054-000, AND 015-360-055-000)  
INTO THE AGRICULTURE COMBINING DISTRICT**

The Wheatland City Council does ordain as follows:

**SECTION 1. Purpose and Authority.** The purpose of this ordinance is to amend Chapter 18.54 to the Wheatland Municipal Code pertaining to the city's administration of its agricultural combining district regulations in the Wheatland Municipal Code. This ordinance is adopted pursuant to Government Code section 65850 and other applicable law.

**SECTION 2. Findings.**

The Wheatland City Council finds and determines as follows:

- A. The City of Wheatland administers zoning provisions within the city's boundaries consistent with the city's General Plan as provided for in Title 18 of the Wheatland Municipal Code.
- B. On \_\_\_\_\_, 2021 the Wheatland City Council held a duly noticed public meeting concerning the adoption of a proposed ordinance to amend Chapter 18.54 of the Wheatland Municipal Code ("proposed Agricultural Combining District Regulations Amendment Ordinance").
- C. The proposed Agricultural Combining District Regulations Amendment Ordinance is consistent with the policies of the City of Wheatland General Plan and with the Wheatland Municipal Code.
- D. The Wheatland City Council finds that the public necessity requires the proposed zone change; that the subject properties are suitable to the uses permitted in the proposed zone change; that said permitted uses are not detrimental to the surrounding property; and that the proposed zone change is in conformance with the Wheatland General Plan.
- E. The Wheatland City Council finds it necessary to pass and implement the proposed Agricultural Combining District Regulations Amendment Ordinance, and that it will promote and protect the public health, safety, comfort, morals, convenience and general welfare of the residents within the city.



### SECTION 3. Amendments.

A. Chapter 18.54 of the Wheatland Municipal Code is amended to read as follows:

#### Chapter 18.54

#### AGRICULTURAL COMBINING DISTRICT REGULATIONS

##### Sections:

18.54.010	Purpose and Intent.
18.54.020	Applicability.
18.54.030	Definitions.
18.54.040	Uses Generally.
18.54.050	Permitted Land Uses.
18.54.060	Conditional Uses.
18.54.070	Temporary Uses.
18.54.080	Accessory Uses.
18.54.090	Prohibited Uses.
18.54.100	Nonconforming Uses and Structures.
18.54.110	Permanent Structures.
18.54.120	Site Development Standards.
18.54.130	Sign Standards.
18.54.140	Severability.

18.54.010 Purpose and intent.

The Agricultural Combining District (\_\_\_-A) is intended to ensure that designated agricultural lands on the City of Wheatland's official zoning map are treated sensitively to the location of and pressures from surrounding urban development. The \_\_\_-A district is intended to protect the vital agricultural uses by limiting land use activity to those uses which are compatible and supportive of agricultural and related uses and/or agricultural by-products. Additionally, the \_\_\_-A district will provide policies, standards, and guidelines for agricultural production and agricultural supportive uses in the city.

18.54.020 Applicability.

The agricultural combining district contained herein shall apply to the properties identified on the updated zoning map with an \_\_\_-A district.

18.54.030 Definitions.

For the purpose of this chapter, certain words and terms used herein, or which may be hereafter used are defined as set forth in this section.

"Agritourism" means any activity incidental to the operation of an agricultural operation that brings members of the public to the operation for educational, recreational, or retail purposes, excluding uses that would be considered entertainment (i.e., concerts, roller coasters, hotels).

"Agricultural Support Services" means uses that are supportive of the farm community and are fully compatible with agricultural uses. Agricultural support services are uses which directly support or which are accessory or incidental to

established agricultural uses within the \_\_\_-A district. These include but are not limited to:

1. Agricultural chemicals, fuel and fuel oil, nonflammable bottled gas;
2. Animal husbandry services, veterinary services for large and small animals, and horseshoeing.
3. Farm machinery equipment and supplies, sale and repair;
4. Farm produce sales and supply (feed, hay, grain and grain products, fertilizer);
5. Farm products packaging and processing;
6. Feed storage, farm products warehousing and storage (except stockyards);
7. Fertilizer operations in accordance with applicable federal, State, or local regulations.

"Animal Confinement Facility" means animal barns, corrals, or pens.

