



Planning Commission Meeting Agenda

October 07, 2025 at 6:00 PM

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

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. PUBLIC HEARING

- [3.1](#) Consider recommendation to approve Ordinance Amending Section 18.09 of the Wheatland Municipal Code Relating to On-Site Cannabis Consumption to the Wheatland City Council.
- [3.2](#) Consideration to recommend City Council approval of the proposed Amendment No. 4 to the Third Amended and Restated City of Wheatland Development Agreement Concerning the Caliterra Ranch (formerly known as Jones Ranch) Subdivision and Dale Investments, LLC.

4. REPORTS

5. 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

This institution is an equal opportunity provider, and employer.



Planning Commission Meeting Staff Report

Meeting Date:
October 7, 2025

Subject: Consider recommendation to approve Ordinance Amending Section 18.09 of the Wheatland Municipal Code Relating to On-Site Cannabis Consumption to the Wheatland City Council.

Prepared By: Gavin Ralphs, Deputy City Attorney

Recommendation

Staff recommends that the Wheatland Planning Commission conduct a public hearing on proposed amendment to the Wheatland Municipal Code Section 18.09 relating to on-site cannabis consumption, and upon closing the public hearing, adopt the attached resolution recommending that the Wheatland City Council adopt the ordinance amending Section 18.09 (see Attachment A). A notice of this public hearing has been published in the local newspaper and has been posted on the City website.

Background/Discussion

Section 18.09 of the Wheatland Municipal Code addresses the prohibition of commercial marijuana land uses in all zoning districts within the City. The Department of Cannabis Control notified the City that the Wheatland Municipal Code does not discuss nor prohibit on-site cannabis consumption within the City limits. To avoid ambiguity and reinforce the City’s policy direction, this Ordinance expressly prohibits on-site consumption of cannabis in any commercial or public setting.

The proposed amendment to Section 18.09 of the Wheatland Municipal Code would prohibit on-site cannabis consumption within the City limits, excluding on-site consumption at private residences. The amendment clarifies that on-site consumption of cannabis whether by smoking, vaporizing, ingestion, or topical application is prohibited except within private residences in accordance with state law. The prohibition applies to all commercial cannabis businesses and public properties. Violations are subject to enforcement under existing provisions.

A redline version showing the proposed change is provided below.

18.09.090 Prohibition of commercial marijuana land uses, including medical marijuana dispensaries.

A. Commercial marijuana land uses, including, but not limited to, medical marijuana dispensaries, are prohibited in all zoning districts within the city, including, without limitation, all planned development districts, and no conditional use permit shall be issued to any dispensary.

B. Except as provided in subsection C, the on-site consumption of cannabis or cannabis products by any method, including, but not limited to, smoking, vaporizing (also colloquially known as "vaping"), ingesting, or topical application is prohibited on any property, parcel, structure, or premises within the City of Wheatland that is not a private residence. This prohibition includes, without limitation, any commercial cannabis business or location where commercial cannabis activity occurs, such as dispensaries, delivery centers, lounges, or retail storefronts, as well as any other business, club, or location to which the public is invited or permitted, whether licensed or unlicensed.

C. This section shall not prohibit the lawful use or possession of cannabis inside a private residence in accordance with state law.

D. No commercial cannabis business, facility, or land use, including but not limited to dispensaries, retailers, microbusinesses, or any other operator, may permit or allow on-site consumption of cannabis or cannabis products.

E. Violations of this section shall be enforced pursuant to Wheatland Municipal Code Chapters 1.16 and 1.18 and Section 18.88.030 and other applicable law. Notwithstanding any provision in this code to the contrary, ~~any~~ persons who violates this section shall not be subject to criminal liability under this code to the extent that such conduct is immune from criminal liability under the Compassionate Use Act (Health and Safety Code Section 11362.5) and the Medical Marijuana Program (Health and Safety Code Section 11362.7 et seq.), as the same exist or may hereafter be amended.

CEQA Review

This Ordinance is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility the activity may have a significant effect on the environment.

Fiscal Impact:

There is no fiscal impact associated with this recommended action.

