

# City of Isleton

## Special Planning Commission Staff Report

DATE: January 17, 2023

ITEM#: 7.A

CATEGORY: New Business

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### **DELTA QUEEN LODGE SIGNAGE, 34 MAIN STREET; APPROVE**

#### **SUMMARY**

The Isleton Historical Review Board (IHRB) approved the Certificate of Appropriateness application for the Delta Queen Lodge signage at 34 Main Street (see attached).

#### **DISCUSSION**

This sign complies with the City Municipal Code Article 12 – Section 1204 Regulation of signs and outdoor advertising. It is recommended that the Planning Commission review and approve the sign for the Delta Queen Lodge.

#### **FISCAL IMPACT**

There is no fiscal impact for this approval.

#### **ATTACHMENT**

1. Isleton Historical Preservation Review Board (IHRB) Findings Pending 03-17-2022
2. Isleton Historical Preservation Review Board (IHRB) Findings Approved 01-06-2023
3. Delta Queen Lodge Signage Plans

#### **RECOMMENDATION**

It is recommended Planning Commission review and approve the Delta Queen Lodge signage.

Prepared by: Diana O'Brien, Admin. Asst./Grants Manager

Reviewed by: Charles Bergson, City Manager

Submitted by: Yvonne Zepeda, Deputy City Clerk





## IHPRB REVIEW FINDINGS

Addendum Review for Signage: COA 34 Main Street, Isleton CA: To supplement the review findings conducted and signed on 17 March 2022.

✓ Approved: Note – Final approval will be completed once the Isleton building inspector has reviewed this submittal, and, the submittal for signage has been brought before the Isleton Planning Commission for approval.

## COMMENTS

1. Signage – The design of lettering is deemed appropriate (Delta Queen Lodge) being somewhat similar to the design and construction of the neon channel box signage that was utilized by the previous owner/establishment (Rogelio's). It is noted that LED lights will be used in lieu of neon, but that the LED lights will be filtered via an acrylic face plate, and may have a similar appearance to that of neon. The icons can be viewed as supplemental to the signage.
2. Be aware that the building inspector may need more detailed information regarding method and hardware utilized to hang signage. Permits may be required (Contact City Hall).
3. Be aware that the final approval of your signage will have to be reviewed by the Isleton Planning Commission. You will need to insure that your signage submittal is placed on the Planning Commissions Agenda (contact City Hall)

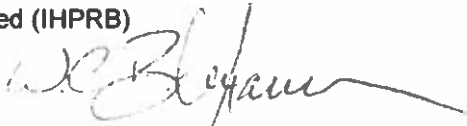
### Design Guidelines:

- Minimize impact on the structure of the building.
- Do not draw attention away from the building/structure.
- No rooftop billboards.
- Sign colors shall be compatible with building colors.
- No sign shall project into the public right of way.
- Neon signs are acceptable, but they are not to be of the flashing type.

Final Notes: Renderings with dimensions need to be submitted. The building inspector will need more information as well; you will have to confer with the building inspector to find out exactly what is needed. The final IPHRB approval for signage will work in conjunction with the approval from the Isleton building inspector, **and final approval from the Isleton Planning Commission.**

COA reviewed (IHPRB)

Signature:



Date of Review:

1-6-2023



3/18/22  
email

Mark Yandow  
P/U

amy  
3-18-22

### IHPRB REVIEW FINDINGS

COA for 34 Main Street, Isleton CA: Signage, Window Emplacement, Awning Addition, & Planter

- Approved
- Disapproved
- Pending

### COMMENTS

Note: This COA is "pending approval" based on the need for further information as outlined in the following comments

1. Signage – The design/logo is deemed appropriate being in the "art deco" style which will compliment the façade. Before the signage can be approved, the following questions need to be addressed:
  - a. Confirm that signage will be neon, and to include actual configuration/construction details
  - b. Colors to be used. Colors need to be appropriate for the period of significance, 1926-1941
  - c. Exact dimensions of the signage and the lettering (examples of period neon signage can be seen mounted at the Del Rio located in Isleton, and at the Ryde Hotel along the Sacramento River)

#### Design Guidelines

- Minimize impact on the structure of the building.
- Do not draw attention away from the building/structure.
- No rooftop billboards.
- Sign colors shall be compatible with building colors
- No sign shall project into the public right of way.
- Neon signs are acceptable, but they are not to be of the flashing type