"Apiary" means a location where beehives of honeybees are kept. Apiaries come in many sizes and can be rural or urban depending on the honey production operation. Furthermore, an apiary may refer to a hobbyist's hives or those used for commercial or educational usage.

"Certified Farmers' Market" means a location, approved by the Agricultural Commissioner, where a producer sells their own products directly to consumers.

"Commercial Animal Slaughter and Rendering Operations" means a facility where animals are slaughtered, most often (though not always) to provide food for humans. Slaughterhouses supply meat, which then becomes the responsibility of a packaging facility and/or the recycling of dead animals. Rendering operations recycle dead animals, slaughterhouse wastes, and supermarket rejects into various products known as recycled meat, bone meal, and animal fat.

"Commercial Kennels and Catteries" means the keeping of more than four (4) dogs and/or four (4) cats over the age of four (4) months for breeding, boarding, training or sale on a parcel 2½ acres minimum in area.

"Cow, Goat, and Sheep Dairies" means any premises where milk is produced for wholesale distribution and where ten (10) or more cows and/or goats are in lactation.

"Crop Production" means a primary use of the land which includes cultivation of open field or greenhouse crops, fruits, vegetables, grain, fibers, flowers, ornamental and nursery plant materials for wholesale or retail sales and ultimate consumption by others.

"Expanded use" means an expanded use consists of a building expansion or new construction in excess of 5,000 square feet.

"Trade of Livestock" means the sale of livestock to general public (e.g., animal auctions).

"Waste Management Facility" means the activities and actions required to manage waste from its inception to its final disposal. This includes the collection, transport, treatment and disposal of waste, together with monitoring and regulation of the waste management process. Waste can be solid, liquid, or gaseous, including industrial, biological and household.

18.54.040 Uses generally.

No building, structure or land shall be used, and no building or structure shall be hereafter constructed, structurally altered, or enlarged, except in accordance with the procedures provided in, and for the purposes set out in, this Chapter.

Table 18.54.040 identifies the uses of land allowed in the \_\_-A district. The applicable permit requirements for each use are established by the letter designations as follows:

"P" Designates a permitted use. New development requires a development plan review which is a ministerial staff review process that ensures compliance with all city development standards.

"C" Designates that a conditional use permit is required, pursuant to Chapter 18.67.

"N" Not an allowable use in the \_\_-A district.

USE TYPE	AG COMBINING DISTRICT
<b>RESIDENTIAL USES</b>	
Single Dwelling Unit	P
<b>EDUCATIONAL USES</b>	
Educational Facilities	C
<b>AGRICULTURAL USES</b>	
Agricultural Support Services	C
Agritourism	C
Animal Keeping <sup>1</sup>	C
Animal Hospitals and Veterinary Clinics	C
Calf Growing Ranches <sup>2</sup>	C
Certified Farmer's Markets <sup>3</sup>	P
Commercial Animal Slaughter, and Rendering Operations	N



USE TYPE	AG COMBINING DISTRICT
Commercial Poultry Ranches	N
Commercial Hog Ranches <sup>4</sup>	N
Fruit Stand <sup>5</sup>	P
Dairies <sup>6</sup>	C
Fertilizer Operations <sup>7</sup>	C
Kennels <sup>8</sup>	C
Mushroom Farms <sup>9</sup>	C
Office <sup>10</sup>	P
Plant Nurseries (Retail/Wholesale)	C
Rodeos	C
Row, Field, Tree and Crop Production, excluding hemp cultivation	P
Seasonal Sales <sup>11</sup>	P
Trade of Livestock	C
<b>UTILITY AND COMMUNICATION FACILITIES</b>	
Antennas and Wireless Telecommunications Facility	C
Waste Management Facilities <sup>12</sup>	C

The following special considerations shall apply to Table 18.54.040: (Numbers correspond to footnote numbers in the Table).

1. Not including except household pets. Shall meet the following requirements:
  - A. Allowed animal types include non-dairy cattle/buffalo, horses, swine, sheep, goats, rabbits, chinchillas, emus, rheas, poultry, and ostriches, as well as similar animal types as determined by the community development director.
  - B. Animal keeping must be on a legally recognized parcel no less than two (2) acres. Lot area used to qualify animal keeping for one animal type shall not be reused to qualify another animal type.
  - C. Proper management of animal waste shall be carried out in accordance with all requirements of the State Regional Water Quality Control Board or other applicable regulating agency.
  - D. Small animal keeping: Aviary, or similar small animal ranches or farms (excluding chicken and hog ranches) shall be permitted on parcels that

are at least one-half (1/2) acre. Fish raising shall be limited to one (1) pond per acre with a maximum of four (4) ponds per parcel. Each pond shall not exceed one-half (1/2) acre in area.

