

**CITY OF ISLETON**  
**Special Planning Commission Meeting Agenda**

Tuesday, August 9, 2022, at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

TELECONFERENCE AND OR IN PERSON MEETING

**CONTINUATION OF THE AUGUST 2, 2022 MEETING FOR HOUSING ELEMENT**

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This meeting will be held via teleconference or in person, pursuant to Executive Order N-29-20 issued by the State of California Executive Order by Governor Gavin Newsom on March 17, 2020. All members of the public interested in participating in this ZOOM meeting are invited to join by phone or online teleconference. To attend meeting by phone, dial 408-638-0968 (do not put a 1 before the number), Personal Meeting ID 337-903-7904# and Personal ID just hit# and then Passcode 123456#. For computer log in follow the link below.

<https://us02web.zoom.us/j/3379037904?pwd=MUM2cnZrdzJMVTBUO0EYUd4S2kzZz02>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

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**1. OPENING CEREMONIES**

- A. Welcome & Call to Order – Chair Jack Chima called to order at 6:30pm.
- B. Pledge of Allegiance
- C. Roll Call  
PRESENT: Planning Commissioner's Michelle Burke, Joe Kessner, Ruby Fowler, Jack Chima.  
ABSENT: Planning Commissioner Mandy Elder.

**2. AGENDA CHANGES OR DELETIONS**

ACTION: None.

**3. PUBLIC COMMENT**

This is an opportunity for the public to speak to the Planning Commission on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Planning Commission Chairman may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

ACTION: Don Cain – How do we start the AED's process to have them.

**4. PUBLIC HEARINGS**

- A **SUBJECT:** General Plan Amendment GPA 2022-01; Housing Element Update.

**RECOMMENDATION:** Approve Planning Commission Resolution PC02-22 recommending adoption of the Housing Element Update by the City Council.  
Michelle Burke- We have been adopting these zoning, so we can do it now.  
Ruby- Tiny Homes. Michelle Burke- It's a new category. Public Comments-  
Don Cain- The City get props our brownie points. Closed. Joe Kessner – 863-  
Flood plain-a lot of language-support residential and remove under barriers. I

feel its addressed here. Zoning Code amendments. Jack Chima-As in industrial Housing, levee requirements with procedures. Aleida-We have to have the zoning go with it. Jack Chima –Yes. We have to deal with it as the situation occurs.

**ACTION:** Planning Commissioner Ruby Fowler motion to approve Planning Commission Resolution PC 02-22 recommending adoption of the Housing Element Update by the City Council. Chair Jack Chima second the motion. **AYES:** Planning Commissioner’s Ruby Fowler, Joe Kessner, Michelle Burke, Jack Chima. **NOES:** None. **ABSTAIN:** None. **ABSENT:** Planning Commissioner Mandy Elder. **PASSED:** 4-0.

**5. OTHER BUSINESS**

A. **SUBJECT:** None.

**6. COMMISSION REPORTS AND COMMITTEE UPDATES**

- A. Commission Chair Jack Chima – None.
- B. Commissioner Ruby Fowler – None.
- C. Commissioner Joe Kessner – Agendize 502 6<sup>th</sup> St.
- D. Commissioner Michelle Burke – Files to PDF for readable.
- E. Commissioner Mandy Elder – Absent.

**7. STAFF GENERAL REPORTS AND DISCUSSION**

None.

**8. ADJOURNMENT**

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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CHAIR, Jack Chima

ATTEST:

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DEPUTY CITY CLERK, Yvonne Zepeda

## CITY OF ISLETON

### Amended Planning Commission Meeting Minutes

Tuesday, April 5, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

TELECONFERENCE MEETING OR IN PERSON

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Meeting ID: 337 903 7904

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#### 1. OPENING CEREMONIES

- A. Welcome & Call to Order – Chair Jack Chima called to order 6:30p.m.
- B. Pledge of Allegiance
- C. Roll Call

PRESENT: Planning Commissioner's Mandy Elder, Chris Jones, Robert Jankovitz, Michelle Burke, Jack Chima.

#### 2. AGENDA CHANGES OR DELETIONS

ACTION: None.

#### 3. PUBLIC COMMENT

This is an opportunity for the public to speak to the Planning Commission on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Commission and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Chair may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

ACTION: Casey Cummunsy-a lot of traffic, transient by 5<sup>th</sup> and Jackson and A St. people stealing catalytic convertor. 106 4<sup>th</sup> St. no lights. A street light would be nice.

#### 4. COMMUNICATION

- A. County of Sacramento, Order of Health Officer.

**AMERICANS WITH DISABILITIES ACT NOTICE:** In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to [Yvonne.zepeda@cityofisleton.com](mailto:Yvonne.zepeda@cityofisleton.com) at least 48 hours prior to the meeting.

**GOV. CODE § 54957.5 NOTICE:** Public records related to an agenda item that are distributed less than 72 hours before this meeting are available for public inspection during normal business hours at Isleton City Hall located at 101 Second Street, Isleton, California 95641.

ACTION: Information only.

## 5. CONSENT CALENDAR

- A**     **SUBJECT:** Approval of Minutes of the Regular Planning Commission Meeting of December 7, 2021 and Special Planning Commission Meeting of February 15, 2022.

**RECOMMENDATION:** Planning Commission review and approve draft minutes of the Regular Planning Commission Meeting of December 7, 2021 and Special Planning Commission Meeting of February 15, 2022.

**ACTION:** Planning Commissioner Mandy Elder motion to approve draft minutes of the Regular Planning Commission meeting of December 6, 2021 should say and not December 7, 2022. Planning Commissioner Chris Jones second the motion. **AYES:** Planning Commissioner's Mandy Elder, Chris Jones, Michelle Burke, Robert Jankovitz, Chair Jack Chima. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED** 5-0. Planning Commissioner Michelle Burke motion to approve draft minutes of the Special Planning Commission meeting of February 15, 2022. Planning Commissioner Chris Jones second the motion. **AYES:** Planning Commissioner's Chris Jones, Michelle Burke, Robert Jankovitz, Chair Jack Chima. **NOES:** None. **ABSTAIN:** Planning Commissioner Mandy Elder. **ABSENT:** None. **PASSED** 5-0.