Attachment:

- 1. Resolution No. 2025-**
Exhibit A – Proposed Ordinance

Attachment 1

PLANNING COMMISSION RESOLUTION NO. 2025-**

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WHEATLAND RECOMMENDING THE WHEATLAND CITY COUNCIL APPROVE AN ORDINANCE AMENDING SECTION 18.09 OF THE WHEATLAND MUNICIPAL CODE RELATED TO CANNABIS CONSUMPTION

WHEREAS, the City of Wheatland adopted Ordinance No. 486, which prohibits commercial cannabis activities and regulates limited indoor personal cultivation within the City limits; and

WHEREAS, the Department of Cannabis Control notified the City that the Wheatland Municipal Code does not discuss nor prohibit on-site cannabis consumption within the City limits; and

WHEREAS, to reinforce the City’s policy direction, the proposed amendment to Section 18.09 of the Wheatland Municipal Code prohibits on-site cannabis consumption within the City limits, excluding on-site consumption at private residences; and

WHEREAS, the City of Wheatland, as lead agency, has determined the project is determined to be exempt from environmental review pursuant to the provisions of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Wheatland Planning Commission duly gave notice of a public hearing as required by law and on October 7, 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 hereby makes the following findings and recommendation to the City Council for approval of the proposed amendment to Section 18.09 of the Wheatland Municipal Code related to on-site cannabis consumption, as set forth in Exhibit A, which is attached hereto and incorporated by reference:

- A. The Planning Commission has conducted a duly noticed public hearing in accordance with the law and now desires to approve the proposed ordinance amending Section 18.09 of the Wheatland Municipal Code.
- B. The Planning Commission has evaluated the proposed amendment and the City’s General Plan and has determined that the proposed ordinance amending Section 18.09 of the Wheatland Municipal Code is consistent with the General Plan.
- C. The Planning Commission has determined that, pursuant to the California Environmental Quality Act, and after full consideration of the administrative record, the proposed Ordinance amending Section 18.09 of the Wheatland Municipal Code is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines.

D. The Planning Commission finds it necessary to pass and implement the proposed amendments to Section 18.09 of the Wheatland Municipal Code which will promote and protect the public health, safety, comfort, convenience and general welfare of the residents within the city.

NOW, THEREFORE, BE IT FURTHER RESOLVED AND DETERMINED, that the Wheatland Planning Commission does hereby recommend that the Wheatland City Council APPROVE the Amendment to Section 18.09 of the Wheatland Municipal Code related to on-site cannabis consumption, as set forth in Exhibit A, 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 7th day of October 2025 by following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Planning Commission Chairperson

ATTEST:

Lisa Thomason, City Clerk

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHEATLAND AMENDING CHAPTER 18.09 (GENERAL REGULATIONS) OF THE WHEATLAND MUNICIPAL CODE TO EXPRESSLY PROHIBIT ON-SITE CANNABIS CONSUMPTION

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 Chapter 18.09 of the Wheatland Municipal Code to expressly prohibit the on-site consumption of cannabis in any form or manner. This ordinance is adopted pursuant to California Constitution Article XI, Section 7; Government Code Section 65800 *et seq.*; Business and Professions Code Section 26200; Chapter 18.85 of the Wheatland Municipal Code; and other applicable law.

SECTION 2. Findings.

The Wheatland City Council finds and determines as follows:

- A. The City of Wheatland adopted Ordinance No. 468 to prohibit commercial cannabis use and regulate the limited personal cultivation of cannabis.
- B. The City desires to protect the public health, safety, and welfare by ensuring that cannabis is not consumed on-site in any location within city limits outside of a private residence, consistent with local authority under state law.
- C. This ordinance is intended to clarify that all forms of public or commercial on-site cannabis consumption, including smoking, vaping, ingestion, or topical application, are prohibited within the City of Wheatland.

SECTION 3. Ordinance.

Chapter 18.09 (General Regulations) of the Wheatland Municipal Code is hereby amended by amending Section 18.09.090 (Prohibition of commercial marijuana uses, including medical marijuana dispensaries) to read as follows:

- A. Commercial marijuana land uses, including, but not limited to, medical marijuana dispensaries, are prohibited in all zoning districts within the city, including, without limitation, all planned development districts, and no conditional use permit shall be issued to any dispensary.
- B. Except as provided in subsection C, the on-site consumption of cannabis or cannabis products by any method, including, but not limited to, smoking, vaporizing (also colloquially known as "vaping"), ingesting, or topical application is prohibited on any property, parcel, structure, or premises within the City of Wheatland that is not a private residence. This prohibition includes, without limitation, any commercial cannabis business or location where commercial cannabis activity occurs, such as dispensaries, delivery centers, lounges, or retail storefronts, as well as any other business, club, or location to which the public is invited or permitted, whether licensed or unlicensed.
- C. This section shall not prohibit the lawful use or possession of cannabis inside a private residence in accordance with state law.