2. Shall be located on a parcel that is at least five (5) acres.
3. Pursuant to the California Department of Food and Agriculture.
4. Including more than five (5) swine.
5. For the sale of agricultural products grown or produced on the same premises (excluding milk and meat products), subject to the following conditions.
  - A. Shall be located only on lots containing a minimum of 10,000 square feet.
  - B. The floor area of the stand shall not exceed 1,000 square feet.
  - C. The owner(s) shall remove such stand at their own expense within 30 days after the use has terminated.
  - D. Stands shall be located a minimum of 20 feet from the right-of-way line of any street or highway.
  - E. Parking areas shall be improved with paving, gravel or other materials as required by city standards to control dust or erosion.
  - F. Adequate provision for traffic circulation, off-street parking, and pedestrian safety including ADA standards and requirements shall be provided to the satisfaction of the community development director.

If any of the above conditions are not met, the proposed fruit stand shall require planning commission approval of a use permit.

6. Including expansions to existing dairies.
7. Shall be in accordance with applicable federal, State, or local regulations.
8. Shall be located on a parcel with a minimum of two and one-half (2½) acres
9. Shall not include the use of manure.
10. Shall be in conjunction with row, field, tree, plant nursery or crop production operation, not to exceed 1,500 square feet in size (one per parcel).
11. Shall not to exceed a period of ninety (90) days each (i.e., Christmas tree and Halloween pumpkin sales, etc.).
12. Shall be constructed and operated in accordance with applicable federal, State, or local laws regulations.

18.54.050 Permitted land uses.

The following uses are permitted:

- A. Row, Field, Tree, and Crop Production, excluding hemp cultivation
- B. Single dwelling unit.

18.54.060 Conditional uses.

The following uses shall be permitted subject to the approval of a use permit by the planning commission in accordance with the standards and procedures outlined in Chapter 18.76 of the City of Wheatland Municipal Code. The hearing body may grant a use permit as it was applied for, if, on the basis of the application and evidence, the hearing body makes the findings set forth in Section 18.76.030 of the City of Wheatland Municipal Code.

- A. Agricultural Support Services;
- B. Agritourism;
- C. Animal Keeping, except household pets, if it meets the following requirements:
  - 1. Allowed animal types include non-dairy cattle/buffalo, horses, swine, sheep, goats, rabbits, chinchillas, emus, rheas, poultry, and ostriches, as well as similar animal types as determined by the community development director.
  - 2. Animal keeping must be on a legally recognized parcel no less than two (2) acres. Lot area used to qualify animal keeping for one animal type shall not be reused to qualify another animal type.
  - 3. Proper management of animal waste shall be carried out in accordance with all requirements of the State Regional Water Quality Control Board or other applicable regulating agency.
  - 4. Small animal keeping: Aviary, or similar small animal ranches or farms (excluding chicken and hog ranches) shall be permitted on parcels that are at least one-half (1/2) acre. Fish raising shall be limited to one (1) pond per acre with a maximum of four (4) ponds per parcel. Each pond shall not exceed one-half (1/2) acre in area.
- D. Animal Hospitals and Veterinary Clinics;
- E. Antennas and Wireless Telecommunications Facilities;
- F. Calf growing ranches, if located on a parcel that is at least five (5) acres;
- G. Churches, temples and other places of worship within an existing building or expansions to existing religious facilities;
- H. Dairies, including expansions to existing dairies;
- I. Educational institutions;

- J. Fertilizer operations, in accordance with applicable federal, State, or local regulations;
- K. Kennels located on a parcel with a minimum of two and one-half (2½) acres;
- L. Mushroom farms without use of manure;
- M. Plant nurseries (Retail/Wholesale)
- N. Rodeos;
- O. Trade of livestock;
- P. Waste management facilities, if constructed and operated in accordance with applicable federal, State, or local laws regulations.

