
City of Isleton

Planning Commission Staff Report

DATE: August 1, 2023

ITEM#: 4.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 and Special Planning Commission.

ATTACHMENTS

- Minutes

Reviewed by: Charles Bergson, City Manager __

Prepared and Submitted by: Yvonne Zepeda, Deputy City Clerk __

CITY OF ISLETON

Special Planning Commission Meeting Minutes

Tuesday, January 17, 2023 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=MUM2cnZrdzJMVTBUQ0EyTUd4S2kzZz09>

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, Mandy Elder, 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 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: Don Cain-Hard to tell who is running the meeting. 3 Minute time limit mark. It's not City Manager and keep interrupting.

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:** None.

7. NEW BUSINESS

A. **SUBJECT:** Delta Queen Lodge Sign, 34 Main Street, Building Signage.

RECOMMENDATION: Review and approve the Sign for the Delta Queen Lodge.

ACTION: Planning Commissioner Mandy Elder motion to approve the Sign for the Delta Queen Lodge. Chair Jack Chima second the motion. **AYES:** Planning Commissioner's Mandy Elder, Ruby Fowler, Joe Kessner and Chair Jack Chima. **NOES:** Planning Commissioner Michelle Burke. **ABSTAIN:** None. **ABSENT:** None. **PASSED 4-1.**

8. OLD BUSINESS

A. **SUBJECT:** Conditional Use Permit (CUP) 51 Main Street.

B. **SUBJECT:** Isleton Municipal Code (IMC) Section 802, pertaining to business on Main Street and Second Street.

C. **SUBJECT:** Review of all Development Agreements.

D. **SUBJECT:** Status of properties with Liens.

E. **SUBJECT:** Sixth Street Development Standards.

F. **SUBJECT:** 502 Sixth Street Site Plan.

DISCUSSION: FOR A, B, C, D, E and F: Ruby Fowler – 3 years ago, store front development commercial buildings was a requirement as CUP's came up and looking how and concerned lack of vitality and store fronts. Would like to discuss working relations with CC, so we have a clear communication with them. Joe Kessner agree with CC and PC having a joint meeting. Michelle Burke – I conquer. Have CUP and Ordinance and annual review of them. Language on 802 tightened up. More teeth on store fronts. Mandy Elder – I agree with Ruby and Joe to discuss what the CC wants from us. Update PC Handbooks. Jack Chima – CUP's does allow for commercial and residential in back. Mandy Elder- Put a moratorium on cannabis. We also have PC with no store front. Jack Chima goal for this meeting face to face. Set the rout in which we want to go. Don Cain-Publicly noted, nothing in City Policy no authority, this is a list of opinions attorney gave. There's no info on what Chuck and City Attorney talked about. Then Compassionate use? CUP;s. He said, Michelle talked about concrete pad, she did not talk about that. Jean Yokotobi- In reference to

commercial store front 1997, Mayor Calvert Anderson came with me with ordinance this has to stay commercial store front. Consensus to have a joint PC and CC workshop meeting.

G. SUBJECT: Meadows of Isleton Application Status.

ACTION: The RV Project closed review on Jan. 4. May have to have a SPC meeting and report back to you. City Manager specific trap map is approved for RV park. Michelle Burke they wrap whole development in concrete and this is eminent and ongoing since august. Joe Kessner the meadows need to move forward. Let CC know to get it moving. Mandy Elder only spot no water. Aleida Suarez I respect the absolute benefit to the City. Ruby Fowler the impact it will have on our sewer. Look forward to CEQA report.