D. No commercial cannabis business, facility, or land use, including but not limited to dispensaries, retailers, microbusinesses, or any other operator, may permit or allow on-site consumption of cannabis or cannabis products.

E. Violations of this section shall be enforced pursuant to Wheatland Municipal Code Chapters 1.16 and 1.18 and Section 18.88.030 and other applicable law. Notwithstanding any provision in this code to the contrary, persons who violate this section shall not be subject to criminal liability under this code to the extent that such conduct is immune from criminal liability under the Compassionate Use Act (Health and Safety Code Section 11362.5) and the Medical Marijuana Program (Health and Safety Code Section 11362.7 et seq.), as the same exist or may hereafter be amended.

SECTION 4. Exemption from CEQA.

This ordinance will not cause a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment as compared to the existing physical environmental conditions within the City. The City Council therefore concludes that the enactment of this ordinance does not constitute the approval of a project under the California Environmental Quality Act ("CEQA"), and, even if it did qualify as a project, it would be exempt from CEQA. (Pub. Res. Code § 21065, CEQA Guidelines §§ 15060(c)(2), 15060(c)(3); 15061(b)(3); 15064(d)(3);15878(a).)

SECTION 4. Severability.

If any section or provision of this ordinance or the imposition of such section or provision to any person, firm, organization, corporation or circumstance is held by a court of competent jurisdiction to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity of the remaining parts, which shall remain in full force and effect.

SECTION 5. Effective Date.

This ordinance shall become effective 30 days after its adoption.

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 foregoing ordinance was introduced and adopted at a regular meeting of the Wheatland City Council, 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:

Angela Teter, Mayor
City of Wheatland

ATTEST:

Lisa Thomason, City Clerk
City of Wheatland



Planning Commission Meeting Staff Report

Meeting Date:

October 7, 2025

SUBJECT: Consideration to recommend City Council approval of the proposed Amendment No. 4 to the Third Amended and Restated City of Wheatland Development Agreement Concerning the Caliterra Ranch (formerly known as Jones Ranch) Subdivision and Dale Investments, LLC.

PREPARED BY: Tim Raney, Community Development Director

Recommendation

Staff recommends that the Wheatland Planning Commission hold the public hearing on the proposed development agreement amendment, and upon close of the public hearing, adopt the Resolution recommending the Wheatland City Council approve Amendment No. 4 to the Third Amended and Restated City of Wheatland Development Agreement Concerning Caliterra Ranch (formerly known as Jones Ranch) Subdivision and Dale Investments, LLC (see Attachment 1).

Background

The Caliterra Ranch Project (formerly known as Jones Ranch) is an approximately 193-acre site currently consisting of 552 single-family residential lots, located on the south side of Wheatland Road, between the existing High School and Ace Hardware. Oakley Lane bisects the property, which is agricultural in appearance, characterized by grasslands and open space. The project site is zoned Planned Development (PD) and designated for Low-Density Residential (LDR) and Commercial (C) in the Wheatland General Plan.

The previous City approvals for the Caliterra Ranch Project are listed below:

- 2002: The City certified the Jones Ranch program-level Environmental Impact Report (SCH #2001012094).
- 2003: The City adopted the Jones Ranch Tax Sharing Agreement and approved the annexation of the approximately 193-acre Jones Ranch project site.
- 2005: The City approved the Jones Ranch project-level Mitigated Negative Declaration and the Jones Ranch Tentative Subdivision Map (SCH #2005082035).
- 2006: The City recorded the Jones Ranch Development Agreement between the City of Wheatland and Lakemont Overland Crossing, LLC.
- 2006: The Yuba County Local Agency Formation Commission (LAFCo) approved the annexation into the City.
- 2007: The City approved an extension of the approved Jones Ranch Tentative Subdivision Map, which extended the life of the Tentative Subdivision Map for a ten-year period, matching the terms of the Development Agreement.
- 2008: The City approved the Amendment No.1 to the Jones Ranch Development Agreement between the City of Wheatland and Lakemont Overland Crossing, LLC.