18.54.070 Temporary uses.

The following temporary uses are permitted:

- A. Seasonal sales (i.e., Christmas tree and Halloween pumpkin sales, etc.) are authorized by the city, not to exceed a period of ninety (90) days each.
- B. Certified Farmer's Markets (Pursuant to the California Department of Food and Agriculture).

18.54.080 Accessory uses.

The following accessory uses and structures are permitted when customarily associated with and subordinate to a permitted use on the same parcel:

- A. Vegetation Management (i.e., burning of agricultural waste products)
- B. Pest control (i.e., discharge of firearms).
- C. Apiary
- D. Barns, stables, storage tanks, and other farm buildings
- E. Second Units, Caretaker's unit, or guesthouses, one (1) per parcel, and shall meet the setbacks of the main structure as listed in Table 2.
- F. Office unit in conjunction with row, field, tree, plant nursery or crop production operation, not to exceed 1,500 square feet in size (one per parcel). Any office unit shall meet the setbacks of the main structure as listed in Table 2.
- G. Garages and carports
- H. Fences and walls
- I. Patio covers
- J. Swimming pools

- K. Accessory uses and structures that the community development director finds to be consistent with the purpose and intent of this ordinance.
- L. Stands for the sale of agricultural products grown or produced on the same premises (excluding milk and meat products), subject to the following conditions:
  - 1. Stand shall be permitted only on lots containing a minimum of 10,000 square feet.
  - 2. The floor area of the stand shall not exceed 1,000 square feet.
  - 3. The owner(s) shall remove such stand at their own expense within 30 days after the use has terminated.
  - 4. Stands shall be located a minimum of 20 feet from the right-of-way line of any street or highway.
  - 5. Parking areas shall be improved with paving, gravel or other materials as required by city standards to control dust or erosion.
  - 6. Adequate provision for traffic circulation, off-street parking, and pedestrian safety including ADA standards and requirements shall be provided to the satisfaction of the community development director.

18.54.090 Prohibited uses.

The following uses are specifically prohibited in the \_\_\_-A district:

- A. Commercial animal slaughter and rendering operations.
- B. Commercial poultry ranches.
- C. Commercial hog ranches (more than five swine); and
- D. New agriculture water well.

The planning commission will make a determination of uses for those not specifically listed above as permitted or conditional uses, based on the similarity of the subject use to one of the above listed categories and the overall intent of this ordinance.

18.54.100 Nonconforming uses and structures.

Nonconforming uses and structures are governed by the following:

- A. Abandonment: Whenever a nonconforming use or structure has been abandoned, the nonconforming use or structure shall not be reestablished, and the use of the structure and the site thereafter shall be in conformity with the regulations of the \_\_\_-A district. For the purposes of this Chapter, discontinuance of the nonconforming use for a continuous period of 180 days shall be conclusive evidence of abandonment of such nonconforming use regardless of the landowner's intent.



- B. **Special Hardship Circumstances:** If discontinuance of the nonconforming use is the result of a special hardship or other unique circumstance, the Planning Commission may extend the 180-day period for up to an additional 180 days for purposes of determining abandonment of the nonconforming use. To receive such consideration, the property owner shall request an extension in writing, prior to the expiration of the initial 180-day period, including a full explanation of the reason why the extension should be granted and how it qualifies as a special hardship or other unique circumstance.

18.54.110 Permanent structures.

Design review will be required for all new, altered or expanded structures/uses including all new structures in excess of 5,000 square feet, pursuant to Chapter 18.67 Architectural Review of the City of Wheatland Municipal Code.

18.54.120 Site development standards.

The table below (Site Development Standards) summarizes the development standards for all uses in the \_\_-A district set forth herein.

Category	Requirement
Maximum Principal Structure Height	50 Feet
Minimum Lot Size	1 acre
Maximum Lot Coverage (i.e., building coverage)	None
Minimum lot width	150 feet
Minimum lot depth	140 feet
Setbacks	
Front	40 feet
Side	20 feet
Rear	40 feet
Maximum Housing Density	1 dwelling unit per property plus accessory units as described in Section 18.60.010 of the City of Wheatland Municipal Code

18.54.130 Sign standards.

A. Non-Residential Use:

1. Freestanding signs shall be permitted provided that:
  - I. Not more than one freestanding sign structure shall be permitted for each street frontage of any lot or parcel.
  - II. No freestanding sign shall exceed a maximum height of twenty-five feet. If a pole sign, the bottom of such sign shall be not less than eight feet above the finished grade.
  - III. No single sign shall exceed two hundred square feet.