Final Notes: Renderings with dimensions need to be submitted. The building inspector will need more information as well, you will have to confer with the building inspector to find out exactly what is needed. The final IHPRB approval for signage will work in conjunction with the approval from the Isleton building inspector, **and final approval from the Isleton Planning Commission**

2. Window Emplacement – The window emplacement has been deemed appropriate, but the window as detailed in the COA submittal is not approved. The existing façade ground level windows are 24 inches by 48 inches, the proposed window is listed as 24 inches by 36 inches. The new window needs to be the same size as those already existing. Note: If one looks up and down Main Street and compares façade window configurations with that of 34 Main Street, the 34 Main Street windows appear to be significantly undersized. A smaller window configuration, other than what is already in place is not approved.

Design Guidelines:

- A new opening should be similar in location, size, and type to those existing.
- New windows and doors should be finished with trim elements similar to existing.

Final Notes: The new window needs to be the same size as those present on the ground level façade, 24 inches by 48 inches. The final IPHRB approval for the window will work in conjunction with the approval from the Isleton building inspector.

3. Awning Addition – The awning addition is deemed appropriate, however the bronze polycarbonate roofing is not approved. When replacement of façade material is needed, use materials similar to those employed historically. The redwood 4 by 4 uprights, redwood fascia board etc. are compatible. Before the awning can be approved by the IPHRB, the following need to be addressed:

- a. The roofing material for the awning should be corrugated metal as can be seen on the awnings of adjacent buildings. Polycarbonate material is not approved.
- b. Renderings with dimensions and design details need to be submitted.

Design Guidelines:

- Historic building materials and craftsmanship add textural qualities as well as visual continuity and character to the streetscape and should be preserved.
- When replacement of façade material is needed, use materials similar to those employed historically.

Final Notes: Renderings with dimensions need to be submitted. The building inspector will need more information as well; you will have to confer with the building inspector to find out exactly what is needed. The final IPHRB approval for the awning will work in conjunction with the approval from the Isleton building inspector.

- 4 Planter Blocks - The proposed planter box materials need to invoke the period of significance 1926-1941 Do not use contemporary retaining wall blocks The planter box is pending approval once the following have been addressed
- a Appropriate material / design needs to be incorporated Examples for the consideration of materials could be the use of redwood siding, which would be more aesthetically in harmony with the building structure, and or the use of corrugated metal siding, etc

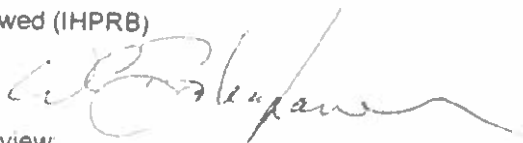
Design Guidelines

- Utilize historic building materials and craftsmanship

Final Notes Resubmit with appropriate material / design

COA reviewed (IHPRB)

Signature



Date of Review

17 MARCH 2022







# DELTA QUEEN LODGE

## Building Specifications:

Address :34 Main St, Isleton, CA 95641  
 Building Size : 8,848 SF ft  
 Lot size: 0.29 AC

## General Sign Overview

One Sign :  
 Street/Entrance Sign  
 Building Sign  
 \*\*update existing signs\*\*

## Owner's Information:

Tania Wright  
 Ph: 209.261.5144  
 Delta Queen Lodge Inc  
 34 Main Street  
 Isleton, CA 95641

**34 Main St, Isleton, CA 95641**

Delta Queen Lodge

## Building Sign Specifications:

Sign Style : Channel letters lit with LED modules  
 Height from floor of deck Approx. 11'  
 Approx. Overall Sign Dimensions : 68" x 172"

## Type, spacing & color specs

Circle Icons : 1) 25"H 2) 25"H 3) 25"H  
 Individual Lettering Approx. Height:  
 D :17" E:13" L:20" T:15" A:13"  
 Q: 23" U:13" E:13" N:13"  
 L:17" O:15" D:20" G:20" E:13"  
 Type : MonoType Corsiva, Regular