## 6. PUBLIC HEARING

- A.**     **SUBJECT:** Conditional Use Permit UP 01-22 and Development Agreement DA 2022-01 for WTO Essentials, Inc. for a cannabis manufacturing and distribution facility located at 402 Jackson Blvd, Isleton, CA 95641, Assessor's Parcel No. 757-007-303-10-0000.

**RECOMMENDATION:** Conditional Use Permit UP 01-22 and Development Agreement DA 2022-01 for WTO Essentials, Inc. for a cannabis manufacturing and distribution facility located at 402 Jackson Blvd, Isleton, CA 95641, Assessor's Parcel No. 757-007-303-10-0000.

**ACTION:** Chris Jones- Is the space same use? Gary Price- Manufacturer and distro use now from 402 Jackson. Delta Ag. Holdings and WTO 4200 sq. ft. Chris Jones- It's half empty. Details of the improvements, smell and pollution. Public-Jay Arter- Wrote letter to find out information. Plans and traffic and employees. Would like to see improvements, sidewalks, speed bumps where are they. Chris Jones-Call Gary Price. Complete package. Continued to April 13, 2022.

## 7. NEW BUSINESS

- A.**     **SUBJECT:** 502 Sixth Street, Find Property out of Compliance.

**RECOMMENDATION:** That the Commission recommend that City Council Find 502 Sixth Street out of Compliance with City Zoning Code (Ordinance 2015-01).

Chris Jones-what is permissible and a lot of improvements and first whether permitted uses. There's permitted use of fruit trees. Michelle Burke-Liability topic heightened insurance. I have insurance and you have copies of my insurance. It is a permitted primary use in the code. Chuck Bergson-Commercial code 602 uses, connection to water, sewer and utilities.

Michelle Burke-I've had fruit trees and soil to grow the plants I have. Single family residential easements on property. Dean Dockery-on going July 7, 2020- 1 conex box, no sewer, no water and many more conex boxes. No compliance. It's not one simple item. View it as residential property. I like the trees. Mandy Elder- is there a code to live in those conex boxes. Chris Jones- We have a way forward, amblical to code enforcement. Consensus and direction touring the property. Time line 3 months and to bring back. Dean Dockery good enough, meet with Michelle Burke and partner Don Cain and set up date and time. I am going to follow the code.

**ACTION:** Then bring back.

- A. SUBJECT:** Tree Inventory Report

**RECOMMENDATION:** For information.

**ACTION:** Direction given to City Manager on Tree Ordinance.

## **7. COMMISSION REPORTS AND COMMITTEE UPDATES**

- A. Commission Chair Jack Chima – None.
- B. Commissioner Robert Jankovitz – Left meeting early. None.
- C. Commissioner Chris Jones – Del Rio in Escrow?
- D. Commissioner Michelle Burke – None.
- E. Commissioner Mandy Elder – Code Enforcement. 4<sup>th</sup> Ave. tree cut down.

## **8. STAFF GENERAL REPORTS AND DISCUSSION**

General plan moving along. Special Planning Commission meeting April 13, 2022 for WTO.

## **9. ADJOURNMENT**

AYES:

NOES:

ABSTAIN:

ABSENT:

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CHAIR, Jack Chima

ATTEST:

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DEPUTY CITY CLERK, Yvonne Zepeda



**CITY OF ISLETON**  
**Planning Commission Meeting Agenda**

Tuesday, August 2, 2022, at 6:30pm

208 Jackson Boulevard  
Isleton, California 95641  
TELECONFERENCE AND OR IN PERSON MEETING

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<https://us02web.zoom.us/j/3379037904?pwd=MUM2cnZrdzJMVTBUO0EYtUd4S2kzZz02>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

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**1. OPENING CEREMONIES**

- A. Welcome & Call to Order – Chair Jack Chima called to order at 6:30pm.
- B. Pledge of Allegiance
- C. Oaths – Ruby Fowler and Joe Kessner were sworn into office of Planning Commission.
- D. Roll Call  
PRESENT: Planning Commissioner’s Mandy Elder, Michelle Burke, Ruby Fowler, Joe Kessner, Chair Jack Chima.

**2. AGENDA CHANGES OR DELETIONS**

ACTION: None.

**3. PUBLIC COMMENT**

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**4. PUBLIC HEARINGS**

- A **SUBJECT:** General Plan Amendment GPA 2022-01; Housing Element Update.

**RECOMMENDATION:** Approve Planning Commission Resolution PC02-22 recommending adoption of the Housing Element Update by the City Council. Gary Price read staff report of General Plan Housing Element. Ruby Fowler-Isleton lacks poverty. Ethan-22 Jurisdictions out of date and HCD and small communities. Make small edits at a later date. Get all docs to planning commission. Cara- double check on website.

**ACTION:** Chair Jack Chima motion to approve Planning Commission Resolution PC 02-22 recommending adoption of the Housing Element Update by the City Council. Ruby Fowler second the motion. **AYES:** Planning Commissioner’s Mandy Elder, Michelle Burke, Ruby Fowler, Joe Kessner, Chair Jack Chima. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED 5-0.**

**5. OTHER BUSINESS**

- A. **SUBJECT:** Zoning Interpretations for 502 6<sup>th</sup> Street.

**RECOMMENDATION:** In accordance with Sections 603 and 1301 of the Zoning Code make certain findings and interpretations as referenced in the staff report.