2. Wall Mounted: One (1) sign mounted on the street side (front) elevation, not to exceed one sq. ft. of sign area for each foot of the front elevation up to a maximum area of 50 square feet; if the building is on a corner lot, two (2) mounted signs are permitted at one sq. ft. of sign area for each foot of width of the front and street side elevations of the building, for a maximum of 50 square feet per elevation.

B. Residential Use:

1. Refer to Title 19 "Signs" of the City of Wheatland Municipal Code for standards.

18.54.140 Severability.

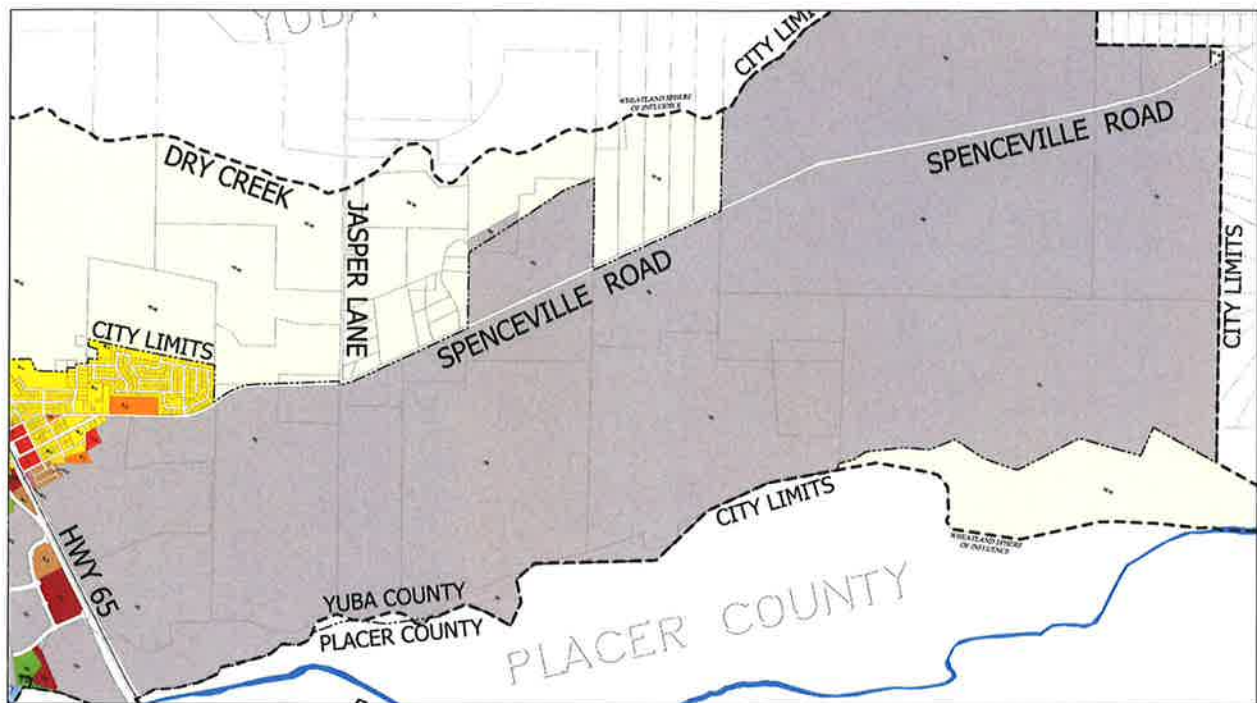
If any section, subsection, sentence, clause, phrase or portion of this Chapter is held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and an independent provision and such division shall not affect the validity of the remaining portions thereof. The city hereby declares that it would have passed these standards, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any section of the sections, subsections, sentences, clauses or phrases hereof be declared invalid or unconstitutional.