H. SUBJECT: Affordable Housing Discussion.

ACTION: Don Cain proposed a compassionate use, as you know PC can add to CUP uses. I proposed compassionate conditional use like even the lady living in the fifth wheel. Rules of City made it so she couldn't. To give a path way and appoint a sub-committee to see how we can help in some of these cases. Joe Kessner I believe in compassion, we've all seen landlords and property and sob story, lost job whatever it takes. If you don't draw a line you are screwed. Try to enforce that and try to get them out. I am not sure a compassionate use is a way to go. I don't see giving permits out for 6 months. Michelle Burke like wise. Store front, creating standards and have rules. Meadows are we going to set standards for what they're doing so they comply. Jack Chima We have to have something. I am not going to assume anything. I don't think a compassionate use. Michelle Burke there should be conditions. Jack Chima there needs to be teeth in the verbiage. Mandy Elder- The City let her stay there. It was a weekend house for her and the kids. City Manager they had 3 years. Summer home. Took out a building permit for a year. Jack Chima Article 6 a lot of CUP are allowed. I don't think a compassionate use is needed. We have systems in the book and wording can be changed as needed. Michelle Burke we have zoning updates coming in. Vice Chair and Treasurer. Jack Chima I have been chair long enough. Mandy Elder you do a great job Jack. Keep recording 5 years and online for 1 year at minimum. Planning Commissioner Michelle Burke motion to keep recording 5 years and online for a 1 year minimum. Chair Jack Chima second the motion. AYES: Planning Commissioner's Mandy Elder, Michelle Burke, Ruby Fowler, Joe Kessner and Chair Jack Chima. NOES: None. ABSTAIN: None. ABSENT: None.

9. COMMISSION REPORTS AND COMMITTEE UPDATES

- A. Commission Chair Jack Chima- None.
- B. Commissioner Ruby Fowler- None.
- C. Commissioner Joe Kessner- City aware of loud racing of cars down on 6th St. on 160 and Georgianna ave. CC to look into it. If Sheriff's can keep an eye on it. Kids riding motorcycles.
- D. Commissioner Michelle Burke-IMC buried in new place and with cc stuff. Can we put codes on one place.
- E. Commissioner Mandy Elder-None.

10. STAFF GENERAL REPORTS AND DISCUSSION

11. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

CHAIR, Jack Chima

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

CITY OF ISLETON

Special Planning Commission Meeting Minutes

Tuesday, May 9, 2023 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.

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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, Joe Kessner, Ruby Fowler, Vice Chair Michelle Burke, Chair Jack Chima, City Manager Charles Bergson, Contract Planner Gary Price and Dynamic Planning +Science Ethan Mobley.

2. AGENDA CHANGES OR DELETIONS

ACTION: None.

3. PUBLIC COMMENT

This is an opportunity for the public to speak to the 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: None.

4. COMMUNICATION

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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. OLD BUSINESS

A. **SUBJECT:** Housing Element Site Inventory and Mapping Effort

RECOMMENDATION: Review Housing Element Mapping options with Housing Element Consultant and offer comments.

ACTION: Ethan Mobley-Dynamic Planning +Science gave presentation and on Audio. He stated Isleton must demonstrate that you have enough vacant land to accommodate 8 units' low. Illustrate enough capacity 8 units and 20 moderate low income. Vice Chair Michelle Burke motion to approve Housing Element Mapping. Planning Commissioner Ruby Fowler second the motion. **AYES:** Planning Commissioner's Mandy Elder, Ruby Fowler, Joe Kessner, Vice Chair Michelle Burke, Chair Jack Chima. **NOES:** None. **ABSTAIN:** None. **ABSENT:** None. **PASSED** 5-0.

B. **SUBJECT:** Interpretation of the Zoning Code to allow raising of animals in residential zoning districts in the City.

RECOMMENDATION: Adopt Resolution of Approval.

ACTION: No conclusion. Tabled.

6. NEW BUSINESS

A. **SUBJECT:** Site Plan Review SPR 23-01, Non-Commercial Raising of Fruit and Nut Trees, Vines, Vegetables and Horticultural Specialties and Related property improvements at 502 6th Street, in the R, One-Family Residence District; Michelle Burke, Applicant.

RECOMMENDATION: Review applicant's proposal and staff report and take one of the following actions:

1. Adopt Resolution approving Site Plan Review SPR 23-01 with required findings and with conditions of approval.
2. Adopt Resolution PC denying Site Plan Review SPR 23-01 with findings.
3. Defer further review of this project to the City Council with or without recommendation.
4. Continue the application with direction to staff and the applicant for any additional information or revised plans to address the Commission's concerns.

