



Planning Commission Meeting Agenda

June 17, 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. CONSENT CALENDAR

- [3.1](#) Minutes from the April 29, 2025 Meeting
- 3.2 Oath of Office for Ryan Epperson

4. REGULAR CALENDAR

- [4.1](#) Consideration to recommend the Wheatland City Council approve an Ordinance Amending Section 18.60.060 of the Wheatland Municipal Code Relating to Animals and Animal Shelters

5. REPORTS

6. 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

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Special Planning Commission Meeting Minutes

April 29, 2025, at 6:00 PM

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

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1. OPENING MATTERS

1.1 Call to Order and Roll Call

PRESENT

- David Pesenti
- Debbie Panteloglow
- Ken Thomason
- Greg Hart

OTHERS PRESENT

- Bill Zenoni, City Manager
- Tim Raney, Community Development Director
- Kevin Valente, AICP

1.2 Pledge of Allegiance to the Flag

2. PUBLIC COMMENT

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None

3. CONSENT CALENDAR

3.1 Minutes from March 18, 2025, regular Planning Commission Meeting.

Motion made by Panteloglow, Seconded by Thomason.
Voting Yea: Pesenti, Panteloglow, Thomason, Hart

4. REGULAR CALENDAR

4.1 Consideration and Adoption of Resolution Adopting and Confirming Findings of the Administrative Hearing Officer and Finding Municipal Code Violations that Constitute a Nuisance on the Property Located at 408 2nd Street.

Bill Zenoni presented the staff report for consideration and adoption of a Resolution Adopting and Confirming Findings of the Administrative Hearing Officer and Finding Municipal Code Violations that Constitute a Nuisance of the Property located at 408 2nd Street. The responsible person(s) of 408 2nd Street were notified that the property was in violation of certain Wheatland Municipal Code sections pertaining to nuisances and the correction of a fire or life hazard. After issuing Notices of Violation on August 12, 2024, November 14, 2024, and December 26, 2024, an administrative review hearing was held on January 27, 2025. The Hearing Officer determined that the conditions noted in the Notices of Violation meet the definition of a nuisance under the Wheatland Municipal Code and the City’s request to abate such nuisances was granted. The Planning Commission held a public hearing on April 1, 2025, at the conclusion the Planning Commission directed staff to prepare a resolution confirming the findings of the Hearing Officer and directing the responsible person to abate the nuisance.

Motion made by Pesenti, Seconded by Panteloglow to **adopt Resolution No. 2025-03 Adopting and Confirming the Findings of the Administrative Hearing Officer and Finding Municipal Code Violations that Constitute a Nuisance on the Property.**

Voting Yea: Pesenti, Panteloglow, Thomason, Hart

5. PUBLIC HEARING

5.1 Consideration to recommend the Wheatland City Council approve an Ordinance Amending Section 18.60.060 of the Wheatland Municipal Code Relating to Animals and Animal Shelters.

City Manager Bill Zenoni presented the staff report for consideration to recommend the Wheatland City Council approve and Ordinance Amending Section 18.60.060 of the Wheatland Municipal Code Relating to Animals and Animal Shelters. Section 18.60.060 of the Wheatland Municipal Code addresses the keeping of domestic animals as accessory to any residential use allowed in zones other than an agriculture-exclusive zone. Section 18.60.060 (D) defines small domestic animals as rabbits, poultry, and like animals, regardless of size or age. Currently Section 18.60.060(E) provides that one small domestic animal (as defined in subsection D, but excluding roosters, geese, and peacocks) may be kept on any parcel of not less than six thousand square feet. Staff has received several requests to increase the permitted number of small domestic animals on parcels that are a minimum of six and ten thousand square feet from one to five and require the animals be kept a minimum of 15 feet from the property line to avoid issues with neighbors on smaller lots.

Planning Commissioner Panteloglow commented on verifying the number of chickens, neighbor complaints, language on page one of the Ordinance and monitoring the number of chickens.

Planning Commissioner Thomason commented on the number of chickens.