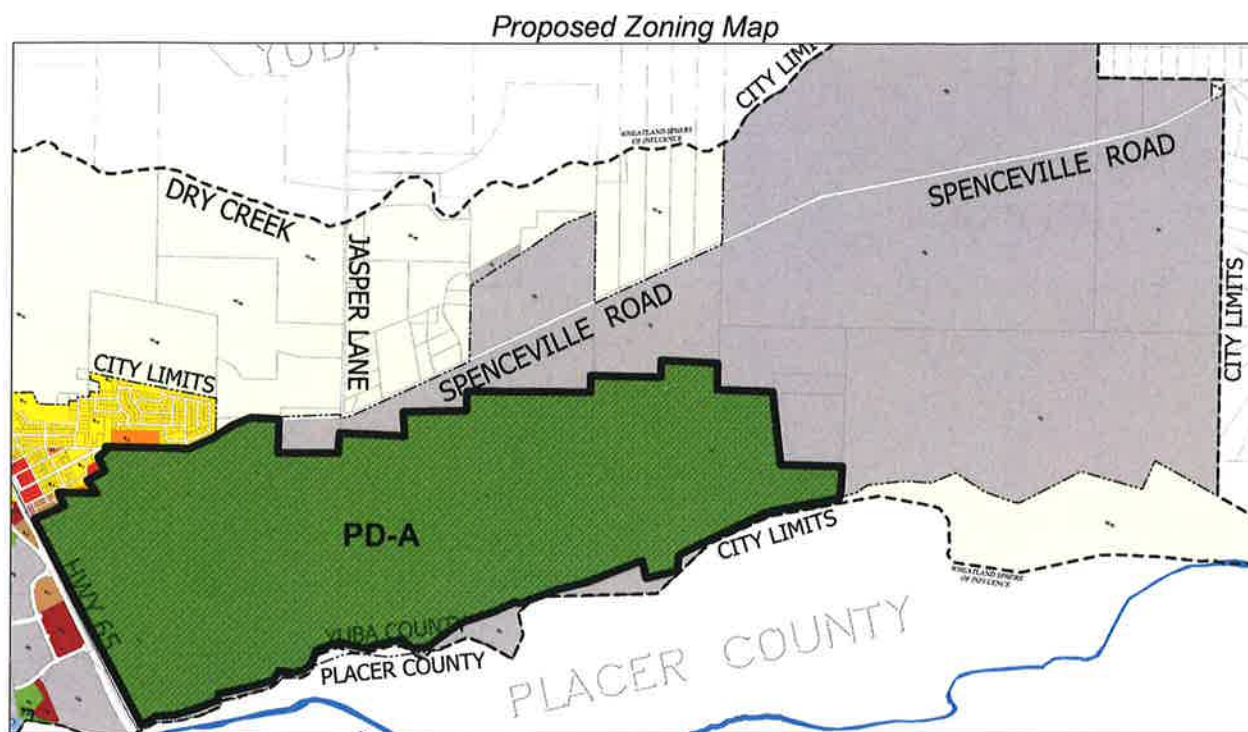
SECTION 4. Zoning Map Rezone. The properties identified below, are hereby rezoned from Planned Development (PD) to Planned Development Agricultural Combining District (PD-A), as mapped out in the following Proposed Zoning Map Amendment.

- 015-360-030-000 – 458.49 acres
- 015-360-031-000 – 128.59 acres
- 015-360-038-000 – 404 acres
- 015-360-051-000 – 145.4 acres
- 015-360-052-000 – 145.4 acres
- 015-360-053-000 – 285.9 acres
- 015-360-054-000 – 60.64 acres
- 015-360-055-000 – 10.66 acres

Proposed Zoning Map Amendment

*Existing Zoning Map*





**SECTION 4. Exemption from CEQA.** The proposed Agricultural Combining District Regulations Amendment Ordinance is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15305, Minor Alterations in Land Use Limitations.

**SECTION 5. 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 6. Effective Date.** This ordinance shall take effect and be enforced thirty (30) days from and after the date of its adoption.

**SECTION 7. Posting.** Within fifteen (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 foregoing ordinance was introduced and adopted at a regular meeting of the Wheatland City Council, held on the 28<sup>th</sup> of September 2021, and passed and adopted at a regular meeting thereof, held on the \_\_\_\_ of \_\_\_\_\_, 2021, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

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Mayor of the City of Wheatland

**ATTEST:**

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City Clerk of the City of Wheatland

DRAFT