- 2010: The City recorded the Second Amendment to the Jones Ranch Development Agreement between the City of Wheatland and RBC Real Estate Finance Inc.
- 2015: The City recorded the Third Amended and Restated Development Agreement between the City of Wheatland and the applicant, Dale Investments, LLC.
- 2015: The City determined the 2015 Jones Ranch Tentative Subdivision Map was in substantial compliance with the 2005 Jones Ranch Tentative Subdivision Map pursuant to Section 17.05.200 of the Wheatland Municipal Code.
- 2017: The City recorded Amendment No. 1 to the Third Amended and Restated Development Agreement between the City of Wheatland and the applicant, Dale Investments, LLC.
- 2017: The City determined the 2017 Caliterra Ranch Tentative Subdivision Map was in substantial compliance with the 2015 Jones Ranch Tentative Subdivision Map pursuant to Section 17.05.200 of the Wheatland Municipal Code.
- 2020: The City approved Amendment No. 2 to the Third Amended and Restated Development Agreement between the City of Wheatland and the applicant, Dale Investments, LLC.
- 2023: The City approved Amendment No. 3 to the Third Amended and Restated Development Agreement between the City of Wheatland and the applicant, Dale Investments, LLC.
- 2025: The City approved an amendment to the Caliterra Ranch Tentative Subdivision Map and adopted an Addendum to the Initial Study/Mitigated Negative Declaration (SCH#2005082035).
- 2025: K. Hovnanian Homes (KHOV) completed construction on all 145 homes for Phase I (Village I and Village II).

Dale Investments and the project engineers have been working with City staff on Phase 2 of the project and preparing to sell the next phase to a home builder. In addition, as required by the current development agreement, the park improvement plan for the Caliterra Ranch Subdivision is currently in progress. Staff has reviewed and provided comments to the applicant on the park improvement plan and anticipates its completion this year.

Per the current development agreement between the City of Wheatland and Dale Investments, LLC, the developer would need to construct the Main Street extension by the 250th building permit to serve as a second ingress and egress point for the Caliterra Ranch subdivision. The Main Street extension would extend Main Street from its current terminus west through the once proposed Roddan Ranch subdivision past the Wheatland Union High School turning north within the Caliterra Ranch subdivision and ultimately connecting to the existing First Street/Wheatland Road alignment. Once constructed, the City would reimburse the developer with impact fees collected from new development including the future Roddan Ranch homes.

On May 13, 2025, the Wheatland City Council approved the Caliterra Ranch Tentative Subdivision Map Amendment Project which modified the future roadways of the eastern area of the subdivision. These adopted roadway modifications included the removal of the Main Street extension connecting to First Street/Wheatland Road at the future entrance of the subdivision.

Discussion

On June 13, 2025, the city received a letter from the project applicant requesting an amendment to the current development agreement to reflect the changes resulting from the recent Caliterra Ranch Tentative Subdivision Map Amendment Project (see Attachment 2).

The Main Street extension alignment is planned to pass through the future Roddan Ranch subdivision property, which is now owned by the Bishop’s Pumpkin Farm and is no longer proposed for residential development. The Bishop’s Pumpkin Farm has disclosed to the City that they do not have a need for the Main Street extension through their property. In addition, if the developer was to construct the Main Street extension at the 250th building permit as currently required, the City would be required to reimburse the developer using previously collected and future impact fees. However, with the future Roddan Ranch property no longer moving forward with residential development, the previous impact fees and the amount of potential future impact fees would not result in sufficient funds for the City to reimburse the developer for the road construction. Also, with the change in land uses for the Roddan Ranch property from future residential to agricultural tourism the need for the Main Street extension has diminished.

Furthermore, a new traffic signal has been constructed at the State Route (SR) 65 and McDevitt Drive intersection which provides a second point of ingress and egress for the Caliterra Ranch subdivision to the north rather than to the south with the Main Street extension. The City’s General Plan Circulation Map includes the southwestern portion of what is called the “Ring Road”, which would connect Oakley Road to SR 65. The City would prefer this future roadway connection as a third point of ingress and egress for the Caliterra Ranch subdivision and surrounding areas as the southwestern area of the City develops in the future. The Main Street extension would remain in the City’s General Plan Circulation Map and any impact fees that would have been collected for this roadway will continue to be collected but the construction of the roadway will no longer be tied to the development of the Caliterra Ranch subdivision. The Main Street extension may or may not remain in the City’s General Plan Circulation Map as part of the current General Plan Update.