Planning Commission Chair Hart commented on council members complying with setbacks.

Planning Commission Vice Chair Pesenti commented on the 15-foot setback at night or while roaming.

Public Comment - None.

Motion made by Pesenti, Seconded by Thomason to **approve Resolution No. 2025-04 Recommending the Wheatland City Council Approve the Ordinance Amending Section 18.60.060 of the Wheatland Municipal Code Related to Animals and Animal Shelters.**

Voting Yea: Pesenti, Panteloglow, Thomason, Hart

- 5.2 Consideration to recommend the Wheatland City Council approve a Planned Development (PD) Amendment for the Bishop’s Pumpkin Farm PD District located at 1415 Pumpkin Lane.

Planning Commission Vice Chair Pesenti recused himself from this discussion stating he has a financial interest in Bishop's Pumpkin Farm.

Kevin Valente presented the staff report for consideration to recommend the Wheatland City Council approve a Planned Development (PD) Amendment for the Bishop’s Pumpkin Farm PD District located at 1415 Pumpkin Lane. The City received the request to amend from the Bishop’s on March 10, 2025, to increase the maximum building height requirement from 35 feet to 50 feet. On January 11, 2011, City Council adopted Ordinance No. 426 approving the Prezoning of the Bishops Pumpkin Farm to Agriculture Exclusive-Planned Development (AE-PD) and adopted the Bishop’s Pumpkin Farm PD District for the 40-acre property identified as Yuba County Assessor Parcel Number (APN) 015-180-109-000. Bishop’s Pumpkin Farm consists of approximately 40 acres and the primary pumpkin sales and related operations occur from early-September through mid-November. The main function of Bishop’s Pumpkin Farm is the selling of pumpkins; however, many ancillary activities occur. These ancillary activities are defined as agricultural tourism uses that include, but are not limited to, hayrides, pony rides, corn maze, petting zoo, and rides on the Bishop’s Pumpkin Farm railroad. The farm also provides entertainment events such as pig races, puppet shows, juggling, and live music. In addition, the Bishop’s Pumpkin Farm offers a retail area which sells food, baked goods, candy, and specialty gift items. During the spring months Bishop’s Pumpkin Farm offers an educational program called Hamburger Farm, which provides a tour of the farm showing all the crops needed for making a hamburger. Bishop’s Pumpkin Farm also allows special events at the site during off peak times. Events include company picnics, birthday parties and other large gatherings. The Farm also hosts community events such as a 5K Pumpkin Run/Walk for the Red Cross, as well as music and children’s events. On December 14, 2010, the Wheatland City Council approved the Bishop’s Pumpkin Farm IS/MND and the Mitigation Monitoring and Reporting Program (MMRP).

Commissioner Thomason commented on approval for this project and future projects, and approval of the resolution is only for this specific project.

Commissioner Panteloglow commented on total acres of the project, location of the project on the property. Panteloglow stated she does not understand the 50-foot setback and the project not blocking neighbors view.

Planning Chair Hart commented on usable space in the upper level of the project, height of the zipline attraction and stated that the 50-foot setback is too short.

Community Development Director Tim Raney stated that staff will discuss adequate buffers with the applicant which will be included in a revised resolution for the project. Raney added that the Planning Commission will have final authority on future projects between 35 and 50 feet.

Public Comment

Chris Walsh stated that projects on Bishop's Pumpkin Farm should not cover the entire farm. Wayne Bishop commented on restrictions from property line, height of the project and the aesthetic of the project made to look like an old rice dryer. Pam Walsh commented on setbacks from neighbors.

Motion made by Panteloglow, Seconded by Thomason to **approve Resolution No. 2025-25 Recommending that the Wheatland City Council Approve the Planned Development Amendment for the Bishop's Pumpkin Farm Located at 1415 Pumpkin Lane (APN 015-180-109-000).**

Voting Yea: Panteloglow, Thomason, Hart
Voting Abstaining: Pesenti

6. ADJOURN

With no other business before the Planning Commission, the meeting adjourned at 6:37 p.m.