 CMYK : 57, 0, 21, 0

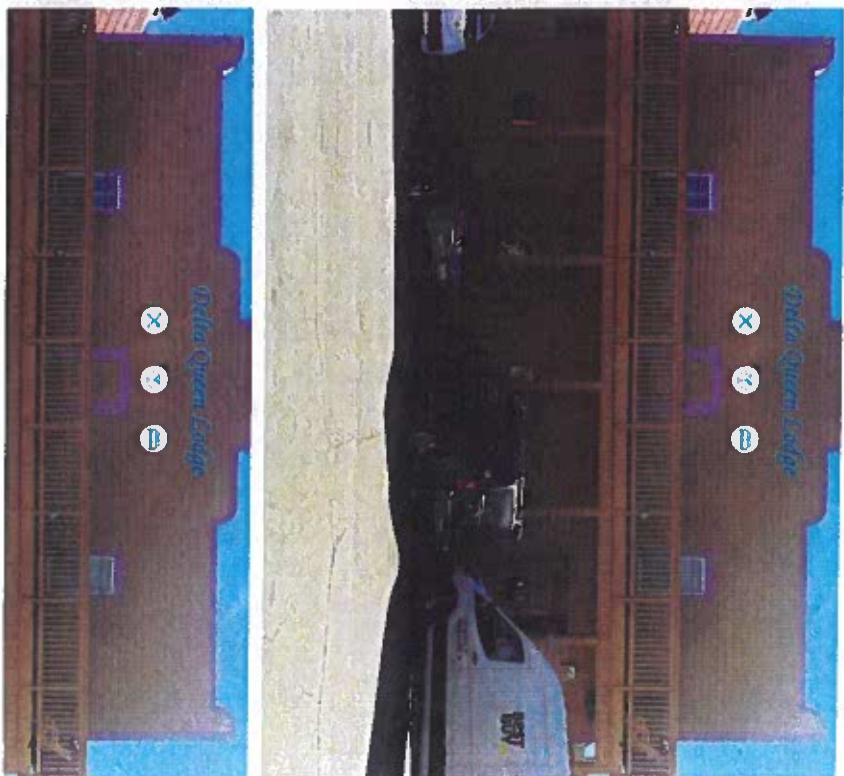
 CMYK : 55, 49, 0, 0  
 Entrance Sign Specifications:

Front Lit Channel Letters: (example)



LED LIGHTS: Mynice High Efficiency,  
 160° Beam, IP67, 9000K-10500K,  
 0.7W & 1.2W LED Module

Isleton, Ca.





# City of Isleton

## Planning Commission Staff Report

DATE: January 17, 2023

ITEM#: 8.A

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### PLANNING COMMISSIONER BURKE ITEMS FOR DISCUSSION

#### SUMMARY

Planning Commissioner Michelle Burke, via an email from December 29, 2022 (attached), requested the following items be placed on the Planning Commission's agenda. The City Attorney's comments on these items are attached and noted in this report.

#### Email item 1. Conditional Use Permit for Isleton Cannabis

City Attorney – This item should not be on the agenda. This was approved by the City Council on 10 January 2023. The property owner has a property right now from these entitlements and therefore there's nothing left for the Council to discuss.

#### 2. Isleton Municipal Code Section 802 pertaining to Main Street and Second Street. (copy of section 802 attached)

City Attorney – This item should be on the agenda. Council agrees it needs to be reviewed and corrected, so some discussion is probably appropriate to further define what exactly the Planning Commission would like to see analyzed.

#### 3. Review all Cannabis Development agreements.

City Attorney – This item should not be on the agenda. Not really appropriate for PC to review approved DAs and other entitlements approved by the CC. If the CC decides that the PC should do annual review of DAs, then it would be appropriate.

#### 4. Status of Properties with Liens.

City Attorney – This item should not be on the agenda. Liens are not PC jurisdiction.

#### 5. Sixth Street Development Standards.

City Attorney – This item should not be on the agenda. Michelle may have a conflict on this because of the proximity to her own property, therefore it's inappropriate for her to request it be added to the agenda in her capacity as a Planning Commissioner.

#### 6. 502 Sixth Street Site Plan –

City Attorney – This item should not be on the agenda. This item is about Michelle's property so there's also a conflict on this one.

#### 7. Status of the Meadows project.

City Attorney – This item should be on the agenda. Within PC jurisdiction, not ready for PC, Chuck will update.

