

---

# City of Isleton

## Planning Commission Staff Report

DATE: March 7, 2023

ITEM#: 5.A

CATEGORY: Consent Calendar

---

### MINUTES OF THE PLANNING COMMISSION

#### SUMMARY

A. Review of the Regular and Special Planning Commission minutes.

#### FISCAL IMPACT

There is no fiscal impact associated with this action.

#### RECOMMENDATION

A. Planning Commission review and approve the draft minutes of the Regular Planning Commission and Special Meeting minutes.

#### ATTACHMENTS

- Minutes

Reviewed by: Charles Bergson, City Manager \_\_

Prepared and Submitted by: Yvonne Zepeda, Deputy City Clerk \_\_

---





**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**

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=MUM2cnZrdzJMVtBUQOEyTUd4S2kzZz02>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

**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:**

\_\_\_\_\_  
**CHAIR, Jack Chima**

**ATTEST:**

\_\_\_\_\_  
**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

---

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=MUM2cnZrdzJMVTBUO0EyTUd4S2kzZz09>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

---

#### 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 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 connex 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:

\_\_\_\_\_  
CHAIR, Jack Chima

ATTEST: \_\_\_\_\_  
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

---

<https://us02web.zoom.us/j/3379037904?pwd=MUM2cnZrdzJMVTBUO0EyTUd4S2kzZz02>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

---

**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**

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 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: Cond Cain 502 6<sup>th</sup> Street, discussion of adding CUP's. Compassionate Use. Cara – 1 and 2<sup>nd</sup> St. The fail safe. Hope PC consider it.

**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:**

---

**CHAIR, Jack Chima**

**ATTEST:**

---

**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

---

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=MUM2cnZrdzJMVTBUQ0EyTUd+S2kzZz09>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

---

#### 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.

**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.

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**

A YES:

NOES:

ABSTAIN:

ABSENT:

---

CHAIR, Jack Chima

ATTEST:

---

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

---

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=MUM2cnZrdzJMVTBUO0EyTUd4S2kzZz09>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

---

#### 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

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: 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

**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 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, overlay, 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-imburement 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 then 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:**

---

**CHAIR, Jack Chima**

**ATTEST:**

---

**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**

---

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=MUM2cnZrdzJMVTBUO0EyTUd4S2kzZz09>

Phone Dial In: 408-638-0968

Meeting ID: 337 903 7904

---

**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 owner ship 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:**

---

**CHAIR, Jack Chima**

**ATTEST:**

---

**DEPUTY CITY CLERK, Yvonne Zepeda**



# City of Isleton

## Planning Commission Staff Report

DATE: March 7, 2023

ITEM#: 6.A

CATEGORY: Public Hearing

---

**CONDITIONAL USE PERMIT CUP 01-23  
THE MEADOWS RV PARK  
SANDEEP LIDDER, APPLICANT**

### **BACKGROUND AND PROJECT DESCRIPTION:**

**Summary Description:** Construction and operation of a recreational vehicle (RV) park, 121 RV sites, 14 small home rental cabins, a central lodge and related amenities on 13.73 acres at 301, 401, 501 Jackson Slough Rd, Reduced project plans are presented in this staff report. Full scale plans of the project will be distributed to the Commission and presented formally at the meeting. Also, more details for the project and site can be viewed in Attachment B of this report which consists of the CEQA Initial Study document.

**Figure 1, Site Aerial Imagery**





Figure 3, Project Amenities

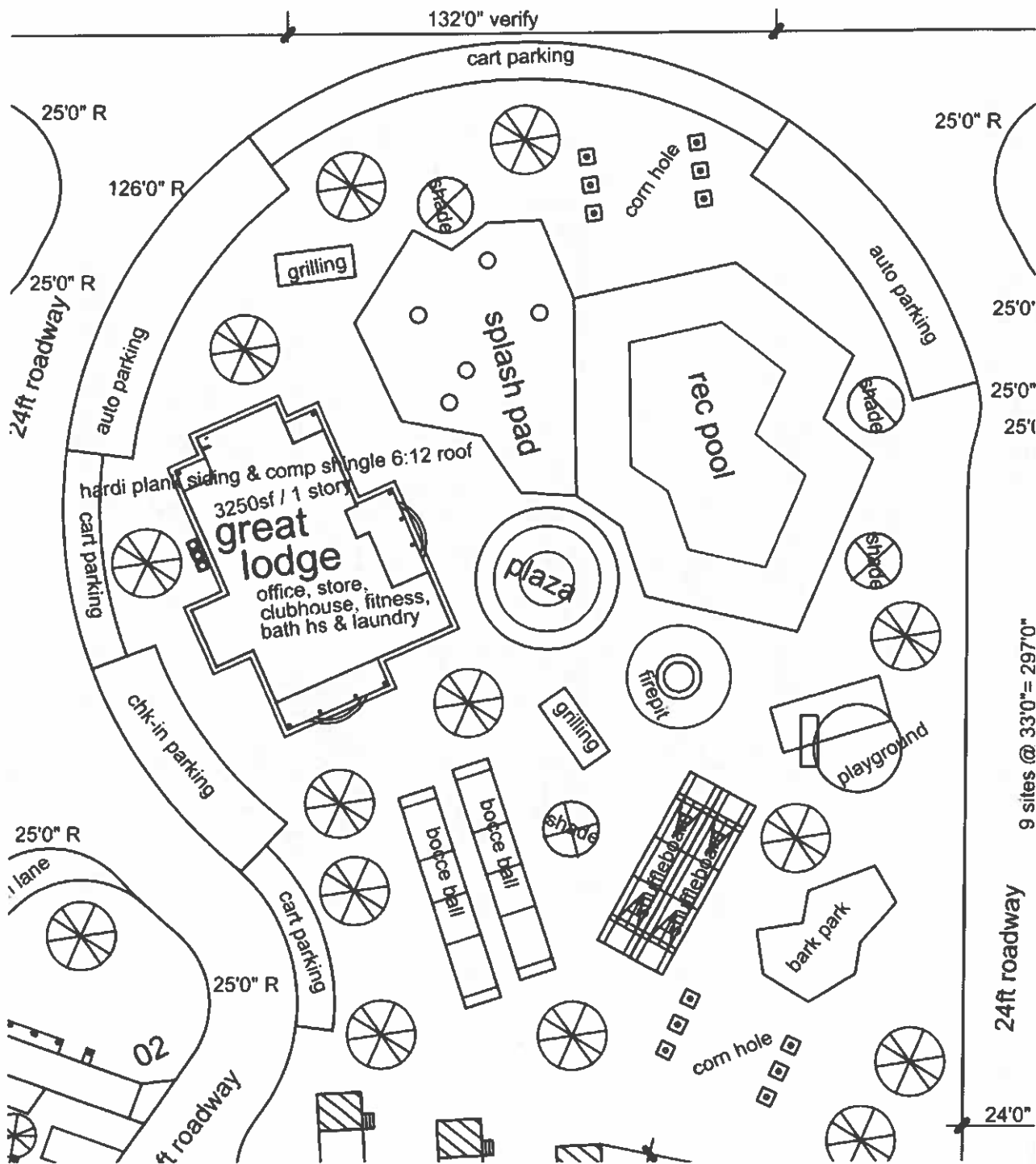
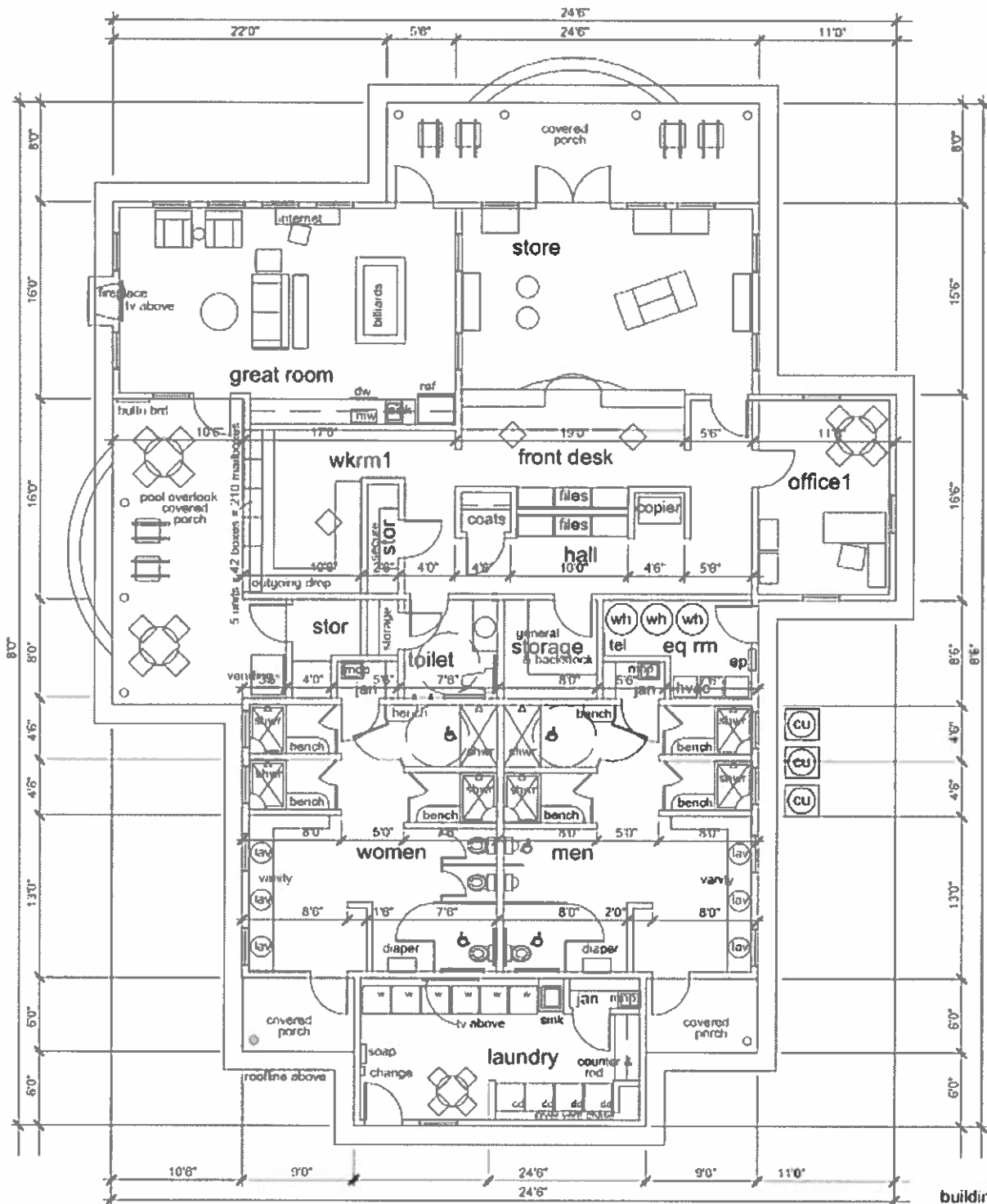


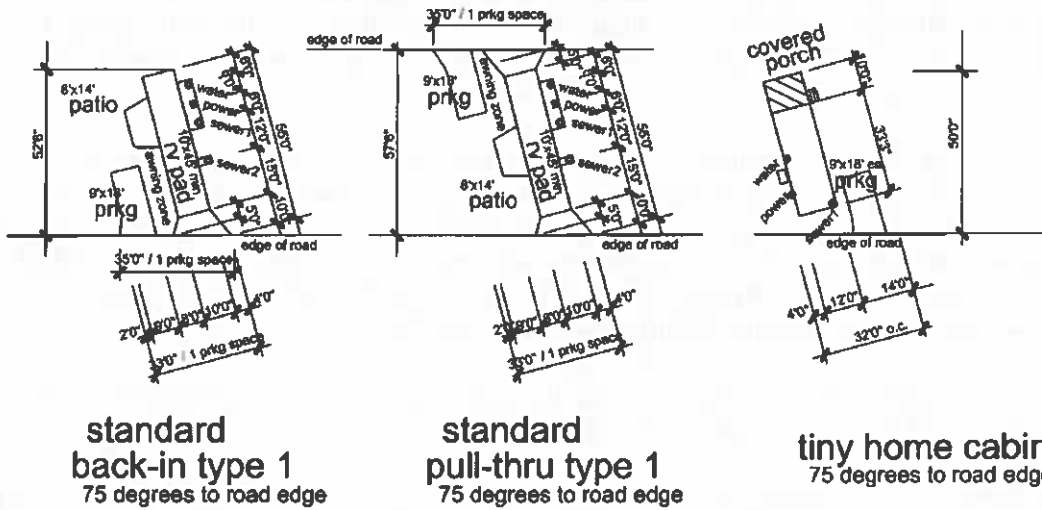
Figure 4, Preliminary Floor Plan for Lodge



building area:  
 conditioned = 3,250sf  
 porches = 640sf



Figure 5, Typical Lay-Out of Lodge



# isleton rv park

isleton CA

0' 20' 40' 60'

measure 1" for scale this sheet

15 may 22

**ron d. beard & associates austin**  
 FULL SPECTRUM national RESORT SPECIALISTS  
 ARCHITECTURE, PLANNING & CONSULTING SERVICES

11203 ANTLER LANE AUSTIN, TEXAS 78726

TELEPHONE 512-219-7688  
 FAX 800-606-6489  
 MOBILE 512-750-3402  
 E-MAIL RDBACONSULTING@GMAIL.COM  
 WEB SITE WWW.RDBACONSULTING.COM

**Environmental Setting:** Topography across the site is relatively level and mostly consists of an open field with vegetation in the southernmost that consists mostly of non-native annual grassland with an extensive mix of ruderal (weedy) species. There is 0.8-acres within the southernmost portion of the project site that has been used in a manner like a community garden. These areas currently support some lavender but are in the process of being overgrown by the weedy species described above for the southernmost portion of the project site. The site is bounded to the southeast by Jackson Slough Road, to the northeast by vacant lot and single-family residences, to the northwest by farmland, and to the southwest by a single-family residence beyond which is farmland. There is also a baseball field located at the northeast section of the property. There is also a campground located to the northeast of the site.

**Site Plan:** The site plan shows the development of a 121 space Recreational Vehicle (RV) park (96 back-in RV sites, 25 pull through) for short term camping. In addition to the RV camping spaces, 14 tiny home cabins would be constructed. (See Figure 1 RV Park Resort Site Plan). The typical RV spaces are a concrete pad approx. 10 feet wide by 45 feet in length. The back in RV pads are 10 feet in width by 45 feet in length accessible from both sides. Each RV pad has an adjoining concrete patio 8 feet x 14 feet in length. A concrete vehicle parking area of 9 feet by 18 feet in length adjoins the RV parking facilities for owner vehicles.

**Access, Parking and Circulation:** As shown on Figure 2, the site would be accessed via a main gated entrance on Jackson Slough Road and gated emergency-only access at Georgiana Avenue.

**Clubhouse:** Additional user amenities would be located within the main clubhouse building of approximately ±3,250-square square feet including restrooms laundry facilities, recreation room, lounge area, check-in services, and a mini store to provide essential supplies for guests of the RV Resort. The clubhouse is proposed for guests of the RV Park Resort solely.

**Recreational Amenities:** The RV Park Resort will offer many amenities including a walking path throughout, a dog-friendly area, restrooms with showers, office check in, game room, coin laundry, bocce ball, fire pit areas, BBQ/picnic areas, an outdoor luxury pool, clubhouse/Lodge and, general store. The RV Park spaces will include full-service hookups, including electric, water, and sewer. Each space will consist of a concrete pad with landscaping framing each of the sites. Three (3) restroom facilities with showers will be situated throughout the site, including the clubhouse.

## **PLANNING REVIEW**

In accordance with Section 1301 of the Zoning Code, upon, on receiving recommendation from the Planning Commission, on November 6, 2019, the City Council interpreted, that certain uses, such as recreational vehicle parks and camp sites would be considered as a use that would be allowed with a conditional use permit in R-MH (Multi-family residential, Mobile Home) and R-1-7 (Single-family residential) respectively, and specifically this project site. Therefore, this project requires discretionary approval by the Planning Commission (recommendation) and approval by the City Council of a conditional use permit.

Article 14 of the Zoning Code provides criteria for Planning Commission review of Conditional Use Permits. This type of review considers the project's use, development intensity, and compatibility of the proposed use in relation to the neighborhood. All Conditional Use Permits are also subject to City Council approval upon recommendation of the Planning Commission. There is sufficient information in the project plans for this level of review.

Article 15 of the Zoning Code also requires Planning Commission Site Plan Review and approval. This review involves more detailed review of the project design, such as appearance, landscaping, lighting, signage, fencing, and other improvement details. The applicant is preparing more detailed site plans which will be submitted to the

City for review at a later time. Assuming the project is approved by the City Council, the next step will be final site plan review approval by the Planning Commission.