ACTION: Planning Commissioner Joe Kessner motion to adopt Resolution approving Site Plan Review SPR 23-01 with required findings and with conditions of approval. Planning Commissioner Ruby Fowler second the motion. **AYES:** Planning Commissioner's Ruby Fowler, Joe Kessner. **NOES:** Planning Commissioner Mandy Elder, Chair Jack Chima. **ABSTAIN:** Planning Commissioner Michelle Burke. **ABSENT:** None. No Action did not pass. 2-2.

PUBLIC COMMENTS: Don Cain: Flood Plains is a red hearing, June 28th, 2015-04 repealing staff report. Staff report-regional resources findings containers in place. Hutson, Silva, Sebastian have in place. Now he wants to change it? City Manager-FEMA and State ordinances has us revise ordinance. We do have to enact it. We want

trees, garden. Right to use our property how we see fit, but the government has to take action to restrict it.

7. COMMISSION REPORTS AND COMMITTEE UPDATES

- A. Commissioner Mandy Elder-Del Rio? Fence is gone.
- B. Commissioner Ruby Fowler-None.
- C. Commissioner Joe Kessner-None.
- D. Commissioner Vice Chair Michelle Burke-Setting on agenda Del Rio CUP.
- E. Commissioner Chair Jack Chima- Will not be at next meeting on June 6. Housing Element all members approved. Interpretation Zoning Code-No conclusion-tabled. 6.A SPR 23-01-502 6th St. 2-2 vote. Goes to City Council appeal to council choose.

8. ITEMS FOR NEXT AGENDA

SRO issue-single room occupancy in our code. Actual Resolution and use of store front. We have written letters to store front. Rules that pertain to store fronts. Expectation code, stipulate retail use in storefront.

9. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

CHAIR, Jack Chima

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

CITY OF ISLETON

Planning Commission Meeting Minutes

Tuesday, April 4, 2023 at 6:30pm

208 Jackson Boulevard

Isleton, California 95641

TELECONFERENCE MEETING OR IN PERSON

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Phone Dial in: 408-638-0968

Meeting ID: 337 903 7904

1. OPENING CEREMONIES

- A. Welcome & Call to Order – Vice Chair Michelle Burke called to order 6:33pm.
- B. Pledge of Allegiance
- C. Roll Call

PRESENT: Planning Commissioner's Ruby Fowler, Joe Kessner, Vice Chair Michelle Burke. ABSENT: Commissioner Mandy Elder 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 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: None.

4. COMMUNICATION

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A. None.

5. CONSENT CALENDAR

A. **SUBJECT:** None.

6. PUBLIC HEARING

A. **SUBJECT:** None.

7. NEW BUSINESS

A. **SUBJECT:** Interpretation of the Zoning Code to allow raising of animals in certain zoning districts in the City.

RECOMMENDATION: Provide direction to staff as appropriate.

ACTION: Planning Commissioner Ruby Fowler motion to accept **OPTION 1-INTERPRETATION OF THE ZONING CODE:** This option allows the Commission to interpret the Zoning Code to allow chickens in residential zones in accordance with Section 1301 of the Zoning Code with some restrictions and to come back in resolution form. Vice Chair Michelle Burke second the motion. **AYES:** Planning Commissioner Ruby Fowler, Vice Chair Michelle Burke. **NOES:** Planning Commissioner's Mandy Elder, Joe Kessner. **ABSTAIN:** None. **ABSENT:** Chair Jack Chima. **NOT PASSED 2-2.**

8. OLD BUSINESS

A. **SUBJECT:** None.

9. COMMISSION REPORTS AND COMMITTEE UPDATES

- A. Commission Chair Jack Chima-Absent.
- B. Commissioner Ruby Fowler-City Council and Planning Commission Joint meeting 4-18-23 at 6:30pm to define our roles together.
- C. Commissioner Joe Kessner-Responsibilities, direction of Brown Act, Cal-Cities, rights at city council or planning commission, so no tangents.
- D. Commissioner Michelle Burke-Next City Council meeting this consultant what they provide. So that we can talk about what it is that we see as zoning. It's not codified and Brown Act.
- E. Commissioner Mandy Elder-What is going on at the Card Room and Bar? City Manager said, they said they are not putting a bar in. We will look when building goes in.

10. STAFF GENERAL REPORTS AND DISCUSSION

ACTION: None.

11. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

CHAIR, Jack Chima

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

CITY OF ISLETON

Planning Commission Meeting Minutes

Tuesday, June 6, 2023 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.

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Phone Dial in: 408-638-0968

Meeting ID: 337 903 7904

1. OPENING CEREMONIES

A. Welcome & Call to Order – Vice Chair Michelle Burke called to order at 6:30pm.

B. Pledge of Allegiance

C. Roll Call

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

2. AGENDA CHANGES OR DELETIONS

ACTION: None.

3. PUBLIC COMMENT

This is an opportunity for the public to speak to the 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: None.

4. CONSENT CALENDAR

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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. SUBJECT:** Approval of Minutes of the Regular Planning Commission Meeting of April 5, 2022, October 4, 2022, November 1, 2022.

RECOMMENDATION: That Planning Commission approve the Minutes of the Regular Planning Commission Meeting of April 5, 2022, October 4, 2022, November 1, 2022.

ACTION: Planning Commissioner Ruby Fowler motion to approve the minutes of October 4, 2022 with changes to public comment, 6.A recuse from voting Jack Chima and Michelle Burke and Item 7.D. Planning Commissioner Joe Kessner second the motion. **AYES:** Planning Commissioner's Joe Kessner, Ruby Fowler, Mandy Elder, Vice Chair Michelle Burke. **NOES:** None. **ABSTAIN:** None. **ABSENT:** Chair Jack Chima. **PASSED 4-0.** Planning Commissioner Joe Kessner motion to approve minutes of November 1, 2022. Planning Commissioner Mandy Elder second the motion. **AYES:** Planning Commissioner's Mandy Elder, Ruby Fowler, Joe Kessner, Vice Chair Michelle Burke. **NOES:** None. **ABSTAIN:** None. **ABSENT:** Chair Jack Chima. **PASSED 4-0.** Minutes of April 5, 2022 are tabled.

5. OLD BUSINESS

- A. SUBJECT:** Hotel Del Rio Conditional Use Permit.

RECOMMENDATION: Discussion.

ACTION: City Manager advised Planning Commission to keep it down the middle on discussing Hotel Del Rio. Michelle Burke-who is the owner's? City Manager the bank owns it right now. Michelle Burke-Rules need to be in place, so same situation doesn't happen like in November. I'm interested in the facts. I was told there was a CUP. City Manager there is no record on file. Mandy Elder, Dunn gave permission to use their vacant lot. Can we put on Agenda with code, SRO, add to cross out with what we do? Joe Kessner parking on backside of Hotel Del Rio. Ruby Fowler the last thing it was SRO? City Manager no, it was extended stay. Public Comment- Don Cain-point of talking was to prevent the issues of Del Rio and off street parking. If you're not going to allow PC to talk about i(Del Rio) how do we prevent it from happening. Making conditions we can do. Shana P.- The city is in place of litigation. Seems either way expense and time the city put into it. It seems prudent. Cara - Michelle is absolutely right. We should have policy and procedures and what are our rules and regulation and building and different types of uses. Joe Kessner need direction from City Council and see what state has and city has in codes. Michelle Burke- Do we regulate SRO? 1. The State recommendations, 2. What we have on books (City), temp housing and figure out what goes in what pile. Definitions, how are we using this in our code? 3. AirBnb-hotel-apartments, extended stay, is there a standard anywhere?

6. NEW BUSINESS

- A. SUBJECT:** Isleton Municipal Code, Article 8, C-Commercial Districts Zoning.

RECOMMENDATION: Discussion.

ACTION: Michelle Burke commercial doesn't say open to the public. Joe Kessner and Mandy Elder - I don't think we can mandate that they open to the public. Read the Ordinance and

Article 8. Public Comment - Cara P. any creative ideas? Having it looking abandoned people don't come back. Let's figure out how to spruce up main street. Joe Kessner – Putting a date on all owners, here is your drop dead date, you will comply or liens and fines accumulate. Have the attorney look at it.