**ACTION:** Michelle Burke Its' assumption that were in other cities. Code is rewritten poorly. Chuck and Dean and Scott showed up and said all 3 of them do it at same time. Chuck refused to let Dean inspect alone. Ruby Fowler what are we supposed to do with this. Is Burke property approved what she is doing there? Chuck- No. we took direction from PC. To inspect property and would not let us on. Michelle Burke you said code enforcement. Jack Chima this has been going on. Easement, gas line, PG&E-based on that we cannot allow it and no letter provided. Obtain a permit, building plans and apply. Public Safety and on record and conformance and variance code. Applicant make an application and propose. Planning Commission need to get a site plan review. Jack Chima motion to receive an application. **ACTION:** Planning Commissioner Joe Kessner motion to receive an application site plan from Michelle Burke. Planning Commissioner Ruby Fowler second the motion. **AYES:** Planning Commissioner's Michelle Burke, Ruby Fowler, Joe Kessner, Chair Jack Chima. **NOES:** None. **ABSTAIN:** Planning Commissioner Michelle Burke and Mandy Elder. **ABSENT:** None. **PASSED 3-1.**

## **6. COMMISSION REPORTS AND COMMITTEE UPDATES**

- A. Commission Chair Jack Chima – Trees in City need trimmed. PG&E Lines running in trees.
- B. Commissioner Ruby Fowler – None.
- C. Commissioner Joe Kessner – None.
- D. Commissioner Michelle Burke – Compassionate Use on next agenda.
- E. Commissioner Mandy Elder – Decker own the storage facility by Catholic Church? No. JD Petra owns it. Kushner 3 homes- Environmental review. The Meadows? Update.

## **7. STAFF GENERAL REPORTS AND DISCUSSION**

**ACTION:** Village on the Delta 3 homes under construction review at City Hall.

8. **ADJOURNMENT – This meeting is continued.**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**CHAIR, Jack Chima**

**ATTEST:**

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**DEPUTY CITY CLERK, Yvonne Zepeda**



## CITY OF ISLETON

### Planning Commission Meeting Minutes

Tuesday, October 4, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

TELECONFERENCE MEETING OR IN PERSON

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Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

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#### 1. OPENING CEREMONIES

A. Welcome & Call to Order – Chair Jack Chima called to order at 6:30PM.

B. Pledge of Allegiance

C. Roll Call

PRESENT: Planning Commissioner's Mandy Elder, Michelle Burke, Ruby Fowler, Joe Kessner, Chair Jack Chima, and City Manager Charles Bergson.

#### 2. AGENDA CHANGES OR DELETIONS

ACTION: None.

#### 3. PUBLIC COMMENT

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

ACTION: Don Cain – Putting stuff on agenda deviates from State Wide practices. Have rules or pass by Resolution. Brown Act or Chair can call for a special meeting. Tiny

**AMERICANS WITH DISABILITIES ACT NOTICE:** In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to Yvonne.zepeda@cityofisleton.com at least 48 hours prior to the meeting.

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Homes in general plan. Ad-Hoc committees to see what they think. Mike Leach of CSG new building official? Tony Hutson - concerns about development and wants reassurance, homes built to code. No shipping containers and animals running in the street. Closed.

#### 4. COMMUNICATION

A. None.

#### 5. CONSENT CALENDAR

A **SUBJECT:** Approval of Minutes of the Planning Commission Meeting of September 6, 2022.

**RECOMMENDATION:** Planning Commission review and approve draft minutes of the September 6, 2022.

**ACTION:** Tabled need description of date and letter who it is to and from and for 502 6<sup>th</sup> Street in support.

#### 6. PUBLIC HEARING

A. **SUBJECT:** Tentative Subdivision Map 2022-01, Alexander Kushner, Applicant.

**RECOMMENDATION:** The Planning Commission should hold a public hearing, consider the applicant's, staffs and public comments and approve Planning Commission Resolution PC 03-22 (based on findings and subject to conditions) and recommend this item to the City Council.

**ACTION:** Planning Commissioner Mandy Elder motion to hold a public hearing, consider the applicant's, staffs and public comments and approve Planning Commission Resolution PC 03-22 (based on findings and subject to conditions) and recommend this item to the City Council. Planning Commissioner Ruby Fowler second the motion. **AYES:** Planning Commissioner's Mandy Elder, Ruby Fowler, Joe Kessner. **NOES:** None. **ABSTAIN:** Planning Commissioner's Michelle Burke and Chair Jack Chima. **ABSENT:** None. **PASSED** 3-0-(2 recuse).

#### 7. NEW BUSINESS

A. **SUBJECT:** Isleton Historic Review Board, Ordinance No. 05-2011, section 1.03 (B) nominate second member from Planning Commission for appointment to the Isleton Historic Review Board.

**RECOMMENDATION:** That the Planning Commission nominate a second member for City Council appointment to the Isleton Historic Review Board.

**ACTION:** Planning Commission nominated Michelle Burks as the second member for City Council appointment to the Isleton Historic Review Board.

#### 7. COMMISSION REPORTS AND COMMITTEE UPDATES

A. Commission Chair Jack Chima – None.

B. Commissioner Ruby Fowler – None.

- C. Commissioner Joe Kessner – 3 Months Code Enforcement Report have not seen it. City Manager will submit at next meeting.
- D. Commissioner Michelle Burke – Law agenda-city code – she'll give you the code number.
- E. Commissioner Mandy Elder – None.

**8. STAFF GENERAL REPORTS AND DISCUSSION**

ACTION: Draft reasonable accommodations report. Del Rio is boarded up and bank owns it as of now.

**9. ADJOURNMENT**

AYES:

NOES:

ABSTAIN:

ABSENT:

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CHAIR, Jack Chima

ATTEST:

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DEPUTY CITY CLERK, Yvonne Zepeda



## CITY OF ISLETON

### Planning Commission Meeting Minutes

Tuesday, November 1, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

TELECONFERENCE MEETING OR IN PERSON

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Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

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#### 1. OPENING CEREMONIES

A. Welcome & Call to Order – Chair Jack Chima called to order at 6:30pm.

B. Pledge of Allegiance

C. Roll Call

PRESENT: Planning Commissioner's Mandy Elder, Michelle Burke, Ruby Fowler,  
Joe Kessner and Chair Jack Chima.

#### 2. AGENDA CHANGES OR DELETIONS

ACTION: None.