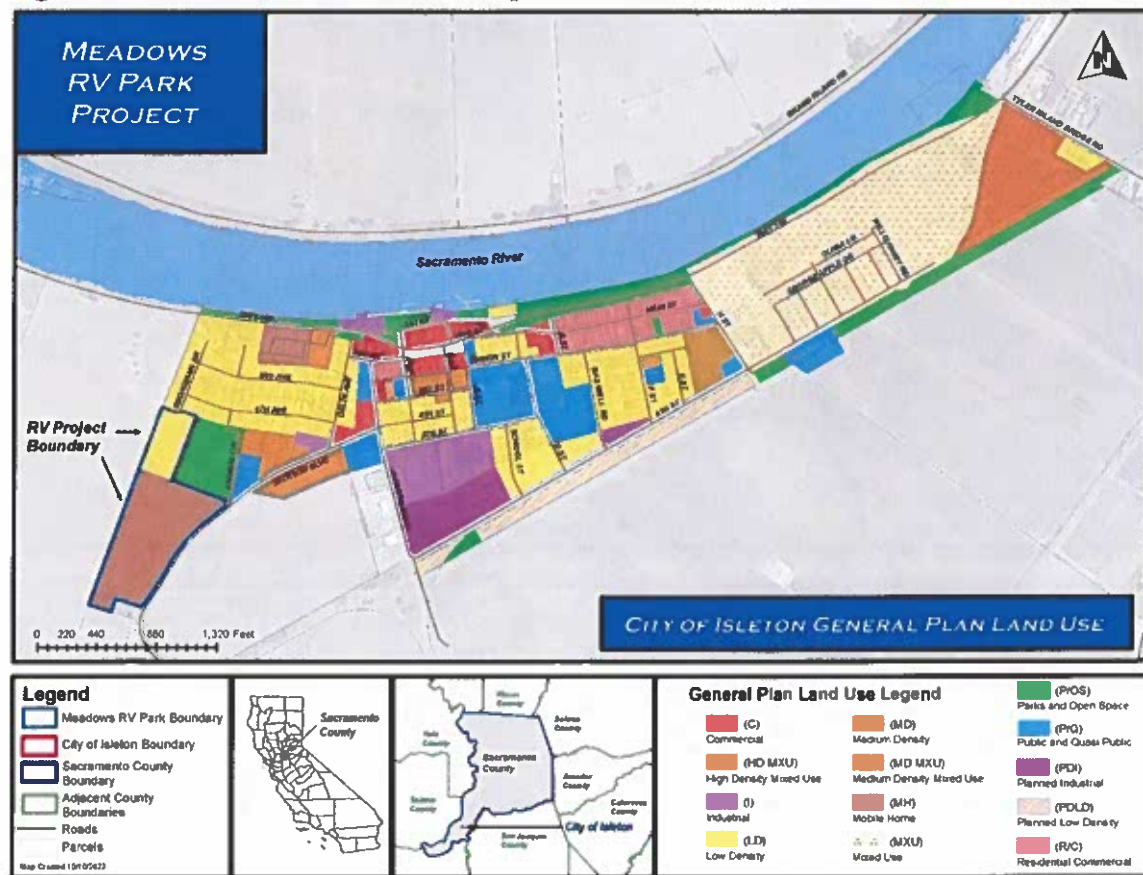
**PROJECT EVALUATION**

**General Plan Consistency:** The General Plan designates the properties as Medium Density/Mobile Home (southern portion of 301 Jackson, 401 and 501 Jackson) and Low Density (the northern portion of 301 Jackson-see General Plan Table and Figure 12 General Plan Boundary Map). The Zoning for these properties is R-MH (Multi-family residential, Mobile Home) and R-1-7 (Single-family residential) respectively (see Table 1 and Figure 6).

**Table 1, General Plan Land Use Designations by Assessor Parcel Number:**

Situs-APN/Situs	Acres	Land Use Designations
501 Jackson-157-0100-070	3.74 acres	Medium Density Residential/Mobile Home
401 Jackson-57-0100-071	0.76 acres	Medium Density Residential/Mobile Home
301 Jackson-157-0100-069 (Partial)	5.23 acres	Medium Density Residential/ Mobile Home
301 Jackson-157-0100-069 (Partial)	4 acres	Low Density Residential
<b>Total</b>	<b>13.73 acres</b>	

**Figure 6, General Plan Land Use Map:**

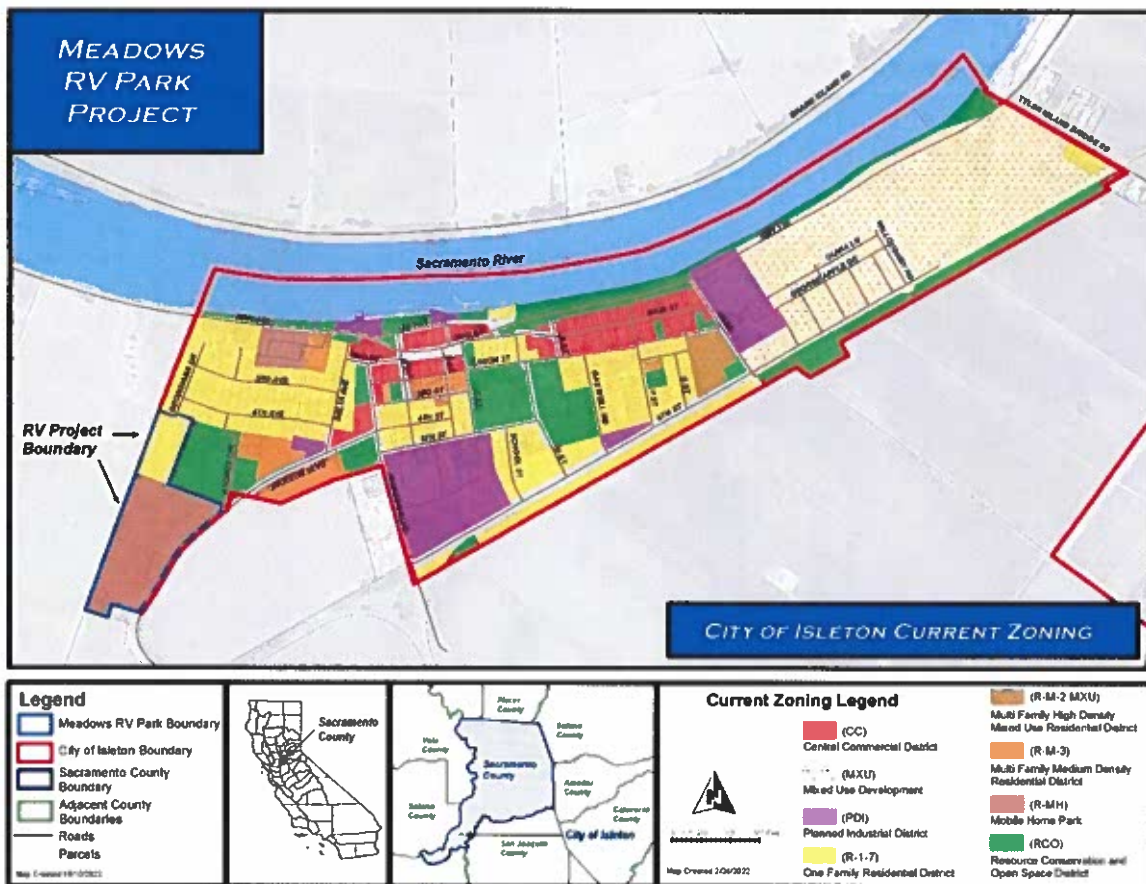


**Zoning Compliance:** The Zoning Code does not reference Recreational Vehicle Parks as a particular use in either RM-Medium Density/Mobile Home or R-1-7, One Family (maximum one dwelling per 7,000 square foot lot area) zone districts (see Table 2, and Figure 7).

**Table 2, Zoning by Assessor Parcel Number:**

Situs/APN	Acres	Zoning
501 Jackson-157-0100-070	3.74 acres	Residential Multi-Family Residential Mobile Home (R-MH)
401 Jackson-57-0100-071	0.76 acres	Residential Multi-Family Residential Mobile Home (R-MH)
301 Jackson-157-0100-069 (Partial)	5.23 acres	Residential Multi-Family Residential Mobile Home (R-MH)
301 Jackson-157-0100-069 (Partial)	4 acres	Single Family Residential (R-1-7)/Multi-Family Residential Mobile Home (R-M)
<b>Total</b>	<b>13.73 acres</b>	

**Figure 7: Zoning Map:**



As previously noted, the Planning Commission interpreted that recreational vehicle parks and camp sites would be considered as a use that would be allowed with a conditional use permit in these zoning districts (see Zoning Code excerpts below):

*City of Isleton Zoning Code Excerpts:  
Sec. 1301 - Addition of permitted uses*

*"Upon receipt of an application, or on its own initiative, the planning commission may, by resolution, add a use to the lists of permitted uses and conditional uses prescribed in articles 4 through 10 of this code, if the commission makes the following findings, as applicable:*

- A. That the addition of the use to the list of permitted uses will be in accordance with the purposes of the district in which the use is proposed.*
- B. That the use has the same basic characteristics as the uses permitted in the district*
- C. That the use reasonably can be expected to conform with the required conditions for the district.*
- D. That the use will not be detrimental to the public health, safety or welfare, or adversely affect the character of any district in which it would be located.*
- E. That the use will not create more vehicular traffic than the volume normally created by the uses permitted in the district.*
- F. That the use will not create more odor, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the other uses permitted in the district.*
- G. That the use will not create any greater hazard of fire or explosion than the hazards normally created by any of the uses permitted in the district.*

In accordance with Section 1407 of the Zoning Code, the Planning Commission must make the following findings to approve this conditional use permit:

- A. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
- B. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.
- C. That the proposed use will comply with each of the applicable provisions of this ordinance.

To assure that the City can make these findings, certain aspects of the project should be considered, such as providing certain conditions for neighborhood compatibility and safe public use as discussed further in this report. Please also refer to the project environmental assessment which provides a more detailed review of the project's potential physical impacts on the environment (see Attachment B).

*Compatibility Wall Installation:* The Commission may want to consider requiring a wall, or some solid fencing to be constructed along the northeast perimeter of the site where it adjoins some residences. Also, a barrier of some kind might be considered along the northwest side of the site where there are agricultural operations to avoid impacts of these operations, such as spraying of insecticide on RV Park users. These improvements would help make the project more compatible with the neighborhood and, therefore, support the Commission's findings for the Conditional Use Permit. Staff has included a possible condition for this wall in the attached resolution (Exhibit A) approving the project. However, the Commission is welcome to reconsider this, add something different, or omit this optional condition completely.

*Use of Camp Fires:* The project plans shows campfire pits to be included in each RV space. Due to the proximity of the project to nearby residential uses and the potential air quality impacts from campfires, recommended conditions of approval have limited the project to utilizing some barbeques and some gas type appliances that are subject to approval of the Sacramento Metropolitan Air Quality Management District.

*Transient Occupancy:* As referenced in the environmental assessment, the River Delta Unified School District, noted concerns with the impact new students living at the proposed RV Park would have on District resources. In accordance with the City's Transient Occupancy regulations, except for the manager's residence, no customers are expected to permanently reside in the RV Park, so no students, except of the manager's residence would attend public schools. Consequently, staff coordinated with the District a draft condition of approval to limit occupancy to no more than 60 days. The District plans to submit an updated written response to concurring with this 60 day occupancy restriction before the Planning Commission meeting. The applicant did request less restrictive occupancy restrictions, noting several RV Parks in California either have 90 day limitations or none at all. The applicant expects many of their clientele to consist of "snowbirds" wanting an extended stay. Staff would be concerned that if there were no restrictions, the project could become a trailer park and become an enforcement problem to try to address.

*Traffic Congestion:* According to the Transportation Study was prepared by Ganddinni Group, Inc. dated August 31, 2022, the project is expected to generate forecast to generate approximately 311 daily trips, including 24 trips during the AM peak hour and 31 trips during the PM peak hour (see environmental assessment). Average daily traffic (ADT) on Jackson Slough Road is estimated as 1,250 trips per day. The project is not expected to reduce levels of service (LOS) for vehicle travel on Jackson Slough Road or other roadway segments in the City. The Study conducted a qualitative evaluation of vehicle trips generated based on the characteristics of the use and indicated that the project would produce primarily shorter trip lengths compared to visitors that would have to find accommodations elsewhere if the project is not constructed. Therefore the project is reasonably anticipated to result in either a net decrease or negligible effect on total vehicle miles traveled as compared to if the project were to be built as a multiple family housing development or mobile home park that it is allowed by the zoning code for the property.

*Access and Circulation Considerations:* The project would be accessed by a single driveway centrally located off of Jackson Road. According to the Transportation Study prepared by Ganddinni Group, Inc. the project has been determined to have adequate stopping sight distance to avoid collisions and the available intersection sight distance is provided for vehicles departing the project site driveway and is not anticipated to result in substantial disruptions to flow along Jackson Slough Road. However, the Study, nonetheless identified some potential sight distance issues with accessing the site due to the bend in the road and tree locations as follows:

*"Ideally, intersection sight distance for left turn from stop would provide 770 feet of clear sight for RV vehicles based on a design speed of 55 miles per hour. As shown on Figure 3, the ideal intersection sight distance does not appear to be provided due to existing trees near the roadway bend at the south of the project site. This indicates there is adequate sight distance to avoid collisions, however, vehicles traveling on the major road may need to substantially slow down or stop to accommodate RVs exiting the site and turning left. In reality, vehicles exiting the bend are unlikely to be traveling at 55 miles per hour based on the advisory speeds of 30 miles per hour through this area. Additionally, the volume of vehicles exiting the project driveway is forecast to be relatively low, especially when considering only RVs making a left turn, and thus would have a minimal impact in terms of the likelihood of requiring northbound vehicles on Jackson Slough Road to substantially slow. For these reasons, adequate stopping sight distance is provided to avoid collisions and the available intersection sight distance for vehicles departing the project site driveway is not anticipated to result in substantial disruptions to flow along Jackson Slough Road."*



**Figure 3**  
**Project Driveway Sight Distance Analysis**

Meadows of Isleton RV Resort  
 Focused Transportation Study  
 1/9/12



*Construction Timing:* Section 1411 of the Zoning Code provides a one year approval for conditional use permits. Section 1412, however, allows the City to grant more time to a conditional use permit due to the character of the project, such as size, nature and complexity of the proposed development. Conditions of approval provide for an initial two year approval for this project with some opportunity for the Commission to grant an extension of time.

*Lot Line Conflicts:* The project site consists of several lot lines that conflict with proposed improvements to the park, such as buildings. Conditions of approval for this Conditional Use Permit includes a requirement to either merge or adjust lot lines so there are not conflicts.

*Grading:* The preliminary grading plan calls for  $\pm 24,823$  cubic yards of cut and  $\pm 19,198$  cubic yards of fill resulting in an excess of  $\pm 5,625$  cubic yards of soil (see Attachment B, Initial Study for more details). The excess material is proposed to be used on-site for landscaping. Due to the relatively level topography/ no retaining walls are proposed with the project. However, just to be sure conditions include some provisions for addressing retaining walls in the event the final grading plan proposes these features. The site will be graded in compliance with ADA site accessibility standards. Detailed grading plans shall be required as part of the project construction permitting.

*Drainage:* A Preliminary Drainage Analysis was prepared to show that storm water treatment facilities were sized using a storage requirement for impervious surfaces constructed on the site (see Attachment B, Initial Study for more details). The CEQA Initial Study was circulated for review by the Prior to issuance of a grading or building permit, clearances for off-site drainage from the project may be required by the Brannan Andrus Levee Maintenance District (BALMD) and Reclamation Districts 407 and 556. It is not clear whether or not the project will result in increased concentrated drainage off-site since most of the site is proposed to be developed and there does not appear to be sufficient depth to retain stormwater on site with current water table levels. A condition of approval has been added to have the City Engineer review more detailed drainage plans and possibly contact BALMD to evaluate sufficient capacity to accept additional drainage from the project site.

*Domestic Water Supply:* Treated water is available and will be provided by Cal America Water. Cal America indicated that they do have capacity to provide water to this project.

*Fire Suppression Water Supply:* Fire hydrants will be installed centrally in the subject property. These fire hydrants will be fed from a dedicated 6" water supply line to meet the required fire flow requirements. This fire supply line will be fed by Cal Water's distribution system. Cal Water's system will meet the required 1,500 gpm for a 2-hour duration in accordance with City of Isleton's Fire Department standards. (see approval letter in Attachment B, Initial Study).