#### 8. Compassionate Conditional Use.

City Attorney – This item should be on the agenda. Chuck says: lighten terms of CUP- this needs direction from Council (fees, setbacks, parking, etc.) Michelle has mentioned flood related issues like building pad, which are driven (Chuck says) by federal regulations. It's appropriate to have a discussion about how affordable housing could be incentivized through reduced requirements but it needs to be made clear that health and safety requirements can't be reduced and that state/federal requirements can't be avoided. The appropriate scope of this discussion is recommendations from the PC for the CC's consideration.

9. Affordable Housing, accessory dwelling unit, single room occupancy, rv park, and mobile home park standards.

City Attorney – This item should not be on the agenda. Council directed needed and this is really the same as 8, above. Also real question about authority of City to limit duration of stay in mobile home or RV parks but that authority is tricky to define under state law. Since the Meadows project is already processed, this discussion could not go back to t undo what that applicant is seeking so this would be a more prospective issue for other projects.

10. Municipal Code internet access item has been corrected.

11. Vice Chair and Secretary

City Attorney – This item should be on the agenda. The PC can appoint officers, BUT this gets back to issue of the role of the PC in setting there own agenda, which is one to ask for Council direction on.

**RECOMMENDATION** – There are no recommended actions.

**ATTACHMENT**

Commissioner Burke email of 29 Dec 2022.

Isleton Municipal Code Section 802.

City Attorney email of 11 Jan 2023.

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

## Yvonne Zepeda

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**From:** michelle burke <michelleburke51@yahoo.com>  
**Sent:** Thursday, December 29, 2022 2:54 PM  
**To:** Yvonne Zepeda; Chuck Bergson  
**Cc:** Ruby Fowler; Jan & Joe Kessner; Mandy Elder; Jack Chima  
**Subject:** JANUARY Planning Commission meeting

We had a quorum requesting a Special Meeting in December to ensure that the topic of cannabis uses on Main Street, in particular the CUP scheduled for the January City Council meeting, be revisited. There must be a Planning Commission meeting prior to the next City Council Meeting. There is no shortage of topics. There are at least 3 if not 4 commissioners available on January 3 regular meeting date.

We need to discuss:

1) The CUP for 51 Main Street. Neither the Planning Commission nor the general public including City Council had ever been informed prior to December 6, 2022 at the Planning Commission meeting about the limitations on use of the front of commercial buildings that contain cannabis businesses. We need to review what state law says about these limitations. We need to make public this new information. We need to reconsider the specifics of this CUP which did not reflect the common understanding of CUPs on Main Street. In December our approval was provisional in that the requested use is approved behind the front commercial space but not in the front commercial space. This needs to be clarified and the CUP for 51 Main amended in writing before City Council considers it. The lack of revisions to CUPs before they are presented to City Council appears to be part of the problem that has now become apparent.

On the agenda right before this should be the next two items since we need to discuss what the city should dictate regarding Main Street BEFORE we discuss whether to say yes/no/modify to a CUP affecting a storefront on Main Street.

2) Planning Commission needs to review the ordinance governing businesses on Main St and 2nd. It seems there is much misunderstanding about what section 802 says and what most people think it says. We need to consider if it needs to be updated. This has been touched on but never directly addressed at public meetings many times each year since I started attending nearly every meeting in the fall of 2017.

3) Planning Commission needs to review all of the development agreements and resolutions passed by City Council for all cannabis businesses on Main Street. This has been requested repeatedly at most public meetings and many private emails to the city for over 6 months. As highlighted at the December 2022 Planning Commission meeting, there is a difference of understanding on what was recorded and what both Planning Commission and City Council thought they were passing. We and the public need to better understand the existing agreements before approving another one that may not reflect what we thought it did.

4) Status of properties with liens or that should have liens before they are sold specifically including the Del Rio that has years of unpaid back taxes and violations and 57 Main Street. Status of inspections by our new code enforcer. In order for Planning Commission to recommend uses it is relevant to see if any limitations are enforced.