7. COMMISSION REPORTS AND COMMITTEE UPDATES

- A. Commission Chair Jack Chima- Absent.
- B. Commissioner Ruby Fowler-None.
- C. Commissioner Joe Kessner-Have we got a hold of county? It is almost like driving in a tunnel. Your vehicle is getting smacked by weeds.
- D. Commissioner Michelle Burke- By next meeting info on SRO's and answer on store fronts. We already have agenda set and work to put this together.
- E. Commissioner Mandy Elder- Passed City Hall, Martinez to clean up land. City Manager yes city cleaning it up. Chuck pass on to county, one across from Catholic Church.

8. ITEMS FOR NEXT AGENDA

ACTION: SRO's and answer to store fronts.

9. ADJOURNMENT

AYES:

NOES:

ABSTAIN:

ABSENT:

CHAIR, Jack Chima

ATTEST:

DEPUTY CITY CLERK, Yvonne Zepeda

City of Isleton

Planning Commission Staff Report

DATE: August 01, 2023

ITEM#: 6.A

CATEGORY: New Business

ISLETON MUNICIPAL CODE, ARTICLE 8, C-COMMERCIAL DISTRICTS, PUBLIC WALK IN HOURS, MINIMUM - PROPOSED

SUMMARY

Commissioner Burke has proposed that City Council amend the Isleton Municipal Code (IMC) to require public walk in hours for the commercial district. The specific request is:

- 1) Request Council direct City Attorney and possibly the City Planner or zoning consultant what is permitted/restricted by state and federal law regarding mandating that storefront uses in our commercial corridor include a minimum number of public walk-in hours per year. Also, to ask what rights the existing uses have if they are conforming now but become non-conforming under minimum public walk-in hours.
- 2) Included in this request is allowing the City Attorney to draft an ordinance replacing our current commercial zoning with one that explicitly restricts uses in some portion of the front of buildings in the commercial corridor to only allow uses that allow public access for a minimum number of hours per year.

DICUSSION

The following concerns noted for consideration by the Commission pertaining to this proposed restriction.

Economic Impact - A significant portion of the City commercial corridor is vacant. Additional restrictions on prospective new businesses are not conducive to attracting businesses to Second Street and Main Street. This proposal could also be construed as a land use taking.

Change IMC Section 802 (Central commercial district/residential district), Practice- Given the current code regarding allowed uses on the Commercial corridor, this proposal – requiring walk in hours - is a significant change of policy for businesses that are not necessarily oriented toward walk in hours: i.e. service equipment businesses (e.g. computer/IT consultants), electrical distribution substations, warehouses, wholesale establishments, professional offices, accessory structures, and non-retail cannabis facilities. This policy change would require an additional step before commissioning the City Attorney's work. The additional step is to first approve a change of policy for allowed used for section 802 (and section 801 see below) before commissioning the Attorney to research and write a new regulation overwriting the existing allowed uses.

Change IMC Section 801 (Purposes and Application) - Additionally, and of broader scope, is the purpose and application of this Code section (Article 8 Commercial Districts). The purpose of this section is "to provide the opportunity for various types of retail stores, offices, service establishment and wholesale business to concentrate for the convenience of the public". Wholesale businesses are not necessarily oriented toward walk in hours. This proposal will also require the Council to change its policy and purpose of the Commercial District.

Current zoning update The City has commissioned an update to the City's zoning code which is presently underway and which will review all portions of the zoning code. This action would be a duplication and extra costs in addition to the zoning code update.

Costs It is estimated that costs for the City Attorney to research what is permitted or restricted by state and federal laws mandating storefront uses and to draft an ordinance replace the City's "current commercial zoning with one that explicitly restrict uses" is estimated to be \$15,000.

For these above reasons, Staff is not recommending making this request of City Council.

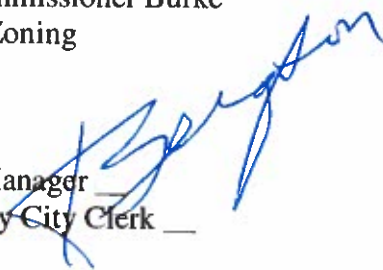
FISCAL IMPACT : This proposal is estimated to cost approximately \$15,000.

RECOMMENDATION: That the Planning Commission not approve the request to Council to authorize the City Attorney to research and to prepare an ordinance for a proposed Commercial Corridor Public Walk In Hours regulations.