*Sanitary Sewer:* Every RV site is proposed to have sewer hookup. The project may or may not connect to the City's sanitary sewer service. If City sewer is utilized, the closest tie-in to the City's sewer system is approximately  $\pm 150$  feet from the site/ near the Georgiana Dr. / 4<sup>th</sup> Ave Road intersection. However, if the project doesn't not connect to City Sewer, the project site might be able to accommodate a septic system.

*Dry Utilities:* Dry utilities (i.e., natural gas, electrical supply, telephone/ cable) are located along. The exiting overhead powerlines that run north/south through the property will be undergrounded and rerouted on-site concurrently with site development.

*HCD Review:* In accordance with the California Code of Regulations, prior to building permit issuance, the proposed RV Park is subject to approval by the California Department of Housing and Community Development:

[chrome-extension://efaidnbmnnnibpcajpcgglefindmkaj/https://www.hcd.ca.gov/manufactured-mobile-home/mobile-home-parks/docs/hcdmp514.pdf](https://www.hcd.ca.gov/manufactured-mobile-home/mobile-home-parks/docs/hcdmp514.pdf)

The proposed conditions of approval for this conditional use permit includes requiring clearances be obtained from HCD.

*Site Plan/Design Review:* Project details, such as architecture and design of all permanent structures, exterior lighting, fencing, garden and retaining walls, other walls, signs, trash enclosures, dump station, propane gas



dispensary, equipment and storage yards, and landscaping are subject to site plan approval by the Planning Commission in accordance with Article 15 of the Zoning Code. The applicant is in the process of assembling project details that respond to these details and plans to submit this application to the City once the conditional use permit is secured.

## **ENVIRONMENTAL DETERMINATION**

In accordance with CEQA(California Environmental Quality Act) requirements, an Environmental Assessment/Initial Study and Draft Mitigated Negative Declaration (ISMND) was been prepared for the proposed project with the conclusion that the project will not result in any significant adverse environmental impacts as long as certain mitigation measures are incorporated into the project. This study includes technical studies, prepared by qualified professionals, such as cultural, biological, and traffic impact analysis. A number of mitigation measures have been included in the document that the applicant has agreed to. The Final ISMND, which consists of the draft with revisions made to it to respond to public comments, was circulated to the Planning Commission for review. Changes between the Draft and the Final ISMND are shown in red in Exhibit C of this report. In accordance with CEQA, the Planning Commission will need to concur with the adequacy of the Final ISMND before taking action to recommend approval of the Conditional Use Permit to the City Council.

## **PUBLIC AND AGENCY COMMENT**

The project was reviewed by City staff, including the City Administrator/City Engineer and Fire Chief to provide technical evaluation and to consider design requirements by code. The project CEQA Draft Initial Study/Mitigated Negative Declaration (ISMND) was circulated for public and public agency comment between, between December 6, 2022 and January 20, 2023. This circulation included distribution to the California Clearinghouse, local agencies and Native American Tribes (from Native American Heritage Commission Native American Contact List) and notice sent to owners of property within a 300 radius of the project site.

All agency comments received during this circulation are referenced in the Final ISMND which included comments from the California Department of Toxic Substances Control (CDTS), the Regional Water Quality Control Board (RWQCB), and the River Delta Unified School District. Comments were then responded to (refer to Exhibit B- Letters from Public Agencies). Conditions of approval in the Conditional Use Permit recommendation include addressing site soil testing and possible remediation (CDTSC) and hydrologic requirements (RWQCB). The School District was most concerned with the potential impact of student attendance to the School and traffic impacts from the project. City staff's response to these comments is to place a condition of approval in the conditional use permit that restricts occupancy to temporary 60 days or less) and to add a condition to the Conditional Use Permit to require posting of directional signs for RV vehicles to the park. No other comments to the date this report was prepared have been received by the public.

The project was subsequently noticed for a public hearing at least ten days before the meeting in the newspaper and noticing sent by mail to all property owners within a 300 foot radius of the project site. The environmental document was also circulated to various public agencies for review. A second notice of the continued meeting from March 7, was also noticed to the same property owners. To the date of this report, no other public comments were received. Any public comments received after this report is circulated to the Commission will be provided to all Commissioners before the meeting.

## **PREVIOUS REVIEW**

The Planning Commission and City Council previously approved a Conditional Use Permit CUP 07-19 for a commercial lavender cultivation operation on 2.5 acres of the project site consisting of in early 2020. 14 of the Zoning Code. It appears that the lavender farm was activated with signs of growing, but there has not been a lot of recent agricultural activity on the site that staff could see.

## **FINDINGS AND CONDITIONS**

Attachment A of this staff report consists of Planning Commission Resolution PC 001-23 which includes a number of findings and conditions necessary for the Commission's recommendation of approval to the City Council.

## **RECOMMENDATION**

The Planning Commission should hold a public hearing, consider the applicant's, staffs and public comments and approve Planning Commission Resolution PC 02-23 (based on findings and subject to conditions) and recommend this item to the City Council. Or the Commission may continue this item with further direction to staff. Should the Commission choose to recommend denial of the project, the item should be continued with direction to staff to prepare findings for this action.

Attachments    A-Planning Commission Resolution of Approval  
                  B- Letters from the public including agencies  
                  C-Track Changes to Initial Study/Mitigated Negative Declaration  
                  D-Final Initial Study/Mitigated Negative Declaration (available upon request of City staff)

**Exhibit A – Planning Commission Resolution**

**RESOLUTION PC001-23**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF ISLETON RECOMMENDING APPROVAL TO THE CITY COUNCIL OF  
CONDITIONAL USE PERMIT CUP 01-23  
FOR AN RECREATIONAL VEHICLE PARK ON 13.73 ACRES**

The Planning Commission of the City of Isleton hereby finds as follows:

**WHEREAS**, on October 21, 2022, Sandeep Lidder (“Applicant”) submitted a planning application to the City of Isleton for Conditional Use Permit CUP 01-23, for construction and operation of a 121 space Recreational Vehicle (RV) park with related improvements consisting of a lodge, and 14 small home rental cabins on 13.73 acres at 301, 401, 501 Jackson Slough Rd Street, Isleton, CA, Assessor Parcels 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000 (“Project”); and

**WHEREAS**, the Project application was submitted in accordance with the Article 14 of the Zoning Code, based on an interpretation of allowing RV parks in residential zones with a conditional use permit made by the Planning Commission and the City Council in 2020; and

**WHEREAS**, in accordance with Section 1407 of the Zoning Code, the Planning Commission finds that the proposed project, under this conditional use permit and subject to conditions of approval, is consistent with the following:

- a. That there are circumstances or conditions applicable to the land, structure or use which makes the granting of a use permit necessary for the preservation and enjoyment of a substantial property right.
- b. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purposes of the district in which the site is located.
- b. That the proposed use will comply with each of the applicable provisions of this ordinance; and

**WHEREAS**, A duly noticed public hearing to consider the project was advertised for February 8, 2023; and

**WHEREAS**, The Planning Department prepared an Initial Study and Mitigated Negative Declaration as the appropriate environmental review in accordance with the California Environmental Quality Act (CEQA). Mitigation Measures were incorporated into the project to fully mitigate all potentially significant impacts on the environment; and

**WHEREAS**, the City has independently reviewed, analyzed, and considered the Initial Study and Mitigated Negative Declaration prior to making its decision on the project. The Mitigated Negative Declaration reflects the independent judgement of the City of Isleton, as lead agency; and

**WHEREAS**, the proposed conditional use permit (incorporating mitigation measures for the project’s Mitigated Negative Declaration) and subject to certain Conditions of approval complies with all standards of the Zoning Code and is consistent with the General Plan; and

**WHEREAS**, at said hearing, the Planning Commission considered the staff report dated February 15, 2023, including the Mitigated Negative Declaration; and

**WHEREAS**, on February 21, 2023, the Planning Commission meeting was cancelled due to a power outage in Isleton, so the public hearing on this matter was continued to the next regular meeting of the Planning Commission on March 7, 2023; and

**WHEREAS**, on March 7, 2023, the Planning Commission meeting conducted a continued public hearing on this Conditional Use Permit CUP 01-23.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Isleton Planning Commission that:

**Section 1.** The Planning Commission adopts the above Recitals as its findings with respect to the Project; and

**Section 2.** The Planning Commission recommends the City Council approve the Conditional Use Permit CUP 01-23 for the project based on the findings made below and subject to the Conditions of approval: Sandeep Lidder Conditional Use Permit CUP 01-23, located at 301, 401, 501 Jackson Slough Rd, Isleton, CA, Assessor Parcels 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000 subject to the following Conditions of Approval:

**Planning Commission Recommended Conditions of Approval for Conditional Use Permit CUP 01-23**

**A. GENERAL CONDITIONS OF APPROVAL:**

1. This approval shall be for two (2) years and shall expire on **(to be filled in later: two years from final City Council Approval)**, unless the project has been effectuated (i.e., a building permit has been issued) or the applicant requests a time extension that is approved by the Planning Commission pursuant to the Zoning Code.
2. Prior to the issuance of grading and/or building permits, the applicant shall secure approval of Site Plan Review approval in accordance with the Zoning Code. The Site Plan Review Application plans shall be substantially consistent with the site plan lay-out under this conditional use permit, but will include more details, such as the architecture and design of all permanent structures, exterior lighting, fencing, garden and retaining wall, other walls, signs, trash enclosures, dump station, propane gas dispensary, equipment and storage yards, and landscaping.
3. The Project is approved as a Transient Occupancy Use as defined in Chapter 3.16 et. seq. of the City's Municipal Code and shall be subject to the City's Transient Occupancy Tax. As a Transient Occupancy Use, tenants shall not occupy the RV sites or lodging quarters for a duration exceeding sixty (60) consecutive days. Within each of the RV sites no permanent structures shall be constructed, including, but not limited to decks, storage buildings, awnings, etc, unless first approved by the City (and the California Department of Housing and Community Development if applicable).
4. Recurring noise violations as defined under Chapter 6.44 of the Isleton Municipal Code shall be grounds for revocation of this use permit by the determination of the Planning Commission.
5. Campfires shall not be permitted due to air quality impacts and nuisances to surrounding residents. However, some barbecues, and gas appliances, may be used as approved by the City Manager, subject to prior approval by the Sacramento County Metropolitan Air Quality Management District.
6. The applicant shall file a Notice of Determination, including payment of associated fees, in the office of the County Clerk within (5) days after the final approval date of the project by the City Council. The applicant shall provide a copy of the notice to the City.
7. The applicant agrees to defend, indemnify, and hold harmless the City in any action or proceeding brought against the City to void or annul this discretionary land use approval.
8. Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.

**B. OTHER AGENCY APPROVALS:**

1. The applicant shall submit an application with the State Housing and Community Development Department (HCD) for review and approval of building, electrical, plumbing, and mechanical permits for the project.

2. As outlined in the January 4, 2023, letter from the Central Valley Regional Water Quality Control Board (CVRWQCB), all permits and/or clearances shall be obtained and disclosed to the prior to City issuance of any grading and/or building permit.
3. As outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC), all recommended measures shall be taken regarding studies, review, possible remediation, of on-site and off-site soils used by the project. Clearances, if required by the CDTSC shall be secured and disclosed to the prior to City issuance of any grading and/or building permit.
4. School Impact Fees shall be collected at the time of building permit issuance for the project for the manager's quarters and any permanent housing developed within the project.
5. The applicant shall secure clearances from Sacramento County Environmental Health Division permits relevant to the project, including, but not limited to any commercial food facilities, such as prepared food, retail sales of food, maintenance storage of materials and/or hazardous materials/wastes.
6. Prior to issuance of a grading or building permit, clearances for off-site drainage from the project may be required by the City Engineer from the Brannan Andrus Levee Maintenance District and Reclamation Districts 407 and 556.
7. Prior to issuance of a grading or building permit, water connection clearances shall be obtained from Cal American Water Company's municipal water system and submit to the City Engineer evidence that all clearances have been obtained.
8. If the project involves development of a septic system for collection and disposal of sewer, prior to issuance of a grading or building permit, an engineered septic system design plan shall be submitted for review and approval by the Sacramento County Health Division and the City Engineer. The collection and disposal system shall be constructed in accordance with the approved design plans and shall demonstrate proper function prior to issuance of a certificate of occupancy for the project.
9. No amplified music and/or voice shall be allowed on the project site (Also is Mitigation Measure NOI-6).
10. Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.
11. Conditional Use Permit CUP 07-19 for a commercial lavender cultivation operation on 2.5 acres on this project site shall become null and void upon activation of this Conditional Use Permit CUP 01-23.

**C. PRIOR TO ISSUANCE OF A GRADING PERMIT, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:**

1. The applicant shall submit to the City Engineer for review and approval, drainage plans and hydrologic and hydraulic calculations. All construction building pad will be required to comply with Chapter 5.52 of the Municipal Code regarding Flood Damage Protection.
2. The applicant shall submit to the City for review and approval, an improvements and grading plan prepared by a Registered Civil Engineer licensed by the State of California; shall obtain a Grading Permit; and shall pay all appropriate fees for plan check and inspection. The grading and improvement plans shall include but not be limited to roadway/driveway slopes and elevations, curb, gutters, sidewalks, striping and signing, paving, water and sewer pipelines, storm drains, street parking lot lights, accessible access from the sidewalk to the building and from the accessible parking spaces to the building, retaining walls, any necessary alteration of existing utilities, and all easements, in accordance with City improvement Standards.

3. The applicant shall submit to the City for review and approval two copies of a detailed Soils Engineering Report and Engineering Geology Report certified by a Civil Engineer registered in the State of California. In addition to the California Building Code requirements, the report shall specify the pavement structural sections for the proposed roadways in relation to the proposed traffic indexes. The improvements and grading plans shall incorporate the recommendations of the approved Soils Engineering Report and Engineering Geology Report. The project developer shall retain a civil engineer, soils engineer, and engineering geologist to provide professional inspection of the grading operations. If work is observed as not being in compliance with the California Building Code and the approved improvements and grading plans, the discrepancies shall be reported immediately in writing to the permittee, and the City Engineer.

4. If any retaining walls or other wall structures equal to or greater than four feet in height (from the base of the footing to the top of the wall) are identified on the grading/improvement plans, the applicant shall:

- a. Place a note on the grading/improvement plans stating that any walls equal to or greater than four feet in height will require a Building Permit prior to being constructed.
- b. Submit design calculations for the wall(s) for review and acceptance.
- c. If the proposed wall(s) are to be constructed against a cut slope, in a manner of which will not meet minimum OSHA requirements, submit:
  1. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer identifying a temporary shoring plan and how the cut slopes for the walls will be protected from the weather during construction.
  2. A signed and stamped letter from a Licensed Civil Engineer or Geotechnical Engineer stating that a copy of the required OSHA Permit will be supplied to the City prior to any excavation on the site and that a qualified OSHA Approved inspector or Professional Civil Engineer will:
    - a. be onsite during excavation and construction of the retaining walls;
    - b. be onsite at least once a day during inclement weather; and
    - c. will submit daily reports to the City.

5. The applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge identification number, issued by the state, to the City Engineer (also refer to Mitigation Measure HY/WQ-1).

6. Measures shall be implemented for site design, source control, runoff reduction, and storm water treatment (also see Mitigation Measure HY-/WQ-2)

7. A detailed grading, permanent erosion control plan shall be submitted for review and approval by the City Engineer prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans (also see Mitigation Measures HY-/WQ-2).

8. If the project involves connection to the City's public sewer system, the applicant shall submit sewer calculations for review and approval by the City Engineer for the proposed development and any calculations necessary to verify the existing sewer system's ability to carry the additional flow created by the development.

9. All lots within the project site shall be merged so there are not conflicts with buildings, circulation, and parking between parcels. This shall require submittal to the City for review and approval of a lot line adjustment or parcel merger and recording of this merging verified with the City Engineer.

**OPTIONAL CONDITION (based on Planning Commission determination):**

**10. A minimum six 6 foot tall solid concrete/block wall shall be installed along the perimeter of the site, where it adjoins residential development to reduce noise and potential nuisance impacts from activities in the RV Park. Also, a solid fence shall be installed along the northwesterly side of the project site to minimize agricultural impacts on RV Park uses, such as pesticide spraying. Details of these features shall be included with the Site Plan**

*Review application (subject to Planning Commission approval). Wall/fencing plans shall be included in the project building plans and installed in accordance with the approved plans prior to occupancy of the park.*

**D. PRIOR TO INITIATING GRADING AND/OR CONSTRUCTION OF THE SITE IMPROVEMENTS, THE DEVELOPER SHALL INITIATE THE FOLLOWING:**

1. That prior to any work being conducted within City right-of-way, an encroachment permit shall be secured from the City.
2. A minimum of forty-eight (48) hours prior to commencement of grading activities, the developer's contractor shall notify the City Engineer of the intent to begin grading operations. Prior to notification, all grade stakes shall be in place identifying limits of all cut and fill activities. After notification, the City Engineer shall be provided the opportunity to field review the grading limits to ensure conformity with the approved improvement and grading plans. If differences are noted in the field, grading activities shall be delayed until the issues are resolved.
3. Submit for review and approval by the Fire Department, a Fire Safety Plan.