It should be noted that the Caliterra Ranch Development Impact Fee protections, as provided by the current development agreement, will expire in 2027. As a result, full City impact fees would then be collected for the remainder of the phases for the construction of the Caliterra Ranch subdivision.

City staff has met with the Dale Investments representatives on several occasions to discuss the framework for a fourth amendment to the Third Amended and Restated Development Agreement and has prepared the proposed ordinance and draft development agreement amendment for Planning Commission consideration.

The proposed draft development agreement amendment includes the following modifications:

- Section 3.5.1: The Water System Plan shall include the dedication of a new domestic water supply well and related improvements if required by the City Engineer.
- Section 3.7.1: The Main Street extension is removed from the development agreement in its entirety.

- Section 3.13.4: The 1.5-acre parcel intended for the future Wheatland Fire Authority station will be dedicated to the City at a time that is agreed upon by the City and property owner.
- Section 5.3: Reimbursement of the Main Street extension costs is removed from the development agreement in its entirety.

Conclusion

Based on the information contained in the staff report, staff recommends that the Planning Commission adopt the attached resolution recommending City Council approve Amendment No. 4 to the Third Amended and Restated City of Wheatland Development Agreement to the Caliterra Ranch (formerly known as Jones Ranch) Subdivision and Dale Investments, LLC.

Attachments

1. Resolution No. 2025-** recommending City Council approve the Amendment No. 4 to the Third Amended and Restated City of Wheatland Development Agreement to the Caliterra Ranch (formerly known as Jones Ranch) Subdivision and Dale Investments, LLC

Exhibit 1: Draft City Council Ordinance

Exhibit A: Draft Amendment No. 4 to the Third Amended and Restated City of Wheatland Development Agreement to the Caliterra Ranch (formerly known as Jones Ranch) Subdivision and Dale Investments, LLC
2. Request Letter dated June 13, 2025.

**PLANNING COMMISSION
RESOLUTION NO. 2025-****

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WHEATLAND
RECOMMENDING CITY COUNCIL AMEND THE CALITERRA RANCH (FORMERLY KNOWN
AS JONES RANCH) DEVELOPMENT AGREEMENT.**

WHEREAS, on June 13 2025, the City of Wheatland received a letter from Dale Investments, LLC (applicant) requesting a fourth amendment to the Third Amended and Restated City of Wheatland Development Agreement Concerning Jones Ranch Subdivision; and

WHEREAS, on November 24, 2014, the City of Wheatland approved the Third Amended and Restated Development Agreement with Dale Investments regarding the Caliterra Ranch Subdivision; and

WHEREAS, on June 30, 2017, the City of Wheatland approved Amendment No. 1, which provided development impact fee protections and extended the deadline for the recording of the final map for the first 50; and

WHEREAS, on December 8, 2020, the City of Wheatland approved Amendment No. 2, which, reduced the development impact fees by 50 percent for the first 145 units; and

WHEREAS, on December 12, 2023, the City of Wheatland approved Amendment No. 3, which provided a time extension for the next final map from December 31, 2023 to December 31, 2030, as well as requiring park improvements for 2.6 acres of the proposed 5.0-acre park by December 31, 2026; and

WHEREAS, the City and Dale Investments, LLC have negotiated the Amendment No. 4 to Third Amended and Restated City of Wheatland Development Agreement Concerning Jones Ranch Subdivision; and

WHEREAS, the adoption of this Amendment No. 4 to Third Amended and Restated City of Wheatland Development Agreement Concerning Jones Ranch Subdivision will not adversely affect the comprehensive General Plan and it is consistent with the General Plan and carries out the purposes of the General Plan.

NOW THEREFORE, BE IT RESOLVED that the Wheatland Planning Commission recommends the Wheatland City Council Amend the Development Agreement between the City of Wheatland and Dale Investments Concerning the Caliterra Ranch Subdivision, which are based on its review and consideration of the entire record, including the recitals above and any oral or written testimony provided at the hearing:

1. There have been no substantial changes to the project through the Development Agreement. Therefore, the Jones Ranch program-level Environmental Impact Report, the Jones Ranch project-level Mitigated Negative Declaration, and the Caliterra Ranch Addendum are the appropriate environmental documents for the proposed project.
2. The Development Agreement is consistent with the General Plan, as it carries out the purposes of the General Plan and is consistent with the land use and development designation in such plans.