5) 6th Street development standards discussion. Development standards for 6th Street have been touched on at several meetings over the past 5 years including a rustic walking path grant, appropriateness of existing zonings, driveway placements, and enabling future festivals. This has become time sensitive because the housing development between the school and 6th Street bounded by D Street and Gaswell is being required to place sidewalk, curbs, and gutters in an area that has no adjoining sidewalk and where concrete may not be the best choice functionally or aesthetically. I think we need to include in this discussion the roadway standards as discussed in the flooding mitigation presentation this fall. Whatever elevation is deemed appropriate for a walkway on the river side of 6th Street should take into consideration the ways in which 6th Street, when repaved in the next few years, possibly is elevated a foot or two to give most of town several more days before it is flooded in case of a levee break. Would such an improvement help lower flood insurance? We should be able to get extra grant money for this extra benefit. Isleton is not suburbia yet some of our development standards are copied from places that don't look or function like small town rural California. Lets discuss this before we force an outcome that maybe does not serve our interests or needs.

6) Where is the Site Plan for the Commission to review for 502 6th Street? Updates have been requested at several past meetings starting in September. Everything including the fees stipulated in municipal code or passed by City Council has

been complied with. The deadline passed months ago for the city to reject the site plan submitted. Per Municipal Code it is the Planning Commission that reviews site plans.

7) What is the status of The Meadows application? It was supposed to be presented in December and now January and now? I understood that everything was turned in and the public comment period has been sufficient.

8) A discussion of whether Isleton should add a Compassionate Conditional Use to section 603 conditional uses in a residential zone, and maybe to the commercial code as well, as has been repeatedly requested starting in August. The response from the city so far has been to point to state recommendations and mandates regarding affordable housing, accessory dwelling units, and handicap accessibility which is not the same thing as a limited conditional use for a residential use where normally it is not allowed or the dwelling unit is of a type not allowed due to its category (ie a camper or mobile home). This would not be an exemption from safety considerations nor something that runs with the property as it is specific to an individual person at a specific location.

9) A discussion of affordable housing, accessory dwelling unit, single room occupancy, rv park, and mobile home park standards. This is becoming time sensitive since The Meadows is planning an RV park with the possibility of long stay residents. Before we deliberate the merits of their CUP we need to deliberate our standards for long stay non-standard housing. Should we define these single bedroom but clustered dwelling units as a village for ease of discussion as a category? What can we change in our municipal code to prevent the chaos that was the Del Rio? I don't expect our decision to be one that places burden on a well managed stand alone non-standard residence or village of same but I don't really know since it hasn't been discussed publicly or even sufficiently privately. (Brown Act has not been violated yet btw and my questions here are rhetorical. I am asking that we discuss this publicly, not outside public view)

10) Update on when the City will place the current Municipal Code back on the website as required by state law.

11) Planning Commission needs to appoint a Vice Chair and a Secretary to help avoid having topics the public and Commissioners wish to discuss never being agendaized.

Yes, it is a lot. All of it should have been on agendas prior to now. All of it should be ready to print because it is either part of our code or has been known about for months. I would like to at least discuss all of it even if only a few need to be voted on this time.

Michelle Burke  
Isleton property owner since 2017  
Isleton resident since 2018  
Isleton Planning Commissioner since 2019

On Thursday, December 8, 2022 at 11:13:57 AM PST, Ruby Fowler <rubyfowler@gmail.com> wrote:

In light of new and clarifying information obtained by the commission after the December 6, 2022 meeting in which the commission approved CUP 02-22 and DA 2022-01, please schedule and convene a special meeting of the commission, for the benefit of the public, to further discuss, and possibly rescind either temporarily or permanently, the vote of approval based on new information and other extenuating circumstances.

It is imperative that this meeting and the concerns of the commission be addressed prior to the January city council meeting in which a vote to approve the CUP is anticipated.

Please let me know what questions or concerns you have. Thank you.

## 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.



## Charles Bergson

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**From:** Booher, Andreas <abooh@kmtg.com>  
**Sent:** Wednesday, January 11, 2023 1:36 PM  
**To:** Charles Bergson  
**Cc:** Mitchell, Jeffrey A.  
**Subject:** Re: JANUARY Planning Commission meeting

Hi Chuck,

Here's some notes based on our discussion:

We need to discuss:

1) **THIS ITEM SHOULD NOT BE ON THE AGENDA** The CUP for 51 Main Street. Neither the Planning Commission nor the general public including City Council had ever been informed prior to December 6, 2022 at the Planning Commission meeting about the limitations on use of the front of commercial buildings that contain cannabis businesses. We need to review what state law says about these limitations. We need to make public this new information. We need to reconsider the specifics of this CUP which did not reflect the common understanding of CUPs on Main Street. In December our approval was provisional in that the requested use is approved behind the front commercial space but not in the front commercial space. This needs to be clarified and the CUP for 51 Main amended in writing before City Council considers it. The lack of revisions to CUPs before they are presented to City Council appears to be part of the problem that has now become apparent.