**E. DURING CONSTRUCTION, THE FOLLOWING CONDITIONS SHALL APPLY:**

1. The developer shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period. Where soil or geologic conditions encountered in grading operations are different from that anticipated in the solid and/or geologic investigation report, or were such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted by the applicant, for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.
2. No trucks may transport excavated material off-site unless the loads are adequately wetted and either covered with tarps or loaded such that the material does not touch the front, back, or sides of the cargo compartment at any point less than six inches to the top of the cargo compartment. Also, all excavated material must be properly disposed of as approved by the City Engineer. Any soil removed and disposed of from the site, or soil imported to the site shall be subject to clearances as outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC).
3. The contractor shall comply with all Occupational Safety & Health Administration (OSHA) requirements. For any public work, the contractor shall comply with all Department of Industrial Relations (DIR) requirements including complying with prevailing wage requirements.

**F. PRIOR TO ACCEPTANCE OF PUBLIC IMPROVEMENTS AND EXONERATION OF BONDS, OR OTHER FORM OF SECURITY, THE FOLLOWING CONDITIONS SHALL BE SATISFIED:**

1. A Warranty and Guarantee security guaranteeing the public improvements for a period of one year in the amount of 10% of the total improvement costs.
2. The applicant shall offer to dedicate to the City for public use, all the public streets right-of-way or easements necessary to install, maintain, and re-install all public improvements described on the improvements and grading plans, if any. All offers of dedication must be recorded and a copy provided to the City Engineer.
3. The applicant shall sign and record a covenant and agreement to ensure that the onsite storm water facilities will be maintained by the property owner(s).
4. The applicant shall submit "As-built" plans, signed by the Engineer of Record, to the City Engineer on Mylar and a CD with an AutoCAD (or equivalent) drawing of the public improvements.

5. Submit a final report prepared by the soils engineer, in accordance with the California Building Code, to the City Engineer.

6. The grading contractor shall submit a statement of conformance to the as-built plans and specifications. Statement must meet intent of the California Building Code. An example follows: "As the grading contractor, I confirm that all improvements were constructed as shown on these improvement plans. Include the signature, company, and date.

**G. PRIOR TO THE CITY ISSUING A CERTIFICATE OF OCCUPANCY:**

1. All site improvements shall be completed in accordance with the improvements and grading plans as determined by the City Engineer, Building Official and Fire Chief.

2. All directional signage shall be installed in accordance with the approved traffic directional sign plan.

**H. MITIGATION MEASURES (Refer to CEQA Initial Study/Mitigated Negative Declaration on file with the City):**

*AIR QUALITY:*

AIR-1 Construction activities shall be conducted with adequate dust suppression methods, including watering during grading and construction activities to limit the generation of fugitive dust or other methods approved by the Sacramento Metropolitan Air Quality Management District (SMAQMD). Prior to initiating soil removing activities for construction purposes, the applicant shall pre-wet affected areas for adequate dust control.

AIR-2 Driveways, access roads and parking areas shall be surfaced in a manner so as to minimize dust. The applicant shall obtain all necessary encroachment permits for any work within the right-of-way. All improvement shall adhere to all applicable federal, State and local agency requirements.

AIR-3 Any disposal of vegetation removed as a result of lot clearing shall be lawfully disposed of, preferably by chipping and composting, or as authorized by the Sacramento Metropolitan Air Quality Management District (SMAQMD) and the City Fire Chief.

AIR-4 During construction activities, the applicant shall remove daily accumulation of mud and dirt from any roads adjacent to the site.

AIR-5 Grading permits shall be secured for any applicable activity from the City of Isleton Building Department. Applicable activities shall adhere to all grading permit conditions, including Best Management Practices. All areas disturbed by grading shall be either surfaced in manner to minimize dust, landscaped or hydro seeded. All BMPs shall be routinely inspected and maintained for lifer of the project.

AIR-6 Construction activities that involve pavement, masonry, sand, gravel, grading, and other activities that could produce airborne particulate should be conducted with adequate dust controls to minimize airborne emissions. A dust mitigation plan may be required should the applicant fail to maintain adequate dust controls.

AIR-7 If construction or site activities are conducted within Serpentine soils, a Serpentine Control Plan may be required. Any parcel with Serpentine soils must obtain proper approvals from SMAQMD prior to beginning any construction activities. Contact SMQMD for more details.

AIR-8 All engines must notify Sacramento Metropolitan Air Quality Management District (SMAQMD) prior to beginning construction activities and prior to engine Use. Mobile diesel equipment used for construction and/or maintenance must be in compliance with State registration requirements.

*BIOLOGICAL RESOURCES:*



BIO-1 Grubbing, grading, or other soil/vegetation disturbance within 250 feet of the Himalayan blackberry brambles will not occur during the tricolored blackbird nesting season (March 15 through July 30). All project soil/vegetation disturbance will occur between August 1 and March 14 to the extent feasible. Alternatively, if project-related soil/vegetation disturbance is scheduled to occur between March 15 and July 30, surveys will be conducted for prospecting or nesting tricolored blackbird colonies in all potentially suitable nesting habitats that are within and out to 250 feet from the project boundaries. The surveys will be conducted by a qualified biologist during the season immediately preceding initiation of the proposed project. The surveys will be conducted according to the following schedule: a total of two visits during March 15 to July 30 with at least one month between survey visits. If nesting colonies are found prior to initiation of project soil/vegetation disturbance in the year of the survey, a no work exclusion zone will be established within 250 feet of each active nesting colony until a qualified biologist determines that the young-of-the-year are no longer reliant upon the nest site.

Alternatively, the project applicant may retain a qualified biologist to conduct daily monitoring of any active nesting colonies that are within 250 feet or less from project soil/vegetation disturbance to determine if the individuals are exhibiting any behaviors that would suggest that nest failure could occur. If the qualified biologist determines that disturbance is sufficient to cause nest failure, all activities within 250 feet of the nesting colony will be terminated until the young-of-the-year are no longer reliant upon the nest.

BIO-2 To compensate for the loss of known nesting habitat for tricolored blackbird on the project site, the project applicant will plant Himalayan blackberry at a minimum 2:1 compensation ratio. The compensation stands of Himalayan blackberry will be sited on the nearest suitable land to which the project applicant has access or on nearby alternative land on which the project applicant has acquired a conservation easement acceptable to the CDFW. Compensation sites will be chosen to avoid any loss of existing natural wetland communities. Annual monitoring of the compensation stands will be conducted to determine if tricolored blackbirds are utilizing the compensation habitat. If no evidence of utilization has been found after five years of monitoring, the project applicant will be required to plant additional Himalayan blackberry at a minimum 1:1 compensation ratio on other lands where there is no active episodic human disturbance that would preclude tricolored blackbirds from settling and nesting in the compensation habitat.

BIO-3 If construction activities occur during the bird nesting season (February 1 – August 31), preconstruction nesting bird surveys (2 visits at least 1 week apart) will be conducted by a qualified biologist within the 14 days prior to construction to detect the presence of any nesting birds within or adjacent to the proposed project (within 200 feet of the project site). If construction/maintenance activities occur during the non-breeding season for birds (September 1 – January 31), preconstruction surveys will not be required. If the preconstruction nesting bird surveys detect actively nesting birds, the results of the surveys shall be submitted to the CDFW within three days of completing the surveys. If any active nests of loggerhead shrike, song sparrow, or other nesting birds afforded protection under California Fish and Game Code § 3503 are found onsite, the applicant will avoid initiating any construction activities within less than 200 feet from each nest until nesting has been completed and the young are no longer reliant upon the nest as determined by a qualified biologist.

BIO-4 Preconstruction surveys for nesting Swainson's hawk, white-tailed kite, and other raptors will be conducted consistent with the Biological Report Regarding Mitigation for Impacts to Swainson's Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG 1994) if construction is initiated between March 1 and September 15. If an active Swainson's hawk, white-tailed kite, or other raptor nest is detected during preconstruction surveys, a no-disturbance buffer zone of 500 feet will be implemented during the nesting season (March 1 to September 15) or until August 15 if Management Authorization is provided by the CDFW (2000). Furthermore, a nest monitoring plan will be developed and implemented for all active nests within 500 feet. If monitoring demonstrates that nesting individuals are being adversely affected, the no-disturbance zone will be increased in 100-foot increments until all adverse effects are eliminated. No mitigation is required if the proposed project is constructed/initiated during the non-nesting season for Swainson's hawk, white-tailed kite, or other raptors (i.e., September 16 to February 28).

#### *CULTURAL RESOURCES:*

CUL-1 Prior to the start of construction, the Meadows of Isleton shall hold a pre-grading meeting with contractors. A Project Archaeologist (identified by the City) shall attend the pre-grading meeting with contractors to conduct a Cultural Resources Worker Sensitivity Training for all construction personnel working on the proposed Project. The

training shall include an overview of potential cultural resources that could be encountered during ground disturbing activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated, and any other appropriate protocols. The City shall also be notified of this training so City staff can attend and/or monitor this training.

CUL-2 If prehistoric or historic-period archaeological deposits are discovered during Project activities, all work within 25 feet of the discovery should be redirected and the archaeologist should assess the situation, consult with agencies as appropriate, and make recommendations regarding the treatment of the discovery. Impacts to archaeological deposits should be avoided by Project activities, but if such impacts cannot be avoided, the deposits should be evaluated for their California Register eligibility. If the deposits are not California Register-eligible, no further protection of the finds is necessary. If the deposits are California Register-eligible, they should be protected from Project-related impacts, or such impacts should be mitigated. Mitigation may consist of, but is not necessarily limited to, systematic recovery and analysis of archaeological deposits, recording the resource, preparation of a report of findings, and accessioning recovered archaeological materials at an appropriate curation facility. Public educational outreach may also be appropriate.

CUL-3 Should paleontological resources be identified on the Project site during any ground disturbing activities related to the Project, all ground disturbing activities within 100 feet of the discovery shall cease and the City of Isleton shall be notified within 24 hours of the discovery. The Project applicant shall retain a qualified paleontologist to provide an evaluation of the find and to prescribe mitigation measures to reduce impacts to a less than significant level. In considering any suggested mitigation proposed by the consulting paleontologist, the Project applicant shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, Project design, costs, specific plan policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.

CUL-4 Any human remains encountered during Project ground-disturbing activities should be treated in accordance with California Health and Safety Code Section 7050.5. The lead agency should inform its contractor(s) of the sensitivity of the Direct Area of Potential Effect for human remains and verify that the following directive has been included in the appropriate contract documents:

If human remains are encountered during Project activities, the Project shall comply with the requirements of California Health and Safety Code Section 7050.5. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the county coroner has determined the manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation or to his or her authorized representative. At the same time, an archaeologist shall be contacted to assess the situation and consult with agencies as appropriate. Project personnel/ construction workers shall not collect or move any human remains and associated materials. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

#### *GEOLOGICAL RESOURCES:*

GEO- 1 The project shall adhere to all recommendations and treatments contain in the Geotechnical Engineering Report prepared by Mid Pacific Engineering, Inc. included as Appendix E. in this ISMND.

GEO-2 Prior to site plan approval, a preliminary soils report shall be submitted to the City, prepared by a California licensed civil engineer. The report shall include evaluation of adequate test borings. Additional measures may be added by the City to mitigate potential geologic/soil conditions on the site to accommodate development. If the report indicates the presence of critically expansive soils or other soils problems which, if not corrected, would lead to structural defects, a soils investigation may be required by the City Engineer. Such soils investigation shall be done by a California licensed civil engineer, who shall recommend the corrective actions which will prevent structural damage to any structure proposed to be constructed in the area where such soils problem exists.

GEO-3 Prior to any ground disturbance and/or operation, the applicant shall submit Erosion Control and Sediment Plans to the City for review and approval. The project shall incorporate Best Management Practices (BMPs) consistent with the City Code and the State Storm Water Drainage Regulations to the maximum extent practicable to prevent and/or reduce discharge of all construction or post-construction pollutants into the local storm drainage system.

GEO-4 Prior to any ground disturbance, (if applicable), the applicant shall submit and obtain a Grading Permit from the City in accordance with the City of Isleton Municipal code(s). Plans for grading shall include disclosure of location and method of treatment/storage of exported materials.

GEO-5 The applicant shall monitor the site during the rainy season including post-installation, application of BMPs, erosion control maintenance.

#### *HYDROLOGIC AND WATER QUALITY:*

HY/WQ-1 Prior to the issuance of a grading permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act. The applicant shall submit the Waste Discharge Identification (WDID) number, issued by the state, to the City of Isleton. This plan shall demonstrate the drainage basin has capacity to accommodate any additional increase in peak runoff from the project beyond what is existing and that any increase of runoff off the site is approved by agencies that control regional drainage.

HY/WQ-2 Prior to the issuance of a grading permit, a detailed grading, permanent erosion control and landscaping plan shall be submitted for review and approval by the Planning/Engineering Division prior to commencing grading. Erosion control measures shall be implemented in accordance with the approved plans.

#### *NOISE EXPOSURE:*

NOI-1 All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers, consistent with manufacturer standards.

NOI-2 All stationary construction equipment shall be placed so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

NOI-3 As applicable, all equipment shall be shut off when not in use.

NOI-4 To the degree possible, equipment staging shall be located in areas that create the greatest distance between construction-related noise and vibration sources and sensitive receptors surrounding the project site.

NOI-5 Jackhammers, pneumatic equipment, and all other portable stationary noise sources shall be directed away from existing residences east of the project site. Either one-inch plywood or sound blankets can be utilized for this purpose. They shall reach up from the ground and block the line of sight between equipment and the nearest off-site residences. The shielding shall be without holes and cracks.

NOI-6 No amplified music and/or voice shall be allowed on the project site.

NOI-7 Haul truck deliveries shall not occur outside of the hours presented as exempt for construction per City's Municipal Code Section 6.44.010.

NOI-8 The use of a vibratory roller within 20 feet and large bulldozer within 12 feet of the existing residential structures to the north and south of the project site shall be limited to avoid significant impacts.

**Exhibit B – Written Comments from the Public (including agencies)**

**SUMMARY LIST OF RESPONSES: Summary of Public Comments and City Responses  
(refer to all written correspondence following this Table)**

<b>Commenting Agency or Entity</b>	<b>Date</b>	<b>Summary of Comments</b>	<b>City Response</b>
<i>Public Agency Comments California State Agencies</i>			
Letter from Peter G. Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board	January 4, 2023	Summary of State and Federal Permit requirements for the project.	All identified permits and clearances will be obtained in accordance with those items cited in the letter. Refer to some minor clarifying changes to Hydrology and Water Quality Section of this Initial Study (made in track changes). A condition of approval for the Conditional Use Permit for this project was referenced here.
Letter from Gavin Mc Creary, Project Manager, Site Evaluation and Remediation Unit, Site Mitigation and Restoration Program, Department of Toxic Substances Control	January 6, 2023	This letter indicates that the project site has experienced previous agricultural uses that may have resulted in soil contamination that could impact the project. The letter recommends testing and possible remediation of any contaminated soils referencing a number of measures.	Soil testing and possible remediation will be conducted for the project as noted in this letter. Refer to clarifying changes to the Hazards and Hazardous Materials Section of this Initial study (made in track changes). A condition of approval for the Conditional Use Permit for this project was referenced here.
<i>Public Agency Comments River Delta Unified School District</i>			
Letter from Tammy Busch, Assistant Superintendent of Business Services, River Delta Unified School District	January 2, 2023	Notes concerns with potential impacts to School District, specifically with potential students living at RV Park and attending school.	E-mail follow up by staff addressing concerns.
Stacy L. Toledo, Parker & Covert	January 4, 2023	Notes further concerns with potential impacts to School District, including students living at RV	E-mail follow up by staff addressing concerns and

LLP, Attorney for River Delta Unified School District		Park and attending school and traffic impacts from project construction and RV travel.	also addressed in Population and Housing and Public Services Sections of this Initial Study (made in tract changes). Two added Conditions of Approval were added to the Conditional Use Permit regarding transient occupancy and payment of school fees.
Letter from Tammy Busch, Assistant Superintendent of Business Services, River Delta Unified School District	January 19, 2023	Responds to staff email follow up addressing concerns and satisfied with response.	Please see Population and Housing and Public Services Sections of this Initial Study (made in tract changes). Two added Conditions of Approval were added to the Conditional Use Permit regarding transient occupancy and payment of school fees.
Further discussion with Stacy L. Toledo, , Parker & Covert LLP, Attorney for River Delta Unified School District	February 15, 2023	Applicant requested a larger timeline of 90 days transient occupancy for the project. By phone call, Ms. Toledo indicated that no more than 60 days would be acceptable to the District. The District plans on submitting further written correspondence to the City to confirm their concurrence.	The staff recommended conditions of approval for the project reflect an extended transient occupancy of 60 days.
Letter from Tammy Busch, Assistant Superintendent of Business Services, River Delta Unified School District	February 21, 2023	District confirms acceptance of 60 day transient occupancy time limit. Noted that the directional sign program for improving traffic conditions be addressed.	Email response from staff on February 21, 2023, indicates new condition of approval for the Conditional Use Permit will be added regarding directional sign program.