#### 3. PUBLIC COMMENT

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ACTION: Planning Commissioner Joe Kessner requested code enforcement reports. I did not see on agenda. Concerned Code Enforcement is not doing his job. It is being paid on

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a grant and what it is being used for. Copies of open permits, building. List. Michelle Burke – What is our building cost? CB-150.00. Don Cain –We submitted a site plan review that city requested. Mr. Bergson requested 5k and nothing in city ordinance. I explained that to Mr. Bergson. Again 2500 requested and I pushed back. CUP and application fees, site plan review lack that line or cc. Only after CC passes resolution or ordinance set fee. Still waiting on movement. Planner from San Francisco saying its exempt from planning and zoning code and EIR is done. As long as we are compliant it's a walk through. Especially Comforts CUP 500.00 only charged. I can't say city is acting in good faith. I'll publish on line and press as well.

#### 4. COMMUNICATION

A. None.

#### 5. CONSENT CALENDAR

A **SUBJECT:** Approval of Minutes of the Planning Commission Meeting of September 6, 2022.

**RECOMMENDATION:** Planning Commission review and approve draft minutes of the September 6, 2022.

**ACTION:** Planning Commissioner Michelle Burke motion to approve draft minutes of the September 6, 2022 with change to supporting Michelle Burke Property on 6<sup>th</sup> St. Planning Commissioner Ruby Fowler second the motion.

**AYES:** Planning Commissioner's Mandy Elder, Michelle Burke, Ruby Fowler, Joe Kessner, Chair Jack Chima. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. Passed 5-0.

#### 6. PUBLIC HEARING

A. **SUBJECT:** None.

#### 7. NEW BUSINESS

A. **SUBJECT:** RV Park Meadows, Jackson Boulevard, Status update.

**RECOMMENDATION:** None.

**ACTION:** RV Park Meadows, Jackson Boulevard to possibly be ready in December or January. City Manager they have not turned anything in. Ruby Fowler Map site plan, over lay, densely put together this is. Disaster preparedness plan. City Manager, Fire exit and safety plan and egress. This has not been proven by Fire Chief. Joe Kessner, Sewage told to look at Georgiana or 12" end at catholic church end of city limit, city never did it. For this size of unit. Pumping station, 12" like whose responsible for it? Concur if they do delta 8" line, all this area here- City to update 8"-12". Ruby Fowler – Where are they connecting sewer? Joe Kessner – They can do a septic, our connecting on Georgiana – 8" line. Delta 12" line extended from Catholic Church along Jackson, St. Theresa. Any money out of Cannabis will be chump change. I don't want to see road block, delays and get ahead of

the sewage issue. Power is it PG&E? CEQA Environmental review, parking, power, utility, sewer, water and traffic. Septic-Georgiana and engineering and sizing up line. That is all on applicant. They hired an engineer, waterlines may not be viable. Ruby Fowler, drain will be? City Manager, the entire lot for septic. Joe Kessner – They hit water at 7'. Ruby Fowler – if owner put in sewer, other ones benefit? JK- I don't know. City Manager-Application could ask for re-imbursement they get to defray their cost. Michelle Burke – Different zoning. Ruby Fowler – zoned in this project. Jack Chima –December bring it to pc. Michelle Burke – MH-RM7-Multiple egress. Joe Kessner –Single egress. City Manager – FC noted-emergency exit on east end. Jack Chima- 3 exits. Joe Kessner- Plywood on floor between the buildings off of 160. Jack Chima – Then cost sustain it. PC- Don Cain-impact fee cover the big chunk. City Manager – sewer extension fire, school, storm drain and wastewater extension on owner. LDR-zoned-trigger to amendment of General Plan.

**B. SUBJECT:** Review existing Conditional Use Permits.

**RECOMMENDATION:** None.

**ACTION:** Existing Conditional Use Permit. Joe Kessner-Yearly review done and expires in 5 years. City Council can revoke – what can they do. Ask for copies of reviews, date, time and report that they are complying. Ruby Fowler – Conditional Use Permit reviewed at City Hall, unable to find this, should have asked for resolution, ordinance with them, that is what's needed. 2021-Gates- and Price no review since then. Consulting planner to do review. Joe Kessner –Both examine and site visit and paper review. Mandy Elder – Staffing, no on site planner since 2021. Conditional and resolution last year, recently review State to tax review. Michelle Burke-Did you issue with conditions of commercial front-no single front. We want it public. The viability of Main St. front of buildings. They deserve to lose their license. Ruby Fowler-7 cannabis and some of these buildings of owners, we need to go after the owners of the property. Joe Kessner –al the CUP in owner in tenant. Ruby Fowler- so its issued to the business, not the owner? Some haven't started. Joe Kessner- they'll expire-401 6<sup>th</sup> St. expires next year. Joe Kessner-This is a high priority. Pull permit or make them do it. 30-60 days. Ruby Fowler-Need to clarify what they were asked. We can't hold them accountable if they don't have it in agreements. It's Fire Chief and Code Enforcement Officer. My wife closed her shop and she paid for Fire Inspection and was never inspected, why doesn't he come in 1<sup>st</sup>. inspection and enforcement of it. The manager needs to get them to do their job. It should be in writing. Michelle Burke-I thought we were reviewing Conditional Use Permit for cannabis to Planning Commission. City Manager, before next meeting. Michelle Burke-should be online and completion and hit go. Does CEO? should provide next meeting. Jack Chima – Gallaty revoked never paid and did not go online and FC Violations. No response. Delta Daze Inn-Lee Brothers – enforce it. JK-we need to enforce it. RF-little disappointed in CC public Sector. JC-Not transferrable. What are we going to do, what can we do, paint the buildings and HOA? Michelle Burke-pre-approved pallets. Ruby Fowler-apologize to Mr. Moldonado, no personalities.

## **8. COMMISSION REPORTS AND COMMITTEE UPDATES**

- A. Commission Chair Jack Chima- None.
- B. Commissioner Ruby Fowler- Acknowledge City of Isleton and Charles Bergson and Staff and consultants. I know you have hard jobs.
- C. Commissioner Joe Kessner-None.
- D. Commissioner Michelle Burke- Agenda setting. I mentioned at cc and pc 6<sup>th</sup> st. pallet place and church on van. 5<sup>th</sup> and Jackson smells bad. Public Works asked for a new vehicle, private ones, insurance issues. Kudos they vacuumed the leaves on main street.
- E. Commissioner Mandy Elder- None.