NOW THEREFORE BE IT FURTHER RESOLVED that the Planning Commission recommends the City Council adopt the attached Ordinance amending the Development Agreement between the City of Wheatland and Dale Investments Concerning the Caliterra Ranch (formerly known as Jones Ranch) Subdivision, in the form attached as Exhibit A, subject to such changes as may be approved by the City Council.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was adopted by the Planning Commission of the City of Wheatland at a regular meeting thereof held on the 7th day of October 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Planning Commission Chairperson

ATTEST:

City Clerk

EXHIBIT A

**CITY COUNCIL ORDINANCE ADOPTING AMENDMENT NO. 4 TO THIRD AMENDED AND
RESTATED CITY OF WHEATLAND DEVELOPMENT AGREEMENT CONCERNING JONES
RANCH SUBDIVISION**

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WHEATLAND APPROVING AMENDMENT NO. 4 TO THIRD AMENDED AND RESTATED CITY OF WHEATLAND DEVELOPMENT AGREEMENT CONCERNING CALITERRA (FORMERLY JONES) RANCH SUBDIVISION

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

Section 1. Purpose and Authority. The purpose of this Ordinance is to approve Amendment No. 4 to Third Amended and Restated City of Wheatland Development Agreement Concerning Caliterra (Jones) Ranch Subdivision. This ordinance is adopted pursuant to Government Code sections 65864 through 65869.5 and other applicable law.

Section 2. Findings. The City Council hereby finds and declares:

- A. On December 27, 2005, the City of Wheatland and Lakemont Overland Crossing, LLC (“collectively, the “Parties”) entered into the City of Wheatland Development Agreement Concerning Jones Ranch Subdivision (“Agreement”), which was recorded in the Yuba County Recorder’s Office on April 18, 2006, as Document No. 2006R-007611.
- B. On June 10, 2008, the Parties entered into Amendment No. 1 to the Agreement. Amendment No. 1 was recorded in the Yuba County Recorder’s Office on September 11, 2008, as Document No. 2008R-014197.
- C. On November 9, 2010, the Parties entered into Amendment No. 2 to the Agreement. Amendment No. 2 was recorded in the Yuba County Recorder’s Office on November 24, 2010, as Document No. 2010R-014746.
- D. On November 25, 2014, the Parties entered into the Third Amended and Restated City of Wheatland Development Agreement Concerning Jones Ranch Subdivision. The Third Amended and Restated Agreement was recorded in the Yuba County Recorder’s Office on February 3, 2015, as Document No. 2015-001148.
- E. On June 30, 2017, the Parties entered into Amendment No. 1 to the Third Amended and Restated City of Wheatland Development Agreement Concerning Jones Ranch Subdivision. Amendment No. 1 to the Third Amended and Restated Agreement was recorded in the Yuba County Recorder’s Office on December 14, 2017, as Document No. 2017-016375.
- F. On December 8, 2020, the Parties entered into Amendment No. 2 to the Third Amended and Restated City of Wheatland Development Agreement Concerning Jones Ranch Subdivision. Amendment No. 2 to the Third Amended and Restated Agreement was recorded in the Yuba County Recorder’s Office on January 27, 2021, as Document No. 2021-001587.
- G. On December 12, 2023, the Parties entered into Amendment No. 3 to the Third Amended and Restated City of Wheatland Development Agreement Concerning Jones Ranch Subdivision. Amendment No. 3 to the Third Amended and Restated Agreement was recorded in the Yuba County Recorder’s Office on January 4, 2024, as Document No. 2024-000120.