## Central Valley Regional Water Quality Control Board

4 January 2023

Charles Bergson  
City of Isleton  
101 2nd Street  
Isleton, CA 95641  
[cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com)



### COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, MEADOWS OF ISLETON PROJECT, SCH#2022120111, SACRAMENTO COUNTY

Pursuant to the State Clearinghouse's 6 December 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Meadows Of Isleton Project, located in Sacramento County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

#### I. Regulatory Setting

##### Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

MARK BRADFORD, CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | [www.waterboards.ca.gov/centralvalley](http://www.waterboards.ca.gov/centralvalley)

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:

[http://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/](http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/)

#### **Antidegradation Considerations**

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/basin\\_plans/sacsjr\\_2018\\_05.pdf](https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf)

In part it states:

*Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.*

*This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.*

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

## **II. Permitting Requirements**

### **Construction Storm Water General Permit**

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/constpermits.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml)

**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/water\\_issues/water\\_quality\\_certification/](https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/)

**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: [https://www.waterboards.ca.gov/centralvalley/water\\_issues/waste\\_to\\_surface\\_water/](https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/)

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2004/wqo/wqo2004-0004.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf)



**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2003/wqo/wqo2003-0003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf)

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at:  
[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/waivers/r5-2018-0085.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf)

**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

[https://www.waterboards.ca.gov/centralvalley/board\\_decisions/adopted\\_orders/general\\_orders/r5-2016-0076-01.pdf](https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf)

**NPDES Permit**

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

Meadows Of Isleton Project  
Sacramento County

- 5 -

4 January 2023

If you have questions regarding these comments, please contact me at (916) 464-4684  
or [Peter.Minkel2@waterboards.ca.gov](mailto:Peter.Minkel2@waterboards.ca.gov).

*Peter Minkel*

Peter Minkel  
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research,  
Sacramento

Letter dated January 6, 2023 from Gavin McCreary, Project Manager, DTSC.



Meredith Williams, Ph.D.  
Director  
8800 Cal Center Drive  
Sacramento, California 95826-3200

Gavin Newsom  
Governor

SENT VIA ELECTRONIC MAIL

January 6, 2023

Ms. Yvonne Zepeda  
City Clerk  
City of Isleton  
101 2nd Street  
Isleton, CA 95641  
[Yvonne.Zepeda@cityofisleton.com](mailto:Yvonne.Zepeda@cityofisleton.com)



MITIGATED NEGATIVE DECLARATION FOR MEADOWS OF ISLETON – DATED  
NOVEMBER 2022 (STATE CLEARINGHOUSE NUMBER: 2022120111)

Dear Ms. Zepeda:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Meadows of Isleton (Project). The Lead Agency is receiving this notice from DTSC because the Project includes one or more of the following: groundbreaking activities, importation of backfill soil, and/or work on or in close proximity to an agricultural or former agricultural site.

DTSC recommends that the following issues be evaluated in the Hazards and Hazardous Materials section of the MND:

1. A State of California environmental regulatory agency such as DTSC, a Regional Water Quality Control Board (RWQCB), or a local agency that meets the requirements of [Health and Safety Code section 101480](#) should provide regulatory concurrence that the project site is safe for construction and the proposed use.
2. The MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous wastes/substances on the project site. In instances in which releases have occurred or may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate

♻️ Printed on Recycled Paper

Ms. Yvonne Zepeda  
January 6, 2023  
Page 2

any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.

3. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to DTSC's 2001 [Information Advisory Clean Imported Fill Material](#).
4. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 [Interim Guidance for Sampling Agricultural Properties \(Third Revision\)](#).

DTSC appreciates the opportunity to comment on the MND. Should you need any assistance with an environmental investigation, please visit DTSC's [Site Mitigation and Restoration Program](#) page to apply for lead agency oversight. Additional information regarding voluntary agreements with DTSC can be found at [DTSC's Brownfield website](#).

If you have any questions, please contact me at (916) 255-3710 or via email at [Gavin.McCreary@dtsc.ca.gov](mailto:Gavin.McCreary@dtsc.ca.gov).

Sincerely,



Gavin McCreary  
Project Manager  
Site Evaluation and Remediation Unit  
Site Mitigation and Restoration Program  
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research  
State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Mr. Dave Kereazis  
Office of Planning & Environmental Analysis  
Department of Toxic Substances Control  
[Dave.Kereazis@dtsc.ca.gov](mailto:Dave.Kereazis@dtsc.ca.gov)



**RIVER DELTA UNIFIED SCHOOL DISTRICT**

445 Montezuma Street  
Rio Vista, California 94571-1651  
(707) 374-1700 Fax (707) 374-2995  
<http://riverdelta.org>

January 2, 2023

Yvonne Zepeda  
Deputy City Clerk  
City of Isleton  
101 Second Street  
Isleton, CA 95641

Re: Proposed Mitigated Negative Declaration for Meadows of Isleton

Dear Ms. Zepeda:

Thank you for the opportunity to comment on the proposed Mitigated Negative Declaration (the "MND") for the Meadows of Isleton (the "Project"). The District values the ongoing and cooperative relationship between our two public agencies.

The District is concerned and seeks clarification about whether the Project will generate students to attend District schools.

Based on our initial review of the MND, it is the District's understanding that the Project is a recreational vehicle ("RV") park resort for temporary recreational use and not for permanent or long-term residential housing. Under the heading "Population and Housing" in the MND at page 69, we note the following statement describing the Project: "The RV park project with its *transient occupancies of less than 30 days* is not anticipated to cause unplanned population growth in the area, either directly or indirectly." (*emphasis added*) Is it a correct understanding that the users of the Project will occupy the Project only on a short-term basis, limited to less than 30 days, and not on a permanent long-term basis?

Additionally, what assurances can the City provide to the District that the Project will be implemented for use only on a temporary basis for recreation and not for long-term residential housing? The District is interested to know if there will be limitations on the Project such that users can only use the Project on a short-term basis. The District would also like to know if there are any restrictions on the Project, prohibiting it from being converted to permanent residential housing in the future.

The District will provide formal written comments, if any, on the MND by the deadline of January 4, 2023. We appreciate any information you can provide that will assist the District in providing a thoughtful response to the MND.

Superintendent  
Richard Herras  
Chief Business Officer  
Soreya Cole  
Director, Educational Services Office

Board of Trustees  
Alicia Fernandez, President  
Bill Schauer, Vice President  
Sarah Dorelly, Clerk  
Kay Maghony, Member  
Marilyn Riley, Member  
Sean Rooney, Clerk  
David Bearcourt, Member

Creating Excellence To Ensure That All Students Learn

Bates School	Isleton School	Walnut Grove School	Delta High School	Wind River School
Clarksburg Middle	Riverview Middle	D. H. White Elementary	Rio Vista High School	Mokelumne High School
	River Delta High/Elementary School	River Delta Community Day School	Delta Elementary Charter School	

Respectfully,

Tammy Busch  
Assistant Superintendent of Business Services

*Creating Excellence To Ensure That All Students Learn*

Bates School	Isleton School	Walnut Grove School	Delta High School	Wind River School
Clarksburg Middle	Riverview Middle	D.H. White Elementary	Rio Vista High School	Mokelumne High School
	River Delta High/Elementary School	River Delta Community Day School	Delta Elementary Charter School	

**Letter dated January 4, 2023 from Stacey Toledo, Legal representative for River Delta Unified School District.**



**Stacy L. Toledo**  
stoletlo@parkercovert.com

**Sacramento**

January 4, 2023

**TUSTIN**  
17862 East Seventeenth Street  
Suite 201 • East Building  
Tustin, CA 92780-2164  
(714) 573-0900 Tel  
(714) 573-0998 Fax

**SACRAMENTO**  
2520 Venture Oaks Way  
Suite 190  
Sacramento, CA 95833-4228

(916) 245-8677 Tel  
(916) 333-1115 Fax

www.parkercovert.com

\*A Professional Corporation

Ref Our File No.:  
RVRDELUSD 45

**VIA E-MAIL ONLY**

Yvonne Zepeda  
Deputy City Clerk  
City of Isleton  
101 Second Street  
Isleton, CA 95641  
yvonne.zepeda@cityofisleton.com

Re: Comments to Proposed Mitigated Negative Declaration for Meadows of Isleton

Dear Ms. Zepeda:

Our office represents the River Delta Unified School District (the "District"). On behalf of the District, we are submitting the comments set forth herein relating to the proposed Mitigated Negative Declaration for the Meadows of Isleton project.

It is our understanding the District received a copy of the "Notice of Intent to Issue a Mitigated Negative Declaration" in connection with a proposed recreational vehicle ("RV") park (the "Project"), dated December 7, 2022. The District separately sent correspondence to you, dated January 2, 2023, seeking clarification on whether the Project would provide permanent or long-term housing, resulting in generation of students to be served by the District. We understand that it is the District's goal to work collaboratively with the City and Project developers to resolve any concerns about the Project raised herein and to ensure that the Isleton community as a whole benefits from the development of this Project.

**School Facilities to Accommodate New Students Generated by the Project**

As mentioned in the District's prior January 2, 2023 letter, it is the District's understanding after its review of the MND, that the Project is a recreational vehicle ("RV") park for temporary use and not for residential housing. Under the headings "Land Use and Planning" and "Population and Housing" in the MND, the District notes that the property where the Project will be located is zoned for "R-MH Multi-family residential, Mobile Home" and "R-1-7 Single-family residential."

170908v1 / RVRDELUSD.45

**PARKER & COVERT LLP**

Yvonne Zepeda  
January 4, 2023  
Page 2

The District further understands that RV parks and camp sites are not mentioned in the City’s Zoning Code with respect to R-MH and R-1-7, and as a result, an application has been submitted to the City for a Conditional Use Permit to allow for RV and camping use within the specified zoning districts identified for the Project.

The District further notes that the MND states, under the “Population and Housing” heading, “The RV park project with its transient occupancies of less than 30 days is not anticipated to cause unplanned population growth in the area, either directly or indirectly.”

Nevertheless, the District is concerned the MND does not adequately address and mitigate the need for interim and/or permanent school facilities as a result of students generated by the Project. In particular, the District is concerned that the Project could allow for residential occupancy now or in the future, based, in part, on the residential zoning districts for the Project. If this were to occur, there could be substantial impacts on the District’s schools resulting from enrollment growth at its Isleton Elementary School and elsewhere in the District.

The District appreciates any opportunity to work with the City and the developer of the Project to address this concern, mitigate the impacts of the Project on the District, and to address funding challenges as necessary.

Transportation for New Students Generated by the Project

In addition to school facilities needed to accommodate new students generated by the Project, the District is concerned about increases in bussing and changes in bussing and other traffic patterns in order to accommodate new students. The MND does not adequately address and mitigate transportation needs and traffic pattern issues that may arise as a result of an increase in students attending District schools serving the Isleton community generated by the Project.

Safe Routes to Schools for Students Attending Isleton Schools

The MND, in particular under the heading “Transportation,” discusses increases and changes in traffic during construction of the Project and by users of the Project once completed. The District is concerned about the safety of its students commuting to and from schools, especially on narrow roads, along the Sacramento River, with big heavy construction vehicles and equipment and RVs. The District believes the MND fails to consider the impacts of construction and operation of the Project on student safety while commuting to and from District schools.

Thank you for the opportunity for the District to provide comments on the proposed Project and its impacts on the District, its schools, and its students, faculty, and staff. The District looks forward to working cooperatively with the City and the Project applicant to continue to provide high quality public education for all students residing within the Isleton community.



**PARKER & COVERT LLP**

Yvonne Zepeda  
January 4, 2023  
Page 3

After you have had an opportunity to review this letter, please do not hesitate to contact me or Tammy Busch, Assistant Superintendent of Business Services of the District, with any follow up questions you may have.

Very truly yours,



Stacy L. Toledo  
for Parker & Covert LLP

cc: Tammy Busch, River Delta USD

170908v1 / RVRDELUSD.45

From: Gary Price  
Sent: Monday, January 9, 2023 2:33 PM  
To: [stoledo@parkercovert.com](mailto:stoledo@parkercovert.com)  
Cc: Charles Bergson - City of Isleton ([cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com)) <[cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com)>; [tbusch@rdusd.org](mailto:tbusch@rdusd.org)

Subject: Response to Comments to Proposed Mitigated Negative Declaration for Meadows of Isleton  
***This email is being transmitted from Gary Price, Contract Planner, as prepared and authorized by Isleton City Manager, Charles Bergson.***

Dear Ms. Toledo:

Thank you for your letter of January 4, 2023, expressing concerns on behalf of the River Delta Unified School District (District) regarding the City's November, 2022, Draft Initial Study/Proposed Mitigated Negative Declaration (ISMND) for the proposed Meadows of Isleton RV Resort in Isleton, CA. In addition, the City also received a letter from Tammy Busch, Assistant Superintendent of Business Services, from the District on January 2, 2023 (see attached). Gary Price, the City's Contract Planner, responded to Ms. Busch's letter by email on January 4, 2023, per the attached email. Ms. Busch's letter references concerns with the potential impacts to the District from students that could be living at the Meadow's RV Park and potentially attending District schools. Your letter further describes these impacts and also adds some additional concerns regarding the potential safety impacts from traffic impacts from project construction and RVs and construction vehicles traveling through "narrow roads along the Sacramento River". In addition to responding to your letter this email further responds to Ms. Busch's letter.

The City would like to address these concerns through these responses as follows:

1. ***Potential Impacts to School Facilities to Accommodate New Students Generated by the Project:*** For clarification, the project is a recreational vehicle park and all occupants, except for the manager, will be limited to occupancy for not more than 30 days. As transient occupants, the City does not see any of them enrolling students or using any public school services. As part of the Conditional Use Permit, the City will add a condition of approval that restricts all occupants to transient limited to occupancy of not more than 30 days. The City does not anticipate that the project will generate any significant adverse impacts on the District from the project. The City ensures that this provision of its Municipal Code will be enforced. The Final ISMND will include further discussion of this and the District's concerns in Population and Housing Section.
2. ***Potential Impacts to Students from Project Construction Transportation Generated by the Project:*** Ruling out that the project will not result in significant impacts from new students generated from the project as described in No. 1 above, the Project Traffic Engineer prepared a response that indicates project construction will not result in a significant adverse traffic impacts on students or the general public. See email response below from Licensed Traffic Engineer, Giancarlo Ganddini, PE, PTP. The City will include the recommended condition from Mr. Ganddini, for traffic control as part of the Conditional Use Permit. This is a standard condition of the project building permit. The Final ISMND Transportation section will include this comment and how the City has addressed it.
3. ***Potential Impacts Project Traffic Impacts to Safe Routes to Schools for Students Attending Isleton Schools:*** This comment seems to suggest that the project may result in a significant adverse impact to the safety of its "students commuting to and from schools, especially on narrow roads, along the Sacramento River, with big heavy construction vehicles and equipment and RVs". As with other older towns throughout California and the nation, RVs, trucks, trailers, and other large vehicles regularly travel on public roads and highways along the Sacramento River that are maintained by Federal, State, and local governments. As noted in the Transportation Section of the ISMND and based on the traffic impact report by Licensed Traffic Engineer, Giancarlo Ganddini, PE, PTP, the City concurs that the project will not generate significant adverse transportation impacts regarding increased hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses. As referenced below, the project will include installation of several signs

throughout the City to direct RVs, trailers and other travelers to the location of the RV park which is expected to reduce travels by these vehicles through the City by providing more direct routes by the traveling public. Although not considered a mitigation measure for the project, the City will include a condition of approval in the Conditional Use Permit for this project to require installation of these types of signs at locations in the City. For the purposes of clarity, the Final ISMND will be revised to include comments from the District and how the City has addressed them in the Transportation section of the document.