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Would such an improvement help lower flood insurance? We should be able to get extra grant money for this extra benefit. Isleton is not suburbia yet some of our development standards are copied from places that don't look or function like small town rural California. Lets discuss this before we force an outcome that maybe does not serve our interests or needs. **Michelle may have a conflict on this because of the proximity to her own property, therefore it's inappropriate for her to request it be added to the agenda in her capacity as a Planning Commissioner.**

6) **THIS ITEM SHOULD NOT BE ON THE AGENDA** Where is the Site Plan for the Commission to review for 502 6th Street? Updates have been requested at several past meetings starting in September. Everything including the fees stipulated in municipal code or passed by City Council has been complied with. The deadline passed months ago for the city to reject the site plan submitted. Per Municipal Code it is the Planning Commission that reviews site plans. **This item is about Michelle's property so there's also a conflict on this one.**

7) **THIS ITEM SHOULD BE ON THE AGENDA** What is the status of The Meadows application? It was supposed to be presented in December and now January and now? I understood that everything was turned in and the public comment period has been sufficient. **Within PC jurisdiction, not ready for PC, Chuck will update.**

8) **THIS ITEM SHOULD BE ON THE AGENDA** A discussion of whether Isleton should add a Compassionate Conditional Use to section 603 conditional uses in a residential zone, and maybe to the commercial code as well, as has been repeatedly requested starting in August. The response from the city so far has been to point to state recommendations and mandates regarding affordable housing, accessory dwelling units, and handicap accessibility which is not the same thing as a limited conditional use for a residential use where normally it is not allowed or the dwelling unit is of a type not allowed due to its category (ie a camper or mobile home). This would not be an exemption from safety considerations nor something that runs with the property as it is specific to an individual person at a specific location. **Chuck says: lighten terms of CUP – this needs direction from Council (fees, setbacks, parking, etc.) Michelle has mentioned flood related issues like building pad, which are driven (Chuck says) by federal regulations. It's appropriate to have a discussion about how affordable housing could be incentivized through reduced requirements but it needs to be made clear that health and safety requirements can't be reduced and that state/federal requirements can't be avoided. The appropriate scope of this discussion is recommendations from the PC for the CC's consideration.**

9) **THIS ITEM SHOULD NOT BE ON THE AGENDA (REPEAT OF 8, ABOVE)** A discussion of affordable housing, accessory dwelling unit, single room occupancy, rv park, and mobile home park standards. This is becoming time sensitive since The Meadows is planning an RV park with the possibility of long stay residents. Before we deliberate the merits of their CUP we need to deliberate our standards for long stay non-standard housing. Should we define these single bedroom but clustered dwelling units as a village for ease of discussion as a category? What can we change in our municipal code to prevent the chaos that was the Del Rio? I don't expect our decision to be one that places burden on a well managed stand alone non-standard residence or village of same but I don't really know since it hasn't been discussed publicly or even sufficiently privately. (Brown Act has not been violated yet btw and my questions here are rhetorical. I am asking that we discuss this publicly, not outside public view) **Council directed needed and this is really the same as 8, above. Also real question about authority of City to limit duration of stay in mobile home or RV parks but that authority is tricky to define under state law. Since the Meadows project is already processed, this discussion could not go back to undo what that applicant is seeking so this would be more a prospective issue for other projects.**

10) **THIS ITEM SHOULD NOT BE ON THE AGENDA** Update on when the City will place the current Municipal Code back on the website as required by state law. **Done.**

11) **THIS ITEM SHOULD BE ON THE AGENDA** Planning Commission needs to appoint a Vice Chair and a Secretary to help avoid having topics the public and Commissioners wish to discuss never being agendized. **The PC can appoint officers, BUT this gets back to issue of the role of the PC in setting there own agenda, which is one to ask for Council direction on.**

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**From:** Charles Bergson <cbergson@cityofisleton.com>

**Date:** Wednesday, January 11, 2023 at 09:31

**To:** Booher, Andreas <aboher@kmtg.com>

**Subject:** FW: JANUARY Planning Commission meeting

Andreas B,

The items listed below are going on a special PComm meeting for 17 January. Need your comments or not for the following on the agenda. This is all from Ms Burke. The only material to be provided is this email which has already been sent to all PComm members by Ms Burke.