- H. For the reasons listed in the recitals of the proposed Amendment No. 4 to the Third Amended and Restated City of Wheatland Development Agreement (“Amendment No. 4”), attached hereto as Exhibit A and incorporated herein by reference, the Parties desire to further amend the Agreement.
- I. On October 7, 2025, the Planning Commission conducted a duly noticed public hearing in accordance with law concerning Amendment No. 4 and recommends that the City Council approve the Amendment.
- J. The City Council has conducted a duly noticed public hearing in accordance with law and now desires to approve Amendment No. 4.
- K. The City Council has evaluated Amendment No. 4 and the City General Plan and has determined that Amendment No. 4 is consistent with the General Plan.
- L. There have been no substantial changes to the project through the Development Agreement. Therefore, the Jones Ranch program-level Environmental Impact Report, the Jones Ranch project-level Mitigated Negative Declaration, and the Caliterra Ranch Addendum are the appropriate environmental documents for the proposed project.
- M. The Amendment is consistent with the provisions of the City Council Establishing Procedures for Consideration of Development Agreements.

Section 3. Approval of Development Agreement. The City Council hereby approves Amendment No. 4. The City Manager is authorized and directed to execute Amendment No. 4 on behalf of the City of Wheatland. The City Clerk shall cause Amendment No. 4 to be recorded in the Official Records of Yuba County upon execution, but in no event prior to the effective date of this ordinance.

Section 4. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption. Within fifteen (15) days from the passage of this ordinance, the City Clerk shall post a copy of it in at least three public places in the City of Wheatland.

INTRODUCED by the City Council on the ___th day of _____ 2025.

PASSED AND ADOPTED by the City Council of the City of Wheatland this ___ day of _____, 2025 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Angela Teeter, Mayor

Attest:

Lisa J. Thomason, City Clerk

EXHIBIT A

**AMENDMENT NO. 4 TO THIRD AMENDED AND RESTATED CITY OF WHEATLAND
DEVELOPMENT AGREEMENT CONCERNING JONES RANCH SUBDIVISION**

Recording requested by, and when recorded return to:

City of Wheatland
111 C Street
Wheatland, CA 95692

Exempt from recording fees (Government Code §§ 6103, 27383)

**AMENDMENT NO. 4 TO THIRD AMENDED AND RESTATED
CITY OF WHEATLAND DEVELOPMENT AGREEMENT
CONCERNING JONES RANCH SUBDIVISION**

This Amendment No. 4 to the Third Amended and Restated Development Agreement (the “Amendment”) is made and entered into this _____, 2025, by and between the City of Wheatland, a general law city (“City”), and Dale Investments, LLC, a California limited liability company (“Developer”) (“collectively the “Parties”), who agree as follows:

- 1. **Recitals.** This Amendment is made with reference to the following background recitals:
 - 1.1. On November 25, 2014, the parties entered into the *Third Amended and Restated City of Wheatland Development Agreement Concerning Jones Ranch Subdivision* (the “Agreement”), a copy of which is on file in the City Clerk’s office. The Agreement was recorded in the Yuba County Recorder’s Office on February 3, 2015 as Document No. 2015-001148.
 - 1.2. On June 30, 2017, the parties entered into an Amendment No. 1 to the Agreement, a copy of which is on file in the City Clerk’s office. That amendment was recorded in the Yuba County Recorder’s Office on December 14, 2017 as Document No. 2017-016375.
 - 1.3. On December 8, 2020, the parties entered into Amendment No. 2 to the Agreement, a copy of which is on file in the City Clerk’s Office. That amendment was recorded in the Yuba County Recorder’s Office on January 27, 2021, as Document No. 2021-001587.
 - 1.4. On December 12, 2023, the parties entered into Amendment No. 3 to the Agreement, a copy of which is on file in the City Clerk’s Office. That amendment was recorded in the Yuba County Recorder’s Office on January 4, 2024, as Document No. 2024-000120.
 - 1.5. At Developer’s request, City and Developer have agreed to amend the Agreement’s provisions related to the Water System Plan, Fire Station Site Dedication, and Main Street and First Street extensions, as set forth below.

2. Amendment to Agreement. The Parties amend the Agreement as follows:

2.1. Section 3.5.1. is amended to read as follows:

3.5.1 Water System Plan. Prior to approval of any improvement plans for subdivision improvements for the Property, Developer shall prepare a Water System Plan for the on-site water facilities, to the satisfaction of the City Engineer. The Water System Plan shall identify the size and locations of the water lines, pressure reducing stations and flow monitoring stations required to serve the Property, as well as the construction timing of such improvements, and shall be accompanied by all supporting technical information and calculations required by the City Engineer. The Water System Plan shall comply with the City’s water system master plan and then current public works improvement standards. If required by the City Engineer, the Water System Plan shall also include the installation and dedication of a new domestic water supply well and related improvements. The City Engineer’s determination on the installation and dedication of a new domestic water supply well and related improvements shall be based on the review of updated water demand and usage calculations.