#### DIRECTIONAL SIGN EXAMPLES



© CanStockPhoto.com cap19251073

The City anticipates receiving a number of comments from other agencies with regard to the circulation of this ISMND. After the closing of the public comment period of the ISMND (January 9, 2023), the City will update the ISMND to reflect all agency and public comments received and will provide opportunity for further comment. As noted above, this includes revisions to address yours and the District's previous comments. City staff soon after will circulate the revised MND to the District (and you) at least 10 days before the Planning Commission meeting on the Conditional Use Permit. The City will send public hearing notices and all relevant staff reports/resolutions to the District for Planning Commission and City Council regarding the Conditional Use Permit. We will continue to welcome participation in this public review of the ISMND and the project, including receiving further written comments from you and/or the District, and attending the public meetings to represent your concerns.

After receiving this email, we would appreciate a response from you and/or the District as to these responses to comments within 10 days or by January 19, 2023. We also welcome the opportunity to meet with you and/or District representatives concerning any further concerns you all have regarding this project. For any technical questions you have regarding how the City is proceeding with this process, please contact our contract planner, Gary Price, at (530) 530) 272-6434 or at [gary@plannerprice.com](mailto:gary@plannerprice.com). Otherwise, please feel free to contact me directly at (916) 777-7770 or at [cbergson@cityofisleton.com](mailto:cbergson@cityofisleton.com).

Sincerely,

Charles Bergson,  
City Manager

Sent: Thursday, January 5, 2023 12:00 PM

To: Ethan E. Mobley <[ethan@dynamicplanning.co](mailto:ethan@dynamicplanning.co)>

Cc: The Meadows <[info@themeadowsatisleton.com](mailto:info@themeadowsatisleton.com)>

Subject: RE: On Behalf of River Delta Unified School District - Comment Letter Re: Meadows of Isleton Project

Ethan,

Construction traffic would presumably be minimal, especially considering the extent of site improvements necessary for this type of project, and temporary. Most public works/engineering departments will usually require a condition for construction traffic management, which is provided by the construction contractor

once selected. Our full TIA's usually include a statement along the lines of "the project shall comply with the following conditions as part of the City's standard development review process:

A construction work site traffic control plan that complies with State standards set forth in the California Manual of Uniform Traffic Control Devices shall be submitted for review and approval by the City Engineer prior to the issuance of a grading permit or start of construction. The plan shall identify any roadway, sidewalk, bike route, or bus stop closures and detours as well as haul routes and hours of operation. All construction related trips shall be restricted to off-peak hours to the extent possible."

Regarding operational impacts to student commuter safety, a response could include the following points:

- Per Transportation Study, the volume of traffic generated by the project is expected to be minimal and would not exceed the threshold requiring further analysis per County guidelines.
- Per Transportation Study, the project would not decrease public safety since on-site and site access improvements shall be constructed in accordance with City of Isleton design standards nor does the project propose changes to off-site transportation systems.
- The Transportation Study did review safety-related issues such as sight distance and the need for turning lanes at the project access.
- Based on the minimal project trip generation, there is insufficient nexus for the project to be responsible for addressing other possible off-site existing deficiencies.

Giancarlo Ganddini, PE, PTP  
Principal

GANDDINI GROUP, INC.  
555 Parkcenter Drive, Suite 225  
Santa Ana, CA 92705  
o. 714 795 3100 x 101  
c. 949 735 9314  
ganddini.com



# RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street  
Rio Vista, California 94571-1651  
(707) 374-1700 Fax (707) 374-2995  
<http://riverdelta.org>

January 19, 2023

Charles Bergson, P.E.  
City Manager  
City of Isleton  
101 Second Street  
Isleton, CA 95641

Re: Response to City's Comments to Proposed Mitigated Negative Declaration for Meadows of Isleton

Dear Mr. Bergson:

Thank you for your e-mail response, by way of Gary Price, Contract Planner, dated January 9, 2023, to River Delta Unified School District's (the "District") comments concerning the City of Isleton's (the "City") draft proposed Mitigated Negative Declaration ("MND") relating to the Meadows of Isleton project (the "Project"). The District also appreciates the City's January 4, 2023 response to our initial inquiry about the Project. At this time, the District has no further comments on the proposed MND for the Project.

It is the District's understanding, based on the City's correspondence described above, that occupancy at the Project (except for the manager) will be limited to not more than 30 days. As a result of this limitation and the transient nature of the Project, the City does not anticipate that school-aged children occupying the Project will enroll in District schools or otherwise use services provided by the District.

Further, the District acknowledges that the City intends to include as a condition of approval for the Conditional Use Permit for the Project, a restriction on all occupants to transience limited to occupancy of not more than 30 days. The District is appreciative of the City's commitment to enforce this condition to assure the Project will not result in impacts to the District. The District looks forward to receiving additional information on the Conditional Use Permit and hearings before the Planning Commission and City Council.

The District also confirms its understanding that the City does not anticipate any significant impacts to traffic and safety of students due to construction vehicles and/or the recreational vehicles ("RV") using the Project. From the supplemental e-mail from the Traffic Engineer dated January 5, 2022, the District understands that traffic from construction vehicles and equipment will be minimal, especially given the extent of site improvements that are required for the Project. The District appreciates the City's

*Creating Excellence To Ensure That All Students Learn*

Bates Elementary School	Isleton Elementary School	Walnut Grove Elementary School	Delta High School	Wind River Adult School
Clarksburg Middle School	Riverview Middle School	D. H. White Elementary School	Rio Vista High School	Mokelumne High School
	River Delta High/Elementary School	River Delta Community Day School	Delta Elementary Charter School	

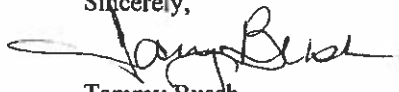
commitment to include, as part of the Conditional Use Permit, a traffic control plan and the installation of signage directing the RVs and other vehicles to the Project by way of more direct routes in order to lessen travel through the City.

If the District has misinterpreted any of the City's responses from its correspondence, please feel free to reach out to me to clarify the City's position. The District looks forward to reviewing any additional documentation for the Project and to continue to participate in the public review process for the Project.

As this Project moves forward, if there are any changes that may impact the District and its students and staff, especially during school hours, please contact the administration as soon as possible so we can make adjustments as necessary.

Thank you again for the opportunity to work cooperatively with the City to bring this new Project to our community.

Sincerely,



Tammy Busch  
Assistant Superintendent, Business Services  
River Delta Unified School District

cc: Gary Price, Price Consulting Services  
Stacy Toledo, Parker & Covert LLP

*Creating Excellence To Ensure That All Students Learn*

Bates School	Isleton School	Walnut Grove School	Delta High School	Wind River School
Clarksburg Middle	Riverview Middle	D.H. White Elementary	Rio Vista High School	Mokelumne High School
	River Delta High/Elementary School	River Delta Community Day School		
	Delta Elementary Charter School			



# RIVER DELTA UNIFIED SCHOOL DISTRICT

445 Montezuma Street  
Rio Vista, California 94571-1651  
(707) 374-1700 Fax (707) 374-2995

---

February 21, 2023

Yvonne Zepeda  
Deputy City Clerk  
City of Isleton  
101 Second Street  
Isleton, CA 95641

Re: Written Comments to Planning Commission Related to  
Meadows of Isleton Project

Dear Ms. Zepeda and Members of the Planning Commission:

Thank you for the opportunity to comment on the proposed Meadows of Isleton RV park project (the "Project") being considered by the Planning Commission. River Delta Unified School District (the "District") values the ongoing and cooperative relationship between the District and the City of Isleton (the "City").

In a letter to the City, dated January 2, 2023, the District sought clarification about the length of occupancy of users of the Project and whether the Project would generate students who may attend District schools. In a subsequent letter to the City, dated January 4, 2023, the District, through its legal representative, reiterated its concerns about the possibility of students generated from the Project who may use the District's educational services. Additionally, in the January 4 letter, the District raised concerns, about a potential increase in transportation needs and changes in traffic patterns resulting from the Project, as well as potential safety issues resulting from traffic impacts from project construction, construction vehicles, and recreational vehicles.

To address the concerns described above in connection with the City's proposed Mitigated Negative Declaration (the "MND") for the Project, the City agreed to add certain conditions of approval for a Conditional Use Permit for the Project. Specifically, the City agreed to add conditions that occupancy is limited to not more than 30 days, a requirement to implement a traffic control plan, and installation of

signage directing vehicles to the Project by way of more direct routes in order to reduce travel through the City.

At this time, the District is satisfied with the City's proposed actions to mitigate the impacts of the Project and address the concerns of the District. The District has reviewed the revised MND and acknowledges that the condition of approval described by the City regarding the limitation on the maximum length of occupancy has been included in the revised MND under the "Population and Housing" and "Public Services" sections, along with a condition to impose school impact fees on the manager's quarters and any other permanent housing developed within the Project. The District further acknowledges, that the City's response to the District's January 2 and January 4 correspondence is included in the revised MND and describes how the Conditional Use Permit will include a requirement for traffic control and installation of directional signage for travel through the City. The District notes that the current revised MND does not contain revisions to the Transportation section as described in the City's response e-mail to the District dated January 9, 2023, at numbered paragraphs two and three.

Separately, the District's legal counsel spoke with the City's Contract Planner for the Project about the possibility of increasing the maximum length of occupancy to 60 days from 30 days. It would be acceptable to the District for the maximum length of occupancy to be increased to 60 days. However, an occupancy of greater than 60 days may have adverse impact on the District, by among other things, generating students who may attend the District's schools.

After the Planning Commission has had a chance to consider the District's comments, if additional information or clarification is needed, please do not hesitate to contact me.

The District looks forward to continuing to work with the City to bring this Project into our community and to mitigate any adverse impacts on our community.

Respectfully,



Tammy Busch

Assistant Superintendent of Business Services

cc: Charles Bergson, P.E., City Manager  
Gary Price, Price Consulting Services  
Stacy Toledo, Parker & Covert LLP



February 21, 2023 E-Mail

City Staff Response to February 21, 2023, Letter from School District:

Hello Tammy and Stacy,

Thanks so much for the letter. I apologize for overlooking the additional condition that should be added to the Planning Commission Conditional Use Permit for the Meadows RV Park regarding traffic directional signage. I prepared the attached memo to give to the Planning Commission that should be taken with your letter. Staff is recommending we add a separate condition of approval to the project and not revise the Final Initial Study. Here is the proposed new condition.

*Prior to the issuance of grading and/or building permits, a detailed traffic directional sign program for directing RVs, trailers and other travelers to the location of the RV park shall be submitted to the City Engineer for review and approval (similar to the recommended program indicated in the project traffic study). All directional signage shall be installed in accordance with the approved traffic directional sign plan prior to occupancy of the park.*

We hope this satisfies the District in the City's review of this project. This Conditional Use Permit, if approved by the Planning Commission, will need to be finally approved by the City Council, so we still have time to work on some of this if you would like.

Best Regards,

Gary

**Attachment C- Track Changes to Initial Study Mitigated Negative Declaration**

The Initial Study Mitigated Negative Declaration (ISMND) document that was circulated to the Planning Commission and is on the City's Website, unfortunately Does not show changes in the document as a result of comments made by the agencies, such as the School District. Attached are excerpts from this document that shows these changes in red.

**PROJECT DESCRIPTION AND BACKGROUND**

**Project Title:** Meadows of Isleton RV Resort

**Lead agency name:** City of Isleton

**Address:** 101 2<sup>nd</sup> Street, Isleton, CA 95641

**Contact person:** Yvonne Zepeda, City Clerk

**Phone number:** 916-777-7770

**Project sponsor's name:** Sandeep Lidder

**Phone Number:** 832-474-4655

**Project Owner:** Meadows of Isleton, LLC.

**Project Location:** 301, 401, 501 Jackson Slough Rd, Isleton, CA 95641

**APN(s):** 157-0100-069-0000, 157-0100-070-0000 & 157-0100-071-0000

**Environmental Review:** This activity is considered a project that is subject to discretionary review by both the Planning Commission and the City Council so it is subject to CEQA evaluation (refer to Land Use Section of this report). This evaluation is being conducted to determine the levels of environmental significance the project will have and whether or not an Environmental Impact Report will be required.

**Draft Initial Study to Final Initial Study:** The draft Initial Study for this project was circulated for public review between December 6, 2022 and January 20, 2023. As a result of comments received during this circulation, the Draft Initial Study was amended to address these comments. Changes noted between the Draft Initial Study and the Final Initial Study are noted in track changes. However, all of these changes to the Draft Initial Study are clarifying changes and don't result in any substantive changes to the conclusions or mitigation measures so the Final Initial Study is not required to be recirculated.

**Description of project:** The proposed project would include the construction of a 135-site recreational vehicle (RV) park, 121 RV sites and 14 small home cabins with an approximately 3,250-square foot one-story lodge on a 13.73-acre site. (Figure 1) Site Plan). The lodge would consist of a great room, conference room, fitness center, laundry area, showers, and small storage area. Other on-site amenities would include a patio, luxury heated pool, splash pad, dog park, children playground, bocce ball court(s), shuffleboard, pickle ball courts, fire pit, and grilling area. Each RV site would have utility hookups for water, electricity, and wastewater disposal. The proposed project would include trees and shrubs along the perimeter of the site and lodge area, as well as along the RV parking areas.

**Site Plan:** The site plan shows the development of a 121 space Recreational Vehicle (RV) park (96 back-in RV sites, 25 pull through) for short term camping on +14 acres. In addition to the RV camping spaces, 14 tiny home cabins would be constructed. (See **Error! Reference source not found.** RV Park Resort Site Plan).

The typical RV spaces are a concrete pad approx. 10 feet wide by 45 feet in length. The back in RV pads are 10 feet in width by 45 feet in length accessible from both sides. Each RV pad has an adjoining concrete patio 8 feet x14 feet in length. A concrete vehicle parking area of 9 feet by 18 feet in length adjoins the RV parking facilities for owner vehicles.

**Page 98 HAZARDS AND HAZARDOUS MATERIALS**

**Would the project:**

Question	CEQA Determination
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less Than Significant Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less Than Significant Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less Than Significant Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less Than Significant Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Less Than Significant Impact

**Environmental Setting or Reference**

Based upon a search of the Sacramento County’s Environmental Health Department’s website, the proposed project site is not listed in any database of hazardous material sites. Hazardous materials stored and used onsite and on surrounding properties would be associated with common construction and household chemicals used. However, these chemicals are purchased legally and do not constitute a health hazard.

**Page 99** The Isleton City Fire Department responds to all calls for emergency services with City limits that include, but are not limited to fires, emergency medical incidents, hazardous materials incidents, public assists, traffic and vehicle accidents and other situations. The City's closest fire station is located on 101 2<sup>nd</sup> Street, this station is located just .05 miles from the project site.

Industrial and commercial facilities that use, store, or dispose of hazardous materials present the greatest potential hazards. A search of available environmental records conducted indicates that the project site is not listed as a hazardous materials site and no listed sites occur within the project vicinity.

### **Evaluation of Potential Hazards and Hazardous Materials Impacts**

**a, b) Less Than Significant Impact.** The use of hazardous substances during normal construction activities is expected to be limited in nature, and would be subject to standard handling and storage requirements. Accordingly, impacts related to the release of hazardous substances are considered less than significant.

**c) Less Than Significant Impact.** There are no existing or proposed school sites within one-quarter mile of the project site. Further, operation of the proposed project does not propose a use that involves activities that would emit hazardous substances or waste that would affect a substantial number of people and is therefore considered to have a less than significant impact. No mitigation measures are required.

**d) Less than Significant Impact.** The project is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Staff conducted a record search on the *State's Geotracker, Envirostor, and Department of Conservation* websites and found no evidence of abandoned mine or hazardous waste sites in the project vicinity. As such, the project would not create a significant hazard to the public or the environment. Therefore, there is no impact. However, a January 6, 2023, letter from Gavin McCreary, Project Manager, Site Evaluation and Remediation Unit, Site Mitigation and Restoration Program, Department of Toxic Substances Control was received and incorporated into this Initial Study, referencing that due to current and previous agricultural operations experienced on the site, soils on the site may be contaminated that could impact the project. As noted below, a separate condition of approval will be included in the Conditional Use Permit for this project to address additional comments made in this letter which states:

*"As outlined in the January 6, 2023, letter from the California Department of Toxic Substances Control (CDTSC), all recommended measures shall be taken regarding studies, review, possible remediation, of on-site and off-site soils used by the project. Clearances, if required by the CDTSC shall be secured and disclosed to the prior to City issuance of any grading and/or building permit."*

**e) No Impact.** Isleton is not located within the boundaries of an airport land use plan or within two miles of a public airport. No impact will occur and no mitigation needed.