ATTACHMENTS

- Electronic mail 07-27-23 from Commissioner Burke
- Article 8, C-Commercial Districts Zoning

Prepared by: Charles Bergson, City Manager _____
Submitted by: Yvonne Zepeda, Deputy City Clerk _____



Yvonne Zepeda

From: Charles Bergson <cbergson@cityofisleton.com>
Sent: Tuesday, July 25, 2023 10:15 PM
To: 'Booher, Andreas'; 'Yvonne Zepeda'; accounting@cityofisleton.com; isletonfire_86@yahoo.com; 'Diana O'brien'
Cc: ceo@cityofisleton.com; officeassistant@cityofisleton.com; 'Gary Price'; 'Charles Bergson'
Subject: After Action, City Council 07.25.23

CC mtg 07.25.23 CommuCtr
DK KH IW PS PB
CMgr, FireChief, Clerk(City Hall)

No public comment

Approved minutes of 07.11.23 meeting

Passed Reso 28-23 approving delinquent sewer charges for FY23. >>>>>> examine code for report notices to both tenant and owner; report back to CC. >>>respond to 38 Main St letter >>>file with County.

Passed Reso 29-23 approving delinquent Cal-Waste charges for FY23. >>>>>file with County.

Appointed by consensus CC Kent to interview panel for Main St Redesign Plan.

Approved encroachment permit for River Delta AYSO use of Wilson Park. >>>>>issue permit

Approved encroachment permit with conditions for Rolling on the River event Oct 6/7. Conditions include insurance, map, resident plan, deposit of \$400 to cover City cost as needed. >>>>>>issue permit with conditions.

CMgr reports DRGHAD meeting for 07.26.23, cancel of 08.22.23 CC meeting, special meeting for 08.29.23, awaiting additional reimbs from FEMA and OES on storm damages, Delta Ave speed humps, GHAD received ~\$900k grant, meeting with Galt and STA pending.

ADJ 20:35 to closed session
Nothing to report from closed session.

-----also ran-----

Requested schedule for waterfront project
"delighted " with Code Enforcement report >>>>> add apn or address as appropriate.

ADJ 20:44

"One of the secrets of cooking is to learn to correct something if you can, and bear with it if you cannot." - Julia Child, American cooking teacher, author, and tv personality.
Thx, Chuck B

ARTICLE 8 – C-COMMERCIAL DISTRICTS

SECTION 801 C-PURPOSES AND APPLICATION

The commercial districts included in this code are designed to provide the opportunity for various types of retail stores, offices, service establishments and wholesale business to concentrate for the convenience of the public; to be established in such relationships to each other as to be mutually beneficial; and to be located and grouped on sites that are in logical proximity to the respective geographical areas and categories of patrons which they serve.

SECTION 802 CC-CENTRAL COMMERCIAL DISTRICT / RESIDENTIAL DISTRICT

A. CCRD-APPLICATION

The Central Commercial / Residential District are intended to be applied within and at the periphery of the Central Commercial / Residential District (CCRD) of the city as described by the General Plan. The CCRD serves as the primary commercial district of the community where a wide range of retail, financial, governmental, professional, business service and entertainment activities and uses are encouraged to concentrate to serve the entire community. Central Commercial / Residential areas east of H Street are intended to be developed only as unified commercial centers, except where the existing development pattern makes it impractical.

B. CC – PERMITTED USES

1. Parking lots improved in conformity with the standards prescribed for required off-street parking facilities in Article 11.
2. Professional and commercial offices.
3. Retail stores, personal services and business services which supply commodities or provide services primarily to meet the needs of residents of the entire community.
4. Highway commercial uses intended primarily for the convenience of patrons traveling along State Highway 160 or major county roads serving the City of Isleton.

C. CC-CONDITIONAL USES: COMMISSION APPROVAL

The following uses may be permitted in accordance with the provisions of Article 14:

- A. Service commercial uses primarily engaged in servicing equipment, materials and products, but which do not involve the manufacturing, assembly, packaging or processing of articles of merchandise for distribution and retail sale. The operational characteristics of many service commercial uses may not always be compatible with the range of permitted uses within the CC District. Consequently, the conditional use permit process

provides the opportunity to achieve such compatibility through conditions of approval imposed by the City.