2.2. Section 3.7.1. is deleted from the Agreement in its entirety.

2.3. Section 3.13.4. is amended to read as follows:

3.13.4. Developer shall dedicate the 1.5 acre (+/-) parcel of land currently designated as a fire station site on the Concept Plan (and to be incorporated into the amended Tentative Map) to the City for future use as a fire station or other City use as determined by City. Except for the curb, gutter and sidewalk improvements on the perimeter of the site to be installed with the adjacent subdivision improvements, the land shall be dedicated in its unimproved condition. The site will be dedicated to the City at a time that is agreed upon by the Parties and that is no later than the time of the approval of the final subdivision map for the parcels located adjacent to the site.

2.4. Section 5.3. is deleted from the Agreement in its entirety.

3. **No Effect on Other Provisions.** Except for the amendment in Section 2, the remaining provisions of the Agreement shall be unaffected and remain in full force and effect.

CITY OF WHEATLAND

DEVELOPER

By: _____
Bill Zenoni

By: _____
Sundeep S. Dale
Owner, Dale Investments, LLC

June 13, 2025

VIA -Email

Mr. Tim Raney
Community Development Director
City of Wheatland
111 C Street
Wheatland, CA 95692

Re: Caliterra Ranch

Dear Mr. Raney,

As you are aware, we have a revised and approved tentative map for the Caliterra Ranch subdivision. We respectfully propose to amend and restate the development agreement to incorporate these map revisions and include language from previous amendments to the agreement.

The proposed changes would be as follows:

Call the document the “Fourth Amended and Restated City of Wheatland Development Agreement Concerning...”

Section 1 - RECITALS

Include all three (3) amendments to the Third Amended and Restated DA

Section 2.2 - Term

Change Term to expire and December 31, 2030 unless terminated, modified or extended by this Agreement. (this was spelled out in the last amendment to the Agreement)

Section 2.7 - City Fees

Add the language in the last Amendment stating that Flat Rate Fees will expire on December 31, 2026 (Previously approved by City Council)

Section 2.7.3.1 -

Update the Flat Rate Fee to the fee as of January 1, 2025. Add new Section 2.8 from Amendment No.3 stating that Developer agrees to pay then-applicable fees after January 1, 2027.

Section 3 - Developer Obligations -

Revise language to reflect the approved language from Amendment no.3 regarding park obligations and park fee credits.

Section 3.6.1 - Water System Plan -

Would like to revise the sentence where it says “If required by the City Engineer, the Waster System Plan also shall include...” to “if water demand studies deem it necessary, the Water System Plan shall include...” (the reason being that we are finding that water

demand factors have been reduced as much as 50% over the past decade. We are also seeing sewer numbers dropping as well)

Section 3.7.3 – Financing of Water Treatment Plant Improvements

Update Flat Rate Fee numbers in this section. Also add a sentence that clarifies that Caliterra/Jones Ranch will receive a credit of \$3,162,029 (\$7,000,000 divided by 1,222 EDUs included in that agreement which equates to \$5,728.31 per EDU. Multiply that by 552 EDUs equals \$3,162,029.)

Section 3.8.2 – Main Street and First Street Extensions

We need to remove the reference to the Main Street extension now that there is no pathway for Main Street to extend into the Caliterra Ranch project unless it uses Oakley Lane at some point in time.

Section 5.3 – Reimbursement of Main Street Extension Costs

For the reasons mentioned previously we propose to eliminate this entire section.

I believe this addresses all of the issues we would like to clean up. The reason we would like to prepare a Fourth Amended and Restated Agreement is to consolidate everything into one document.

These proposed revisions aim to enhance clarity and ensure alignment with updated circumstances and agreements. By adopting these changes, we can maintain consistency in development obligations, accurately reflect current utility demand trends, and uphold fairness in fee credits and reimbursements.

I thank you in advance for your consideration of these matters and look forward to hearing back from you.

I thank you in advance for your consideration.



Rick Langdon
Authorized Representative
Dale Investments, LLC
559-804-9691