## **9. STAFF GENERAL REPORTS AND DISCUSSION**

ACTION: City Manager-City Council elected not to do AB361, getting clarification from council on running meetings via zoom.

## **10. ADJOURNMENT**

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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CHAIR, Jack Chima

ATTEST:

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DEPUTY CITY CLERK, Yvonne Zepeda



**CITY OF ISLETON**

**Planning Commission Meeting Meeting**

Tuesday, December 6, 2022 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

**TELECONFERENCE MEETING OR IN PERSON**

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This meeting will be held via teleconference or in person, pursuant to Executive Order N-29-20 issued by the State of California Executive Order by Governor Gavin Newsom on March 17, 2020. All members of the public interested in participating in this ZOOM meeting are invited to join by phone or online teleconference. To attend meeting by phone, dial 408-638-0968 (do not put a 1 before the number), Personal Meeting ID 337-903-7904# and Personal ID just hit # and then Passcode 123456#. For computer log in follow the link below.

<https://us02web.zoom.us/j/3379037904?pwd=MUM2cnZrdzJMVTBUQ0EyTUd4S2kzZz09>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

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**1. OPENING CEREMONIES**

- A. Welcome & Call to Order – Chair Jack Chima called to order at 6:34pm.
- B. Pledge of Allegiance
- C. Roll Call

PRESENT: Planning Commissioner’s Michelle Burke, Ruby Fowler, Joe Kessner, Jack Chima. ABSENT: Planning Commissioner Mandy Elder.

**2. AGENDA CHANGES OR DELETIONS**

ACTION: None.

**3. PUBLIC COMMENT**

This is an opportunity for the public to speak to the Council on any item other than those listed for public hearing on this Agenda. Speakers are requested to use the podium in front of the Council and to begin by stating their name, whether they reside in Isleton and the name of the organization they represent if any. The Mayor may impose a time limit on any speaker depending on the number of people wanting to speak and the time available for the rest of the Agenda. In the event comments are related to an item scheduled on the Agenda, speakers will be asked to wait to make their comments until that item is being considered.

ACTION: None.

**4. COMMUNICATION**

**AMERICANS WITH DISABILITIES ACT NOTICE:** In compliance with the Americans with Disabilities Act, persons needing a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, may contact Deputy City Clerk Yvonne Zepeda, at (916) 777-7770, by fax at (916) 777-7775 or by email to Yvonne.zepeda@cityofisleton.com at least 48 hours prior to the meeting.

**GOV. CODE § 54957.5 NOTICE:** Public records related to an agenda item that are distributed less than 72 hours before this meeting are available for public inspection during normal business hours at Isleton City Hall located at 101 Second Street, Isleton, California 95641.

A. None.

## 5. CONSENT CALENDAR

A SUBJECT: None.

## 6. PUBLIC HEARING

- A. SUBJECT: Consideration of Resolution No. 04-22, recommending approval to the City Council of Conditional Use Permit CUP 03-22, recommending approval of a Development Agreement, and recommending direction to staff to File Notice of Exemption for the Isleton Cannabis Company to operate under a micro-business cannabis license at 51 Main Street.

**RECOMMENDATION:** Conduct public hearing and adopt Resolution No. 04-22. Planning Commission concern with no store front and review CUP's and DA's. This is a change in ownership and license name.

**ACTION:** Planning Commissioner Joe Kessner motion to approve Resolution No. 04-22 recommending approval to the City Council of Conditional Use Permit CUP 03-2, recommending approval of a Development Agreement, and recommending direction to staff to File Notice of Exemption for the Isleton Cannabis Company to operate under a micro-business cannabis license at 51 Main Street, with recommendation 3 months of opening front with compliance with State Law. Planning Commissioner Ruby Fowler second the motion. AYES: Planning Commissioner Michelle Burke, Joe Kessner, Ruby Fowler, Chair Jack Chima. NOES: None. ABSENT: Planning Commissioner Mandy Elder. ABSTAIN: None. PASSED 4-0.

## 7. NEW BUSINESS

- A. SUBJECT: RV Park Meadows, Jackson Boulevard, Status update.

**RECOMMENDATION:** None.

**ACTION:** Planner Mr. Price gave an update on the project of RV Park Meadows with the California Environmental Quality Act, staff has prepared an environmental study for the project. In January or February 2023 will come back to Planning Commission for Public Hearing.

## 8. COMMISSION REPORTS AND COMMITTEE UPDATES

- A. Commission Chair Jack Chima- None.
- B. Commissioner Ruby Fowler-None.
- C. Commissioner Joe Kessner-Report on Code Enforcement. Is Dean Dockery code enforcement? City Manager no, Dockery is Interim Public Works Director.
- D. Commissioner Michelle Burke-None.
- E. Commissioner Mandy Elder-Absent.

## 9. STAFF GENERAL REPORTS AND DISCUSSION

**10. ADJOURNMENT**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**CHAIR, Jack Chima**

**ATTEST:**

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**DEPUTY CITY CLERK, Yvonne Zepeda**



# City of Isleton

## Planning Commission Staff Report

DATE: February 7, 2023

ITEM#: 7A

CATEGORY: New Business

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### **GENERAL PLAN IMPLEMENTATION POLICY 01-23; CITY POLICY FOR INTERIM MINISTERIAL REVIEW OF CERTAIN HOUSING DEVELOPMENT PROJECT IN COMPLIANCE WITH HOUSING ELEMENT**

**SUMMARY:** The Planning Commission and City Council approved/adopted the 6<sup>th</sup> Cycle, 2021-29 Housing Element, in October, 2022. This document was then submitted to the California Department of Housing and Community Development (HCD) for final certification. On December 5, 2022, HCD notified the City via email that they would certify the Housing Element with a change to Action H-2.2 which requires ministerial review of housing projects located on target vacant land in the City (refer to the attached email correspondence and letter from HCD-Attachments 2 and 3). The Housing Element documents (Policy and Background Reports) have been updated to incorporate this added Action:

**Refer to:** <https://cityofisleton.com/departments/planning-department/>

The Zoning Code currently requires site plan review for all development in the City, except for single family home development to be approved by the Planning Commission discretionarily to ensure it is attractive and compatible with the neighborhood. Also, Architectural Design Review is required for all development in the City for similar reasons. Action H-2.2 exempts this public review and limits staff's ability to approve projects on two low income target parcels. To ensure that development on these parcels meets the intent of site plan and architectural review of the Zoning Code the City needs some interim design standards.