Respectfully submitted,
Kevin Valente, AICP
Senior Planner

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Planning Commission Meeting Staff Report

Meeting Date: June 17, 2025

Subject: Consideration to recommend the Wheatland City Council approve an Ordinance Amending Section 18.60.060 of the Wheatland Municipal Code Relating to Animals and Animal Shelters

Prepared By: Bill Zenoni, City Manager

Recommendation: Staff recommends that the Wheatland Planning Commission adopt the attached resolution recommending the Wheatland City Council adopt the ordinance amending Section 18.60.060 of the Wheatland Municipal Code relating to animals and animal shelters (see Attachment 1).

Discussion: On April 29, 2025, the Wheatland Planning Commission conducted a public hearing and adopted a resolution recommending that the City Council approve an ordinance amending Section 18.60.060 of the Wheatland Municipal Code relating to animals and animal shelters.

On May 27, 2025, the Wheatland City Council held a public hearing to consider the ordinance amending Section 18.60.060 of the Wheatland Municipal Code relating to animals and animal shelters. After discussion, the City Council recommended the required minimum setbacks from property lines be reduced from 15 feet to 10 feet, therefore requiring reconsideration from the Planning Commission.

A redline version showing the proposed change is provided below.

18.60.060 Animals and animal shelters.

Domestic animals may be kept as accessory to any residential use allowed in zones other than an agriculture-exclusive zone (Chapter 18.15) according to the following regulations:

- A. One large domestic animal, plus the animal's non-adult offspring, may be kept on any parcel of not less than one acre. One additional animal may be kept for each one-half acre by which the parcel exceeds one acre. Domestic animals that fall under the large size category are as follows: bovine, equine, llama, or like animals, regardless of size or age.
- B. Up to four medium-sized domestic animals, plus their non-adult offspring, may be kept on any parcel of not less than one acre. One additional animal may be kept for each ten thousand square feet of area by which the parcel exceeds one acre. Domestic animals that fall under the medium-size category are as follows: sheep, goats, swine, and like animals.
- C. Up to four dogs or domestic cats, or a combination of dogs and cats not exceeding four animals in total, may be kept on any parcel that is less than one acre in size. One additional animal may be kept for each ten thousand square feet of area by which the parcel exceeds one acre. Litters of puppies and kittens exceeding the four animal limit may be kept with the mother for a period not to exceed four months. This subsection (C) shall not apply to accessory uses in a residential estates district (Chapter 18.18), two-family residential district (Chapter 18.24) and multifamily residential-limited district (Chapter 18.27).

- D. Up to ten small domestic animals, plus their non-adult offspring, may be kept on any parcel of not less than ten thousand square feet. One additional animal may be kept for each five hundred square feet of area by which the parcel exceeds ten thousand square feet. Domestic animals that fall under the small-size category are as follows: rabbits, poultry, and like animals, regardless of size or age.
- E. Up to five ~~One~~ small domestic animals (as defined in subsection D, but excluding roosters, geese and peacocks) may be kept on any parcel of not less than six thousand square feet. All small domestic animals must be kept at a minimum of 10 feet from property lines.
- F. Domestic animals shall not be kept on a parcel in such a manner as to constitute a nuisance to neighboring properties.

CEQA Review: The Ordinance amending Section 18.60.060 – Animals and animal shelters – of the Wheatland Municipal Code is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, the Common-Sense exemption and Minor Alterations in Land Use Limitations (Section 15305).

Fiscal Impact: There is no fiscal impact associated with this recommended action.