- B. Churches.
- C. City, county, state or federal administrative offices; libraries, police and fire stations.
- D. Dwellings over and to the rear of a permitted use in accordance with requirements of the RM-2 District.
- E. Electrical distribution substations, communication equipment buildings, gas regulator stations and utility pumping stations.
- F. Farmers markets, including indoor and outdoor facilities.
- G. Service stations (gasoline), including automotive repair services.
- H. Temporary revival church services.
- I. Warehouses except for the storage of fuel oil or flammable liquids and explosives.
- J. Wholesale establishments.
- K. Expansion or remodeling of an existing non-conforming use of a structure or land, up to fifty percent (50%) or less of the value of the structure or re-establishment of a non-conforming use which has been damaged, except non-conforming signs and outdoor advertising structures, non-conforming uses occupying a structure with an assessed valuation of less than one hundred dollars (\$100), and non-conforming fences, walls and hedges.
- L. Expansion, remodeling, or additions to a conditional use that are not considered an incidental or accessory use as defined in Article 21.
- M. Incidental and accessory structures and uses located on the same site as a conditional use.
- N. Other uses which are added to this list according to the procedure in Article 13.
- O. Hotels, whether it be a new proposed use or an expansion of an existing usage.

SECTION 803 C-REQUIRED CONDITIONS

Revise by the addition of Item D to this section-

- A. All businesses, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and off-street loading areas, gasoline service stations, outdoor dining areas, nurseries, garden shops, signs, Christmas tree sales lots, bus depots and transit stations, public utility stations, and used car sales incidental to new car sales.

- B. No use shall be permitted and no process, equipment or materials shall be used which are found by the Planning Commission to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire, explosion or toxic chemicals.
- C. Temporary sidewalk sales and use of the public right-of-way for the display and sales of merchandise shall require approval by the City staff. Permanent use for such purposes is strictly prohibited.
- D. Non Residential uses, as allowed in this section, shall have a minimum area of 900 square feet or 50% shall take place at the front of the building. The front of the building is that portion adjacent to the street.

SECTION 804 C-PROPERTY DEVELOPMENT STANDARDS

- A. Screening and landscaping, fences, walls and hedges:
 - 1. Where a site adjoins or is located across a street or alley from a RCO, UR, R or RM District, an ornamental solid wall or fence, seven (7) feet minimum in height, or such other height or type of screening device as may be required by the Planning Commission, shall be located on the property line common to such districts, except in a required front yard.
 - 2. Open storage of materials and equipment intended to a permitted use or conditional use shall be permitted only within an area surrounded or screened by a solid wall or fence seven (7) feet minimum in height, except as may be modified under Site Plan Review. Said storage shall not be visible above said fence or wall.
 - 3. Street trees and other forms of landscaping may be required under the provisions of Articles 14, 15 and 16.
- B. Site area: No limitation.
- C. Frontage, width and depth of site: No limitation.
- D. Coverage: No limitation.
- E. Yard Requirements:
 - 1. No minimum front yard is required.
 - 2. Except as specified in paragraphs a. and b. hereunder, no side yards or rear yards shall be required.

- a. The minimum side yard abutting a RCO, UR, R or RM District shall be ten (10) feet.
 - b. The minimum rear yard abutting a RCO, UR, R or RM District shall be ten (10) feet.
- F. Distance between structures: The minimum distance between a dwelling unit and another structure shall be five (5) feet.
- G. Building height: Fifty (50) feet.
- H. Off-street parking and off-street loading: Off-street parking and off-street loading facilities shall be provided as prescribed in Article 11.
- I. Signs and outdoor advertising structures: No sign or outdoor advertising structure of any character shall be provided except as prescribed in Article 12.
- J. The minimum required area for commercial use shall be 50% of the floor area of the first or 900 square feet. Whichever is less.

SECTION 805 C-SITE PLAN AND ARCHITECTURAL DESIGN REVIEW

No use shall be erected on any lot or site in any C District until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Articles 15 and 17.

SECTION 806 C-GENERAL PROVISIONS AND EXCEPTIONS

All uses shall be subject to the general provisions and exceptions in Article 13.