**NEW INTERIM PLANNING REVIEW POLICY:** Action H-2.2 (see Attachment 4), as amended by HCD limits development review on five parcels consisting of approximately 6.1 vacant acres in the City for contemplated development (or development capacity) of 49 affordable housing units to staff review for compliance with minimum objective development standards of the Zoning Code, such as maximum building height, building setbacks, and off-street parking. In keeping with the intent of Chapter 1501 of the Zoning Code, regarding Site Plan Review, City Policy 01-23 has been drafted for Planning Commission and City Council approval. This policy includes certain objective design standards to these parcels (to be implemented by staff as ministerial review of building permits) in the event the City receives a development applications affordable housing projects-defined as having a minimum 20% of the units reserved for lower income households (see Attachment 1).

Please note that other housing projects (other than affordable housing development) that comply with the required density under the General Plan, could be developed on these two, target lots. Such development would have to undergo site plan approval by the Planning Commission, and therefore, not be subject to the interim planning review policy. However, if non-affordable housing is developed on these sites, the City is mandated under State Housing Law to ensure that

the City reserves adequate sites for the development of at least 8 *affordable* housing units in accordance with the State assigned Regional Housing Needs Allocation. Affordable housing in this instance means a housing project where at least 20% of the dwelling units are reserved for lower income households. Lower income households in Isleton is defined as those that earn 80 percent or less of the area median income. For the 2020 year, that equates to household earning less than approximately \$42,800 annually. As provided in the RHNA for Isleton (and referenced in the City's Housing Element) for the 2021 to 2029 projection period the City needs to show capacity for the development of at least 28 new housing units as follows:

- 5 very low-income units
- 3 low-income units
- 6 moderate-income units
- 14 above moderate-income units

This does not mean the City has to develop these units; it just means the City needs to reserve vacant land to accommodate the projection of at least 8 lower income housing units in the City.

**JANUARY 10 and 30, 2023, CITY COUNCIL REVIEW:** Due to the immediacy of needing a policy on this, staff took this interim planning review policy to the City Council on January 10, 2023, with the intention of getting it adopted, and then sending it back to the Planning Commission for further refinement. If changes were then made by the Commission, return it to the City Council for re-approval. After two meetings the Council referred this item to the Commission for review and recommendation.

**APPROVAL OF INTERIM PLANNING REVIEW POLICY:** The Planning Commission should review draft Interim General Plan Interim Review Policy 1-23 and recommend approval to the City Council.

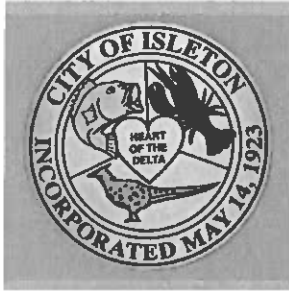
**FUTURE ZONING CODE UPDATE:** Staff anticipates that the Zoning Code will be updated in this year which will include permanent design standards for these types of projects. Please see excerpts from the City's Housing Element regarding specific requirements for amending the Zoning Code.

**Attachments:**

1. General Plan Implementation Policy 01-23, City Policy for Interim Ministerial Review of Certain Housing Development Project in Compliance with Housing Element
2. Email from HCD
3. Letter from HCD
4. Excerpts from the Housing Element



## Attachment 1



### General Plan Implementation Policy 01-23

#### City Policy for Interim Ministerial Review of Certain Housing Development Project in Compliance with Housing Element

**BACKGROUND:** Article 15 of the Zoning Code requires site plan approval by the Planning Commission and Article 17 requires architectural review by the Architectural Review Board of all development projects except for single family houses. As mandated by State Law and the California Department of Housing and Community Development, proposed development of lower income housing projects (minimum 20% of the housing units are reserved for lower income households) on the sites identified in Exhibit A, are exempt from site plan and architectural review and shall be ministerially approved by staff. This ministerial approval is subject only to staff review for compliance of minimum zoning code objective design standards, such as building height, building setbacks, and off-street parking (see Action H-2.2 of the Housing Element. This requirement applies to current practice until such time the Zoning Code is updated in 2023-24.

**INTERIM OBJECTIVE DESIGN STANDARDS:** To address concerns with appearance and compatibility concerns from future development on these target properties, the Planning Commission and City Council have approved the following objective design standards for these type of projects until the Zoning Code has been updated:

*Interim Objective Design Standards for Multiple Family Housing Development on Assessor Parcels 157-040-005 and 157-040-074:*

- A. Each multiple family development project developed shall comply with the City's Off-Street Parking requirements of Article 11, Off-Street Parking and Loading of the Zoning Code.
- B. Architectural site layout and development features should be adhered to as follows:
  1. Parking shall be provided behind buildings, in the rear of the site or accessed from alleys or screened from view of the public street.
  2. Front setback hardscape in the form of walkways, driveways or other hardcover pavement shall not exceed twenty-five (25) percent.
  3. Buildings shall be oriented to form interior courtyards and commons spaces.
  4. Building architecture shall respect shall reflect the character of the neighborhood

through the incorporation of key elements such as roof pitch, window types and style, siding, trim elements, similar color palate, etc. The following architectural features shall be adhered to for buildings fronting the street:

1. Building separation, changes in plane and height through building articulation elements including, but are not limited to:

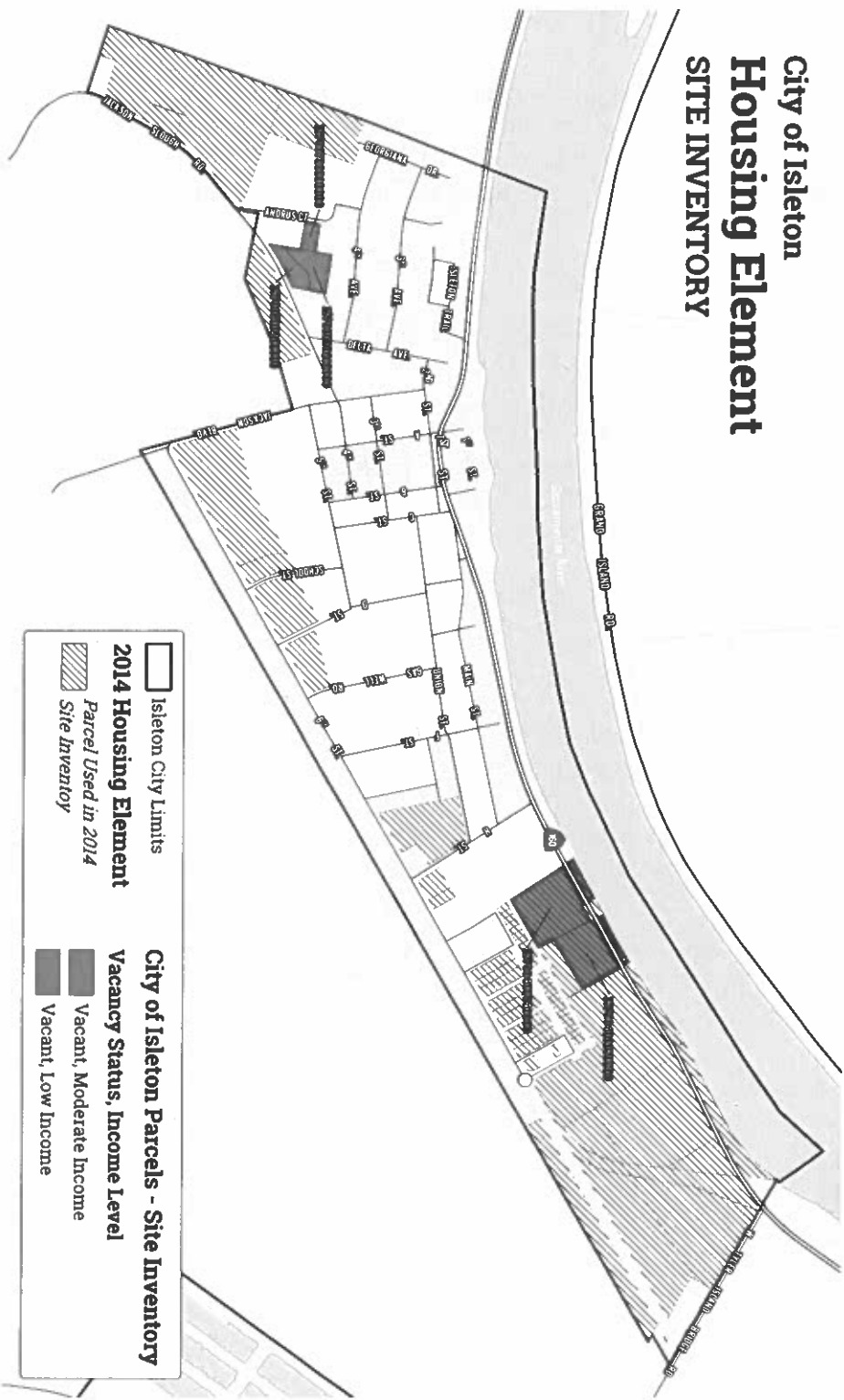
- Balconies
- Porches
- Pitched roofs
- Overhanging roofs with gabled ends
- Building entries with covered porches
- Multi-pane, vertical bay windows
- Dormers
- Secondary hipped or gabled roofs (mansards are prohibited)
- Change in wall plane (pop outs, projections, etc.) for buildings that exceed twenty-four (24) feet in length.

2. Pastel colors shall be used and building groups shall vary to provide some visual diversity.



Exhibit A

City of Isleton  
Housing Element  
SITE INVENTORY



## Attachment 2

### December 5, 2022, Email from HCD:

Thanks Gary. The red text highlighted in yellow text are suggested changes that basically says the City will follow the by right statute until the rezoning is complete. This allows us to find the City in full compliance because the rezoning deadline has passed. Let us know if you are ok with the suggested edits and if so, incorporate them into the final adopted element. We will then send the full compliance letter today.

**From:** Prasad, Hillary@HCD <Hillary.Prasad@hcd.ca.gov>  
**Sent:** Monday, December 5, 2022 8:52 AM  
**To:** Gary Price <gary@plannerprice.com>  
**Cc:** McDougall, Paul@HCD <Paul.McDougall@hcd.ca.gov>; Yvonne Zepeda (yvonne.zepeda@cityofisleton.com) <yvonne.zepeda@cityofisleton.com>; Charles Bergson - City of Isleton (cbergson@cityofisleton.com) <cbergson@cityofisleton.com>; Ethan E. Mobley <ethan@dynamicplanning.co>; Brian Greer (brian@dynamicplanning.co) <brian@dynamicplanning.co>  
**Subject:** RE: City of Isleton Housing Element Update

Hi Gary,

The excerpt below is a change to the 5<sup>th</sup> bullet point in the following program (we are suggesting language the change highlighted in yellow):

- **Action-H-2.2 Zoning Code Amendments.** Make the following zoning code amendments to maintain internal consistency and comply with State law requirements for housing:

Rezoning to and in the interim shall allow development by right, pursuant to Cal. Gov. Code § 65583.2(c), when 20 percent or more of the units are affordable to lower income housing on sites identified in Appendix A of the Housing Element Background Report to accommodate the lower income RHNA that was previously identified in past housing element. This allowance may also be an overlay on the specific sites identified in the Housing Element Site Inventory.

Thank you,



**Hillary Prasad**

Specialist, Housing Policy Division  
Housing and Community Development  
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833  
Phone: 916.776.7545

## Attachment 3

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY

GAVIN NEWSOM, Governor

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



December 5, 2022

Charles Bergson, City Manager  
City of Isleton  
P.O. Box 716  
Isleton, CA, 95641

Dear Charles Bergson:

**RE: City of Isleton's 6<sup>th</sup> Cycle (2021-2029) Adopted Housing Element**

Thank you for submitting the City of Isleton (City) housing element that was adopted September 27, 2022, along with technical modifications authorized by Resolution No. 29-22 and received for review on October 6, 2022. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted housing element in full compliance with State Housing Element Law (Article 10.6 of the Gov. Code). The adopted element addresses the statutory requirements described in HCD's December 7, 2021 review.