**f) No Impact.** The project will not impair implementation of or physically interfere with an emergency response plan or emergency evacuation plan. Existing City standards for the development provide adequate access, fire flows, and other facilities to maintain an appropriate level of fire protection.

**Page 103** within the California Delta and the surrounding water features such as the Sacramento River, Georgiana Slough, San Joaquin River, and Mokelumne River. Virtually the entire city lies within the 100-year flood zone designated by the Federal Emergency Management Agency (FEMA), as displayed in **Error! Reference source not found.**

Isleton has been flooded by the Sacramento/San Joaquin River systems at least five times since its inception as a City. The most recent 1972 flood, caused by a failed levee on the south side of Brannan-Andrus Levee Maintenance District (BALMD) along the right bank levee of the San Joaquin River, left Isleton under as much as eight feet of water.

### **Evaluation of Potential Hydrology and Water Quality Impacts**

**a) Less Than Significant Impact with Mitigation Incorporated.** Runoff from the park would be collected in a series of swales, catch basins, and located on the property (including water quality BMPs). The collected site runoff would be conveyed and discharged to the existing via a new drainage ditch or pipe. Construction activities disturbing one acre or more of land are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity. Since the project site involves more than one acre in size the applicant required to submit a Notice of Intent (NOI) to the Regional Water Quality Control Board (RWQCB) that covers the General Construction Permit (GCP) prior to the beginning of construction. The GCP requires the preparation and implementation of a Water Quality Management Plan (WQMP) and a Storm Water Pollution Prevention Plan (SWPPP) both of which must be prepared before construction can begin. The SWPPP outlines all activities to prevent stormwater contamination, control sedimentation and erosion, and compliance with Clean Water Act (CWA) requirements during construction. Implementation of the SWPPP starts with the commencement of construction and continues through to the completion of the project. The WQMP outlines the project site design, source control and treatment control of BMPs utilized throughout the life of the project. Upon completion of project construction, the City, as the applicant must submit a Notice of Termination (NOT) to the RWQCB to indicate that construction is completed. Therefore, with implementation of NPDES and the SWPPP in compliance with the RWQCB, impacts to water quality and discharge requirements. **A January 4, 2023, letter from Peter Minkel, Engineering Geologist, Central Valley Regional Water Quality Control Board, was received and incorporated into this Initial Study, referencing various permits and clearance needed by the project. In addition to the mitigation measures noted below, a separate condition of approval will be included in the Conditional Use Permit for this project to address additional comments made in this letter which states:**

***“ As outlined in the January 4, 2023, letter from the Central Valley Regional Water Quality Control Board (CVRWQCB), all permits and/or clearances shall be obtained and disclosed to the prior to City issuance of any grading and/or building permit.”***

**The following standard mitigation measures requiring a grading permit and NPDES permit from the RWCB will reduce potential impacts to a less than significant level:**

### **Mitigation Measures**

**HY/WQ-1:** Prior to the issuance of a grading permit, the applicant shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the City for acceptance, file a Notice of Intent with the California Water Quality Control Board and comply with all provisions of the Clean Water Act.

## Would the project:

Question	CEQA Determination
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less Than Significant Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less Than Significant Impact

**Environmental Setting and Reference**

The General Plan designates the properties as Medium Density/Mobile Home (southern portion of 301 Jackson, 401 and 501 Jackson) and Low Density (the northern portion of 301 Jackson- see General Plan Table and General Plan Boundary Map). The Zoning for these properties is R-MH (Multi-family residential, Mobile Home) and R-1-7 (Single-family residential) respectively (see Zoning Table and Zoning Boundary Map). The Zoning Code does not reference Recreational Vehicle Parks as a particular use in either RM-Medium Density/Mobile Home or R-1-7, One Family (maximum one dwelling per 7,000 square foot lot area) zone districts as allowed or conditionally allowed. However, in accordance with Section 1603 of the Zoning Code, the City Council, on receiving recommendation from the Planning Commission, on November 6, 2019, interpreted, that certain uses, such as Recreational Vehicle Parks and camp sites would be considered as a use that would be allowed with a conditional use permit in these zoning districts, and specifically this project site. **A separate condition will be added to the Conditional Use Permit to assure that users of the RV Park, with exception of the managers quarters, would be transient occupancies (not exceeding stays of greater than 60 days). This condition will read as follows:**

***"The Project is approved as a Transient Occupancy Use as defined in Chapter 3.16 et. seq. of the City's Municipal Code and shall be subject to the City's Transient Occupancy Tax. As a Transient Occupancy Use, tenants shall not occupy the RV sites or lodging quarters for a duration exceeding sixty (60) consecutive days. Within each of the RV sites no permanent structures shall be constructed, including, but not limited to decks, storage buildings, awnings, etc., unless first approved by the City."***

**Also, refer to School Impact discussion in the Public Services section of this report.**

Therefore, this project requires discretionary approval by the Planning Commission (recommendation) and approval by the City Council of a conditional use permit. The applicant has submitted for a Conditional Use Permit to the City for this project.

The City has capacity to serve the project by existing utilities including sewer, water, electric, gas and storm drainage.

**Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:**

Question	CEQA Determination
a) Fire protection?	Less Than Significant Impact
b) Police protection?	Less Than Significant Impact
c) Schools?	Less Than Significant Impact
d) Parks?	Less Than Significant Impact
e) Other public facilities?	Less Than Significant Impact

**Environmental Setting and Reference**

The City of Isleton cooperates with Sacramento County Sherriff for police services and has its own Fire Department. The City Public Works Department manages the parks system.

**Evaluation of Potential Public Service Impacts**

**a - e) Less Than Significant Impact.** The proposed project does not propose any new fire protection facilities. In accordance with Chapter 3.56 of the Municipal Code, payment of development impact fees for development will off-set the impacts the project would have on these City services.

School impact fees will be collected at the time of building permit issuance for the project for any permanent housing proposed on the project site, such as the manager's quarters to off-set the impacts from this project on school services and facilities. However, as noted in the Population and Housing Section of this report, all other uses of the RV Park would be transient, subject to limited stay, and would not result in adverse impacts on schools. It is noted that the River Delta School District did provide comments of these concerns. A separate condition of approval to the project Conditional Use Permit will be added to the project as follows:

**“.School Impact Fees shall be collected at the time of building permit issuance for the project for the manager’s quarters and any permanent housing developed within the project.”**

There would be a minimal increase in the use of existing park facilities for this project. The project is not anticipated to increase the use of existing neighborhood and regional parks, recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. The RV park resort provides on-site recreational amenities for the tenants. The RV Park resort will not generate the need for additional park facilities. These impacts are considered less than significant



**Page 127** A “substantial adverse change” to a historical resource, according to PRC §5020.1(q), “means demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired.” As detailed in response to Checklist Question 3.5a, a Project-specific cultural resources assessment was conducted for the project site and included archaeological and historical records search, and an intensive pedestrian survey of the Project site. A historic resource was identified 600 feet southeast of the project site consisting of railroad berms connected by a railroad bridge across Georgiana Slough. The site is not located within a railroad route. No evidence of historic deposits was found within the project site during the cultural resource survey. The Project site has not been subject to a previous cultural resources assessment and no cultural resources have been previously identified within its boundaries. The intensive pedestrian survey of the Project site failed to identify any prehistoric archaeological remains and the results of the survey indicate that the surface of entire Project site has been disturbed by existing uses occupying the site.

The Cultural Resources Survey by Tremaine & Associates October 2022 (**Appendix D.**) indicates that the project site falls within a Tribal Cultural Landscape identified by the Nisenan as Hoyo Sayo/Tah Sayo and by the Plains Miwok as Waka-ce/Waka-Ly. However, the study conducted by Tremaine and Associates indicate that the project site does not contain any of the primary characteristics that make up this landscape (e.g., waterways, tule habitat, fisheries, and other wildlife). Therefore, the project should not result in a significant impact to tribal resources.

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the project. The results were positive. As part of future consultation, the city reached out to all tribes on the certified list. As referenced in the public comment section of this final Initial Study none of the tribes contacted requested consultation on the project.

As noted in the Cultural Resource Impact section of this report, the project site does have a moderate to high possibility of subsurface resources that could be discovered during construction. In the City’s discretion the site has no evidence of significance pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, cultural, and tribal resource sensitivity training will need to be conducted prior to soil disturbance and proper treatment of any discovered findings shall be made (see CUL 1 through CUL 4 Mitigation Measures).

### **Evaluation of Potential Tribal and Cultural Impacts**

**a) Less Than Significant with Mitigation Incorporated.** Chapter 532, Statutes of 2014 (i.e., AB 52), requires Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include “[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources.” AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a “tribal cultural resource.”

**b) Less Than Significant with Mitigation Incorporated.** CEQA defines a “historical resource” as a resource that meets one or more of the following criteria: (1) is listed in, or determined eligible for listing in, the California Register of Historical Resources (California Register); (2) is listed in a local register of historical resources as defined in PRC §5020.1(k); (3) is identified as significant in a historical resource survey meeting the requirements of PRC §5024.1(g); or (4) is

**Attachment D-Final Draft Initial Study and Mitigated Negative Declaration**

Available Upon Request of the City

# City of Isleton

## Planning Commission Staff Report

DATE: March 7, 2023

ITEM#: 7.A

CATEGORY: New Business

### **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.

**COMPLIANCE WITH THE MULTI-FAMILY DEVELOPMENT STANDARDS:** Section 1514 of the Zoning Code, regarding Site Plan Review includes specific standards for multi-family development. However, these were intended for projects subject to Planning Commission discretionary review, not ministerial staff review. Many of these standards are subjective which are contrary to the State law for lower income housing development. However, after further review of these standards, staff added some of these requirements as objective standards in this planning review policy, such as minimum landscaped areas and passive shaded recreation areas.

**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. However, if the project complies with the States Housing Code for low-income housing, parking requirements shall be no more than one space per dwelling for multi-family development.
- 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

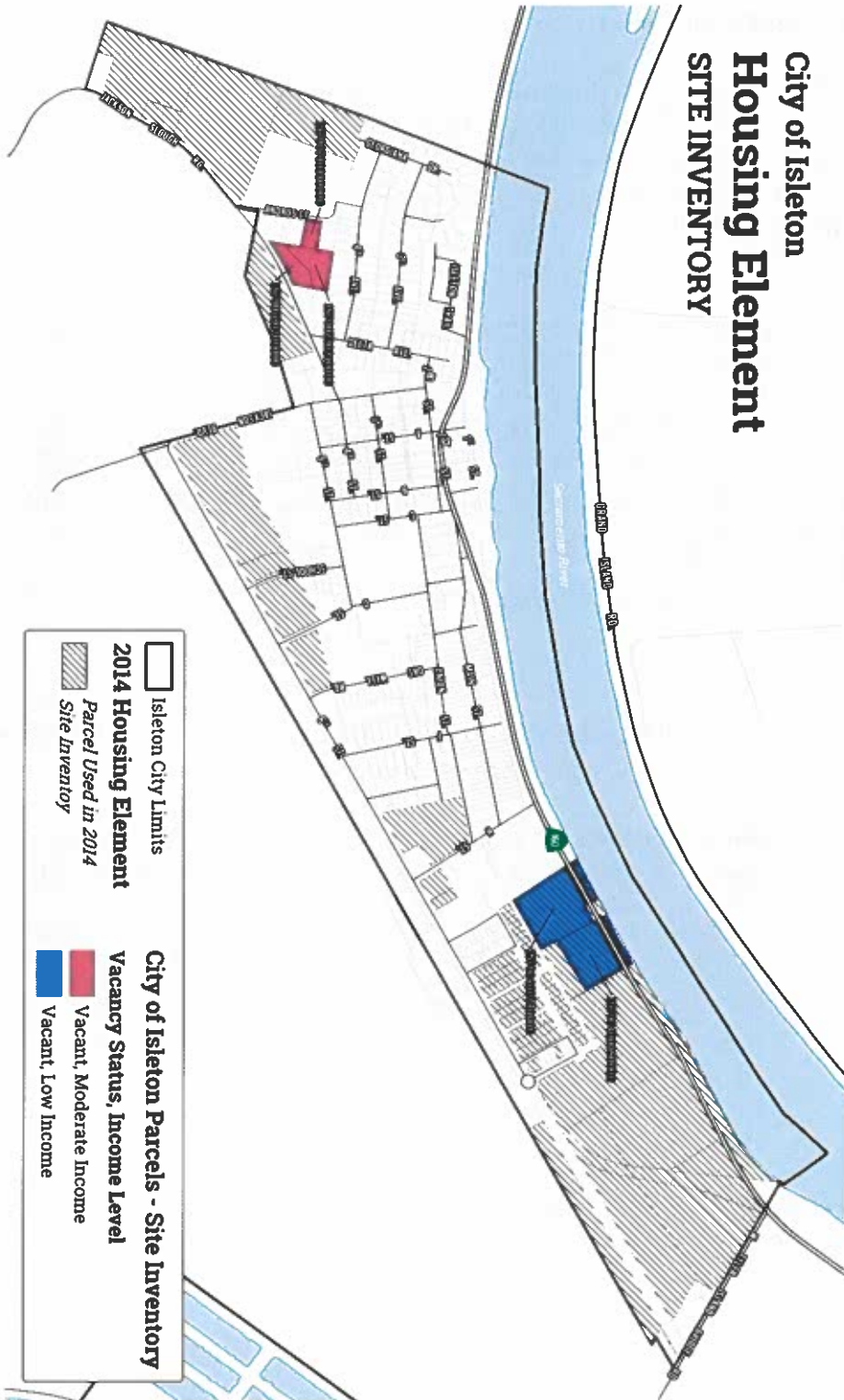
- pavement shall not exceed twenty-five (25) percent of the project site.
3. Buildings shall be oriented to form interior courtyards and commons spaces.
  4. Building architecture shall respect shall incorporate key elements such as roof pitch, window types and style, siding, trim elements, similar color palate, etc. The following architectural features shall be adhered to for buildings fronting the street:
    - a. 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.
    - b. Pastel colors shall be used as the primary base colors of the buildings and building groups shall vary in base colors to provide some visual diversity.
    - c. Where multi-story dwelling units are proposed adjacent to existing or planned lower density residential areas, building elevations and the locations of windows, balconies and air conditioning units above the first floor shall be screen from public view to assure visual compatibility and residential privacy.
  5. For multi-family projects of 10 to 19 dwelling units a minimum 10 percent of the site shall be landscaped and/or open space, including, including front, side and rear yard areas.
  6. For multi-family projects of 20 or more dwelling units the following shall be provided:
    - a. Minimum 20 percent of the site shall be landscaped and/or open space, including, including front, side and rear yard areas.
    - b. An shaded area of at least 5,000 square feet for passive recreation that may include improvements for lounging, barbecue, reading, conversation) for each 20 units.





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

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.

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***





# City of Isleton

## Planning Commission Staff Report

DATE: March 7, 2023

ITEM#: 7.B

CATEGORY: New Business

---

### **ANNUAL PROGRESS REPORTS 2022 GENERAL PLAN HOUSING ELEMENT**

#### **SUMMARY**

California Government Code Section 65400 ("Section 65400") requires cities and counties to submit an Annual Progress Report (APR) to the State each year. The Code requires the City Council to conduct public review of the report, consider public comments, and approve the report prior to submittal. APRs must be submitted to two State agencies: the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD). The APRs describe each jurisdiction's progress in implementing the housing elements of their General Plans and shows the City's accomplishments toward meeting its Regional Housing Needs Allocation (RHNA)<sup>1</sup>. Filing these reports also qualifies the City for various State grants, such as the Housing Related Parks (HRP) program and Building Homes and Jobs Act funds.

The RHNA is a State guideline/objective directed to local governments to help improve housing production to accommodate various family income levels based on local housing needs/characteristics. However, since the City is not a housing developer, the City is not obligated to produce these units.

This report, which are electronically formatted for filing on-line with HCD provides an update on the City's progress in implementing the Housing Element. For 2022. The reports describe the City's accomplishments through the end of calendar years. They also can help track and plan to meet certain City housing objectives and follow through with the many programs HCD did not certify the City's Housing Element until December 5, 2022, but the period for review of accomplishments was for January 1, 2022 to December 31, 2022.

#### **DISCUSSION**

Each annual report has a variety of tables with required information regarding whether dwelling unit production resulted in income levels of housing, such as very-low, low, moderate, or above moderate income housing units. The most important part of the report is Table D which lists all programs and accomplishments from the housing elements. Complete reports of each year are available for review electronically upon request of staff.