Attachments:

- 1. Resolution
- 2. 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 THE ORDINANCE AMENDING SECTION 18.60.060 OF THE WHEATLAND MUNICIPAL CODE RELATED TO ANIMALS AND ANIMAL SHELTERS

WHEREAS, City staff has received several requests to increase the permitted number of small domestic animals (specifically chickens) on parcels that are a minimum of six thousand square feet in size. The proposed amendment to Section 18.60.060(E) of the Wheatland Municipal Code would increase the permitted number of small domestic animals on parcels between six and ten thousand square feet in size from one to five and would require that these animals be kept a minimum of 10 feet from the property line to avoid issues with neighbors on these smaller lots; 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, the Common-Sense exemption and Minor Alterations in Land Use Limitations; and

WHEREAS, the Wheatland Planning Commission considered this matter at a public meeting held on June 17, 2025.

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 amendment to Section 18.60.060 of the Wheatland Municipal Code related to animals and animal shelters, as set forth in Exhibit A, which is attached hereto and incorporated by reference:

- A. The Planning Commission has considered this matter and now desires to approve the proposed ordinance amending Section 18.60.060 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 18.60.060 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 18.60.060 – Animals and animal shelters – of the Wheatland Municipal Code is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, the Common-Sense exemption and Minor Alterations in Land Use Limitations.
- D. The Planning Commission finds it necessary to pass and implement the proposed amendments to Section 18.60.060 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 the Wheatland City Council APPROVE the Amendment to Section 18.60.060 of the Wheatland Municipal Code related to animals and animal shelters, 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 17th day of June 2025 by following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Planning Commission Chairperson

ATTEST:

Lisa Thomason, City Clerk

ORDINANCE NO. XXX

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHEATLAND
AMENDING WHEATLAND MUNICIPAL CODE SECTION 18.60.060 RELATING TO ANIMALS
AND ANIMAL SHELTERS**

The Wheatland City Council ordains as follows:

SECTION 1: Purpose and Authority.

The purpose of this ordinance is to amend Section 18.60.060 of the Wheatland Municipal Code to increase the permitted number of small domestic animals on parcels that are a minimum of six thousand square feet in size. This ordinance is adopted pursuant to Article XI, section 7 of the California Constitution, Chapter 18.85 of the Wheatland Municipal Code, and other applicable laws.

SECTION 2. Findings.

The Wheatland City Council finds and determines as follows:

- A. The City has received several requests to increase the permitted number of small domestic animals on parcels that are a minimum of six thousand square feet in size.
- B. The provisions relating to keeping small domestic animals as an accessory to any residential use allowed in zones other than an agriculture-exclusive zone are contained in the City of Wheatland Municipal Code, Section 18.60.060 “Animals and Animal Shelters.”
- C. The Wheatland Planning Commission conducted a duly noticed public hearing on April 29, 2025, in accordance with the law, and recommends that the City Council amend Wheatland Municipal Code, Section 18.60.060 “Animals and Animal Shelters.”.
- D. On May 27, 2025, the Wheatland City Council held a duly noticed public meeting concerning the adoption of a proposed ordinance amending Section 18.60.060 of the Wheatland Municipal Code.
- E. The City Council has evaluated the amendment of the Section 18.60.060 of the Wheatland Municipal Code and the City’s General Plan and has determined that the amendment of the is consistent with the General Plan and the desires of the Wheatland City Council.
- F. The City Council has determined that, pursuant to the California Environmental Quality Act, and after full consideration of the administrative record, the proposed Ordinance amending Section 18.60.060 – Animals and animal shelters – of the Wheatland Municipal Code is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, the Common-Sense exemption and Minor Alterations in Land Use Limitations.
- G. The Wheatland City Council finds it necessary to pass and implement the proposed amendment to Section 18.60.060 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.

SECTION 3. Ordinance. Subsection E of Section 18.60.060 of the Wheatland Municipal Code is amended to read as follows:

- E. Up to five small domestic animals (as defined in subsection D, but excluding roosters, geese and peacocks) may be kept on any parcel of not less than six thousand square feet. All small domestic animals must be kept at a minimum of 10 feet from property lines.

Except as expressly amended by this Ordinance, all other provisions of Chapter 18.60 of the Wheatland Municipal Code 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 and be enforced thirty (30) days from and after the date of its adoption.

SECTION 6. 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 _____ 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