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- *Program H-2.2 (Zoning Code Amendments)*: This program commits the City, by 2023, to make revisions to the City's zoning code including, but not limited to, to allow previously identified sites by-right when 20 percent or more of the units are affordable, remove the conditional use permit for group homes with seven or more residents, and revise definitions of transitional and supportive housing.
- *Program H-2.6 (Update Fee Schedule)*: This program commits to study and create a new fee schedule by 2025.
- *Program H-3.8 (Adopt ADU Ordinance)*: This program commits the City to adopt an accessory dwelling unit ordinance to comply with state law by 2023.
- *Program H-3.3 (Regional Fair Housing, Mobility Enhancement, and Place-Based Access)*: This program commits the City to taking actions to affirmatively further fair housing including, among other actions, distributing educational materials, encourage multifamily development, and invest in infrastructure improvements throughout the City, beginning in 2023.

Charles Bergson, City Manager  
Page 2

The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

In addition, HCD notes the technical modifications authorized by Resolution No. 29-22. HCD reminds the City that a copy of the updated adopted housing element including these modifications should be posted wherever the housing element is available to the public. HCD requests notification upon posting

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City now meets housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the dedication of the housing element team provided throughout the course of the housing element review. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Hillary Prasad, of our staff, at [Hillary.Prasad@hcd.ca.gov](mailto:Hillary.Prasad@hcd.ca.gov).

Sincerely,



Paul McDougall  
Senior Program Manager

**Attachment 3**  
**Excerpts from Housing Element Policies**

**Zoning Code Amendments. Make the following zoning code amendments to maintain internal consistency and comply with State law requirements for housing:**

- **Replace references to the R-1-6 zone in the zoning code with the R-1-7 zone and corresponding standards.**
- **Include a statement in the purpose of the zoning ordinance (§ 102) that discusses furthering fair housing and California fair housing law.**
- **Remove the requirement for a Conditional Use Permit for second units in order to allow them as a permitted use in all residential districts that allow single-family units (i.e., the UR, R, and RM).**
- **Remove the requirement for two additional parking spaces for second units; reduce to one with the option to remove the condition if state-outlined conditions are present as outlined in Cal. Gov't. Code § 658252.2(e)(1-5).**
- **Rezone to and in the interim shall allow development by right, pursuant to Cal. Gov. Code § 65583.2(c), when 20 percent or more of the units are affordable to lower income housing on sites identified in Appendix A of the Housing Element Background Report to accommodate the lower income RHNA that was previously identified in past housing element. This allowance may also be an overlay on the specific sites identified in the Housing Element Site Inventory. (Edited as mandated by HCD review 12/5/2022)**
- **Remove the Conditional Use Permit requirement for group homes of more than six persons and replace with procedures to promote objectivity and approval certainty in all zones allowing residential uses.**
- **Adopt definition for transitional and supportive housing that clearly states that transitional and permanent supportive housing are by-right residential uses subject to the same standards that apply to residential uses of the same type in the same zone.**
- **Develop a ministerial review option or permitted use for proposed developments where at least 50% of the units are affordable to households making below 80 percent of the area median income, in compliance requirements in Cal. Gov't. Code § 65913.4(e)(1).**

- **Explicitly allow single room occupancy in conformance with Cal. Gov't Code § 65583 (c)(1) and § 65583.2 (c); this may include modifying the definition of "dwelling unit" to include single room occupancy by eliminating the requirement for a kitchen in each unit.**
- **Allow farmworker housing consistent with Cal. Health & Safety Code § 17021.6 which states that any employee housing consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household shall be deemed an agricultural land use and no conditional use permit, zoning variance, or other zoning clearance shall be required of this employee housing that is not required of any other agricultural activity in the same zone.**
- **Modify the definition of "family" consistent with state law to remove the limit of five unrelated persons living together in a dwelling unit.**
- **Modify the definition of "dwelling, one-family" to include employee housing for six or fewer persons, in accordance with Cal. Health & Safety Code § 17021.5.**
- **Modify the 2014 emergency shelter ordinance to comply with parking requirements under Cal. Gov't Code, § 65583 (a)(4)(A).**
- **Adopt a formal procedure for reasonable accommodation for housing for persons with disabilities in accordance with fair housing and disability laws.**
- **Allow for Low Barrier Navigation Centers to be a use by right in areas zoned for mixed use and nonresidential zones permitting multi-family uses if they meet requirements in Cal. Gov't Code § 65662(a-d), which include:**
  - a **"It offers services to connect people to permanent housing through a services plan that identifies services staffing.**
  - b **It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. . .**
  - c **It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.**

- d It has a system for entering information regarding client stays, client demographics, client income, and exit destination . . .”**
- **Allow for permanent supportive housing to be a use-by-right in all zones where multifamily and mixes uses are permitted, in compliance with Cal. Gov’t Code 65583(c)(3), and consistent with requirements specified in Cal. Gov’t Code 65651(a)(1-7).**
  - **Provide for streamlined development approval for supportive housing and low-barrier navigation centers that includes completeness review within 30 days and full review in 60 - 120 days, depending on the size of the project. (Source: Existing Action 5.1, modified with new updates)**
  - **Provide for streamlined development approval for supportive housing and low-barrier navigation centers that includes completeness review within 30 days and full review in 60 - 120 days, depending on the size of the project. (Source: Existing Action 5.1, modified with new updates)**
  - **Revise manufactured housing regulations to allow this type of housing to be treated the same as other single-family housing.**
  - **Amend Zoning Code to reduce residential development processing time by allowing the Planning Commission to approve use permits for residential developments without City Council approval**

***Responsibility: Planning, Planning Commission, Council***

***Time Frame: GP update adopted 2022, zoning code amendments to follow (estimated 2023 adoption)***

***Funding: General Fund; grant assistance***

***Quantified Objective: 8 accessory dwelling units during the planning period; updated zoning code***