Although the City has experienced very limited housing production in the recent past, and no housing unit production in 2022, there have been significant accomplishments made in the last

---

<sup>1</sup> RHNA (Regional Housing Needs Allocation) The Regional Housing Needs Assessment (RHNA) is mandated by State Housing Law as part of the periodic process of updating local housing elements of the General Plan. It includes housing production objectives according to income level for each jurisdiction.

year to improve housing production opportunities, such as update of the Housing Element. Other efforts being made to reduce constraints to housing production in the City include preparing sewer and drainage master plans and conducting a comprehensive update of the General Plan. Other programs identified in the Housing Element that the City needs to be looking at for future implementation include updating the City’s Website for housing concerns, such as information on accessory dwelling units, resources for housing rehabilitation, and fair housing choice. The most significant housing program identified in the Housing Element is the Zoning Code Update scheduled for 2023, which should bring the City into compliance with a number of more recent housing laws, such as accessory dwellings, density bonus, reasonable accommodation, to name a few.

As shown below, the has experienced construction of 10 dwelling units over the 2021-29 Housing Cycle. With recent approval of the Kushner subdivision map, and other anticipated projects in the coming months, we can expect the City to experience more residential development in 2023.

**Table 0. Quantified Objectives for the 2021-29 Planning Period (2021)**

Income Level	New			Totals	Completed to Date
	Construction/RHNA	Rehab	Cons/Pres		
Extremely Low-Income	0	1	1	1	0
Very Low-Income	1	2	1	4	0
Low-Income	1	2	2	5	0
Moderate-Income	3	1	2	6	0
Above-Moderate	5	0	0	5	0
<b>Total</b>	<b>10</b>	<b>6</b>	<b>6</b>	<b>21</b>	<b>0</b>

### NEXT STEPS

Although the Planning Commission is not requested to take action on this report, it is important that the Commission is engaged in process and provide opportunity for public comment. Any comments from the Commission on this report can be provided to the City Council when they review the report scheduled for their March 14, 2023, meeting.

### ATTACHMENT

Table D of Annual Housing Element Progress Report-Program Accomplishments

**Table D****Program Implementation Status pursuant to GC Section 65583****Housing Programs Progress Report**

Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Name of Program</b>	<b>Objective</b>	<b>Timeframe in H.E</b>	<b>Status of Program Implementation</b>
<b>Maintain Sites Inventory</b>	<b>Objective</b>	<b>Maintain Sites Inventory</b>	<b>Ongoing</b>
<b>Coordinate with Local and Regional Partners for Affordable Housing</b>	<b>The City work with local and regional agencies (e.g., SACOG, Sacramento Housing and Redevelopment Agency, non-profit and for-profit developers) to pursue grant funding and/or technical assistance to facilitate affordable housing development for lower-income households, including extremely low-income households.</b>	<b>Ongoing</b>	<b>Ongoing</b>
<b>Collaboration with Affordable Housing Providers</b>	<b>Continue to seek out affordable housing partners. Initiate one-on-one discussions about how to access funding and support such providers</b>	<b>Annually</b>	<b>Ongoing</b>
<b>Pursue State and Federal Funding</b>	<b>Actively pursue appropriate federal and state funding sources, including HOME, CDBG, AHSC, and CalHome funds, to support the efforts of nonprofit and for-profit developers to meet new construction and rehabilitation needs of extremely low-, very low-, low-, and moderate-income households.</b>	<b>Ongoing</b>	<b>Ongoing</b>

<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Homebuyer Assistance</b>	<b>Alert residents to assist low-income and first time homebuyers by linking to the Sacramento Housing and Redevelopment Agency's Homebuyer Resources and weekly funding updates via the City's website.</b>	<b>Annually</b>	<b>Ongoing</b>
<b>Code Enforcement</b>	<b>Alert residents to assist low-income and first time homebuyers by linking to the Sacramento Housing and Redevelopment Agency's Homebuyer Resources</b>	<b>Ongoing</b>	<b>Ongoing</b>
<b>Zoning Code Amendments</b>	<b>Make the necessary Zoning Code amendments to maintain internal consistency and comply with State law requirements for housing</b>	<b>GP update adopted 2023, zoning code amendments to follow (estimated 2023 adoption)</b>	<b>To prepare and adopt Zoning Code Amendments in 2023 subject to available resources</b>
<b>General Plan Update</b>	<b>Update the 2000 General Plan, including analysis of the "disadvantaged community" state designation, new environmental justice policies, and the potential ways to address associated challenges.</b>	<b>2022</b>	<b>Completed as part of the Housing Element Update</b>
<b>Update Enforcement Provisions</b>	<b>Update enforcement provisions of municipal code to require administrative citations to include a list of potential resources available to property owners to correct violations.</b>	<b>Estimated 2023</b>	<b>Rental Housing Inspection Program established in 2021 and is active with code enforcement staff</b>

<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
			hired and several rental units undergoing enforcement process
<b>Address Housing Opportunities and Constraints</b>	Conduct a study and develop a new fee schedule for both single-family and multi-family development that reflects the cost of processing development applications and providing services to new development.	After zoning code update. Expected 2025	Pending
<b>Update Fee Schedule</b>	Conduct a study and develop a new fee schedule for both single-family and multi-family development that reflects the cost of processing development applications and providing services to new development.	After zoning code update. Expected 2025	Pending
<b>Assist Development Community in Affordable Housing Projects</b>	Contact and encourage non-profit and for-profit developers and agencies that have had success in constructing housing for extremely low, very low, and low income households within Isleton's housing market area to consider new projects in Isleton	Annually	ongoing
<b>Affirmatively Further Fair Housing</b>	Administer its programs and activities relating to housing and community development in a manner to affirmatively further fair housing and take no action that is materially inconsistent	Ongoing	Ongoing

<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
	with its obligation to affirmatively further fair housing.		
<b>Regional Fair Housing, Mobility Enhancement, and Place-Based Access</b>	<b>Implement solutions developed in the Regional Analysis of Impediments to Fair Housing Choice (AI) to mitigate and/or remove fair housing impediments and enhance mobility, including through coordination with Sacramento County, SACOG, and other regional non-profits.</b>	<b>Provide resources on website by 2023</b>	<b>To complete subject to resource availability</b>
<b>Disseminate Fair Housing Information</b>	<b>Display fair housing information from the HCD and State Fair Employment and Housing Commission’s enforcement program at City offices and provide links on its website to these entities and their fair housing discrimination references, contacts, and compliance procedures</b>	<b>Initial website update before January 2023; ongoing.</b>	<b>Pending for 2023</b>
<b>Resources for Fair Housing</b>	<b>Serve as the local contact point for fair housing complaints and refer interested persons to the California Department of Fair Employment and Housing (DFEH) and the U.S. Department of Housing and Urban Development (for federally subsidized units) as complaints are received.</b>	<b>ongoing</b>	<b>ongoing</b>

<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Housing Transparency</b>	<b>Update the City website to include all development and impact fees, resources for homebuyers and special needs populations, and other housing-related resources as applicable.</b>	<b>2023</b>	<b>Pending for 2023</b>
<b>Density Bonus Compliance</b>	<b>Ensure the City's current density bonus is compliant with current state law.</b>	<b>Annual Updates</b>	<b>To be completed as part of the Zoning Ordinance Update in 2023 subject to resource availability</b>
<b>Adopt ADU Ordinance</b>	<b>Adopt an accessory dwelling unit ordinance in compliance with the California ADU statute and ensure ongoing compliance with state law.</b>	<b>2023</b>	<b>To be completed as part of the Zoning Ordinance Update in 2023 subject to resource availability</b>
<b>Incentivize Accessory Dwelling Units Above Base Flood Elevation.</b>	<b>Develop a program or update the municipal code to promote ADU development prioritizing very low-, low-, and moderate-income households, with a focus on ADUs above garages or utilizing other techniques to stay above base flood elevation</b>	<b>2023-2024</b>	<b>Pending</b>
<b>Assistance for Special Needs Populations</b>	<b>Engage with housing advocates, encourage housing providers to designate a portion of new affordable housing developments for special needs populations, and pursue funding sources designed for housing needs of special needs populations</b>	<b>Website updates by March 2023</b>	<b>Pending</b>

<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Reasonable Accommodation</b>	<b>Continue to provide reasonable accommodations through a formal procedure by reviewing and approving requests for modifications to building or zoning requirements in order to ensure accommodations for persons with disabilities.</b>	<b>Ongoing</b>	<b>Ongoing</b>
<b>Coordination with Alta California Regional Center</b>	<b>Coordinate with the Alta California Regional Center to better serve the housing needs of residents with developmental disabilities.</b>	<b>Ongoing</b>	<b>Ongoing</b>
<b>Housing Rehabilitation</b>	<b>To conserve existing housing stock that currently needs substantial rehabilitation, review the Housing Stock Inventory to assess potential rehabilitation needs, identify potential loan applicants, and initiate a program to serve those needs</b>	<b>2024</b>	<b>Pending</b>
<b>Municipal Code Review</b>	<b>Review historic preservation ordinance and multi-family zoning provisions for consistency with General Plan policies; incorporate updates as needed</b>	<b>Annually</b>	<b>Ongoing</b>
<b>Improve Sewer Capacity</b>	<b>Continue to work to improve the sewer system to ensure adequate capacity is available to serve existing and future development. Monitor sewer issues in the city</b>	<b>Completion of sewer study, 2024</b>	<b>Pending</b>



<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Affordable Housing Prioritized for Sewer</b>	<b>Establish written policies and procedures that grant priority for sewer to proposed development that includes housing affordable to lower-income households</b>	<b>2023</b>	<b>Pending</b>
<b>Local, State, and Federal Funding for Infrastructure</b>	<b>Pursue funding for infrastructure that will support infill properties that can be used for residential development</b>	<b>Ongoing</b>	<b>Ongoing</b>
<b>Coordinate to Improve Flood Protection</b>	<b>Coordinate with other agencies and the private sector to seek funding and technical assistance to repair and improve the Sacramento River levee and the Slough levee around the City in an effort to achieve FEMA/National Flood Insurance Program approval status.</b>	<b>Long-term</b>	<b>Ongoing and Pending</b>
<b>Broadband and Cellular Funding</b>	<b>Pursue funding for infrastructure that will attract broadband projects to achieve goal-minimum download speeds of 100 Mbps and cellular coverage throughout the City</b>	<b>Ongoing</b>	<b>Ongoing</b>
<b>Encourage Participation in Energy Efficiency Programs</b>	<b>Work with PG&amp;E to encourage existing residents to participate in energy efficiency retrofit and weatherization programs.</b>	<b>Ongoing</b>	<b>Ongoing</b>

<b>Table D</b>			
<b>Program Implementation Status pursuant to GC Section 65583</b>			
<b>Housing Programs Progress Report</b>			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>
<b>Enforce Standards for Energy Efficiency</b>	<b>Require all new construction to demonstrate compliance with Title 24 mandates during the planning and design process using energy efficiency calculations approved by the State.</b>	<b>Ongoing</b>	<b>Ongoing</b>

# City of Isleton

## Planning Commission Staff Report

DATE: March 7, 2023

ITEM#: 7.C

CATEGORY: New Business

---

### ZONING INTERPRETATION FOR KEEPING ANIMALS IN RESIDENTIAL ZONING DISTRICTS

**BACKGROUND:** During their February 28, 2023, meeting the City Council discussed the need to amend the Zoning Code to allow the keeping of animals in residential zones. Although there was no clear consensus on the matter, it seemed that the priority was to allow chickens (no roosters) be allowed to provide eggs for a family. Although, a more extensive evaluation should be conducted for keeping other animals, such as goats, pigs, horses, and bovine, the concern seemed to be to get address chickens more immediately. The Council referred this matter to the Planning Commission to review.

**CODE EVALUATION:** Chapter 5.12, Animals, of the Municipal Code defines animals as any bovine animal, horse, mule, burro, sheep, goat, swine, chicken, duck, turkey or other domestic animal or poultry with the exception of domestic dog or cat. These regulations also restrict keeping of animals within the City as determined by the Zoning Code unless within an agricultural zone. And, within an agricultural zones, structures/pens for keeping animals cannot be located nearer than 100 feet of any building on adjoining property used for dwelling purposes.

The only agricultural related zone district in the City is the RCO, Resource Conservation and Open Space District. Although the RCO District regulations don't reference keeping of animals, it does indicate raising fruit and nut trees, vines, vegetables, and horticultural specialties as allowed by right. It also indicates that raising of field crops, livestock and rangelands are uses subject to a conditional use permit. However, within the UR, Urban Reserve District, which does might also be considered an agricultural zone, allows "grazing and the raising of field crops, fruit and nut trees, vines, vegetables, horticultural specialties, livestock and poultry". The City currently has no UR zoned property, but it is important to consider this if further defining how the keeping of animals is considered in the City.

Other zoning districts in the City are R, One Family and RM, Multiple Family districts, the City's only other residential districts, the raising of fruit and nut trees, vegetables and horticultural specialties on a non-commercial basis is a use allowed by right. No other reference is made in the Zoning Code regarding keeping of animals.

The only other reference to keeping animals in the Municipal Code is under Chapter 6.44, Disruptive Noise, where it is a nuisance to keep any animal, fowl or bird which by causing frequent or long continued noise disturbs the comfort or repose of persons in the vicinity.

**INTERPRETATION OF THE ZONING CODE:** The City Council has requested the Commission review and interpret the Zoning Code and offer any further recommendations. Section 1301 of the Zoning Code provides for Planning Commission interpretation of permitted

uses by zoning district. In this case the Planning Commission should evaluate the current code and may, by resolution of the Planning Commission makes findings add a use to the lists of permitted uses and conditional uses, as applicable:

***REQUIRED FINDINGS DETERMINING USES FOR ZONING CONSISTENCY:***

- A. That the addition of the use to the list of permitted uses will be in accordance with the purposes of the district in which the use is proposed.
- B. That the use has the same basic characteristics as the uses permitted in the district.
- C. That the use reasonably can be expected to conform with the required conditions for the district.
- D. That the use will not be detrimental to the public health, safety or welfare, or adversely affect the character of any district in which it would be located.
- E. That the use will not create more vehicular traffic than the volume normally created by the uses permitted in the district.
- F. That the use will not create more odor, dirt, smoke, noise, vibration, illumination, glare, unsightliness or any other objectionable influence than the amount normally created by any of the other uses permitted in the district
- G. That the use will not create any greater hazard of fire or explosion than the hazards normally created by any of the uses permitted in the district.

**NEW COMPREHENSIVE ZONING CODE UPDATE COMING SOON:** In reviewing the big picture of allowing animals in various zoning districts, the City Council noted other concerns that might require more significant changes to the Zoning Code, such as raising medium sized animals, such as sheep, mules, and goats, and large animals, such as horses, cow, and swine. Also, some raised the need to address bee keeping 4-H/FFA projects. It would seem that more significant analysis would need to be conducted to develop performance standards for raising these larger type animals that have a much greater potential compatibility impact on neighbors than raising a small amount of chickens for family level sustainability eggs. In this case, the City could create a new administrative permit issued by the City Manager/or City Planner through a noticed public hearing for those more significant uses that should require neighborhood input. This would be less costly for applicants, yet allow this without more costly and significant review by the Commission through a conditional use permit. The City is planning to conduct a comprehensive zoning code update this year and looking at the bigger picture of allowances and performance standards would certainly be a main part of this code update.

**MORE IMMEDIATE CONSIDERATION AND CODE INTERPRETATION:** Based on looking at the bigger picture of a new zoning code coming staff recommends that the Commission look at small animals as having a similar permitted use as raising similar agricultural uses, such as agriculture, that is already permitted in residential zoning districts, and require a conditional use permit for raising of larger animals. If that is the route the Commission would like to take, then staff could prepare a resolution for approval at the next meeting. The suggested wording in this interpretation is as follows:

***New Allowed Uses by Zoning District:***

In RCO, UR, R, and RM Zoning Districts:

Raising of adult animals over six (6) months of age. (offspring are not counted up until this point), including, but is not limited to small animals, such as rabbits, poultry (including, ducks, chickens-excluding roosters and no more than 6 animals per category per house). Any structures/pens for keeping animals shall not be located nearer than 100 feet of any building on adjoining property that is used for dwelling (s). Domesticated dogs and cats, not to exceed three in each category per house (kennels not permitted).

***New Allowed Uses Subject to a Conditional User Permit by Zoning District:***

1. Raising of adult animals over six (6) months of age. (offspring are not counted up until this point), including, but is not limited to:
  - a. Medium: sheep, mules, goats (minimum ½ acre per animal)
  - b. Large: horse, cow, swine (minimum one acre per animal-swine located at least 300 feet from any adjoining residential use).
2. Sale of agricultural products, including sale at roadside stands, if the products are produced on the property where the sale is conducted (at least ½ acre parcels for roadside stands).
3. Bee keeping (one beehive per half acre, no less than 20 feet from property lines when occupied with a single family dwelling.
4. 4-H/FFA projects minimum ½ acre sites.