Thanks,  
Chuck B

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**From:** michelle burke [mailto:michelleburke51@yahoo.com]  
**Sent:** Thursday, December 29, 2022 14:54  
**To:** Yvonne Zepeda <yvonne.zepeda@cityofisleton.com>; Chuck Bergson <cbergson@cityofisleton.com>  
**Cc:** Ruby Fowler <rubyfowler@gmail.com>; Jan & Joe Kessner <janjoe8@yahoo.com>; Mandy Elder <melder@bankofstockton.com>; Jack Chima <dejacks105@ymail.com>  
**Subject:** JANUARY Planning Commission meeting

We had a quorum requesting a Special Meeting in December to ensure that the topic of cannabis uses on Main Street, in particular the CUP scheduled for the January City Council meeting, be revisited. There must be a Planning Commission meeting prior to the next City Council Meeting. There is no shortage of topics. There are at least 3 if not 4 commissioners available on January 3 regular meeting date.

We need to discuss:

- 1) The CUP for 51 Main Street. Neither the Planning Commission nor the general public including City Council had ever been informed prior to December 6, 2022 at the Planning Commission meeting about the limitations on use of the front of commercial buildings that contain cannabis businesses. We need to review what state law says about these limitations. We need to make public this new information. We need to reconsider the specifics of this CUP which did not reflect the common understanding of CUPs on Main Street. In December our approval was provisional in that the requested use is approved behind the front commercial space but not in the front commercial space. This needs to be clarified and the CUP for 51 Main amended in writing before City Council considers it. The lack of revisions to CUPs before they are presented to City Council appears to be part of the problem that has now become apparent. On the agenda right before this should be the next two items since we need to discuss what the city should dictate regarding Main Street BEFORE we discuss whether to say yes/no/modify to a CUP affecting a storefront on Main Street.
- 2) Planning Commission needs to review the ordinance governing businesses on Main St and 2nd. It seems there is much misunderstanding about what section 802 says and what most people think it says. We need to consider if it needs to be updated. This has been touched on but never directly addressed at public meetings many times each year since I started attending nearly every meeting in the fall of 2017.
- 3) Planning Commission needs to review all of the development agreements and resolutions passed by City Council for all cannabis businesses on Main Street. This has been requested repeatedly at most public meetings and many private emails to the city for over 6 months. As highlighted at the December 2022 Planning Commission meeting, there is a difference of understanding on what was recorded and what both Planning Commission and City Council thought they were passing. We and the public need to better understand the existing agreements before approving another one that may not reflect what we thought it did.
- 4) Status of properties with liens or that should have liens before they are sold specifically including the Del Rio that has years of unpaid back taxes and violations and 57 Main Street. Status of inspections by our new code enforcer. In order for Planning Commission to recommend uses it is relevant to see if any limitations are enforced.
- 5) 6th Street development standards discussion. Development standards for 6th Street have been touched on at several meetings over the past 5 years including a rustic walking path grant, appropriateness of existing zonings, driveway placements, and enabling future festivals. This has become time sensitive because the housing development between the school and 6th Street bounded by D Street and Gaswell is being required to place sidewalk, curbs, and gutters in an area that has no adjoining sidewalk and where concrete may not be the best choice functionally or aesthetically. I think we need to include in this discussion the roadway standards as discussed in the flooding mitigation presentation this fall. Whatever elevation is deemed appropriate for a walkway on the river side of 6th Street should take into consideration the ways in which 6th Street, when repaved in the next few years, possibly is elevated a foot or two to give most of town several more days before it is flooded in case of a levee break. Would such an improvement help lower flood insurance? We should be able to get extra grant money for this extra benefit. Isleton is not suburbia yet some of our development

standards are copied from places that don't look or function like small town rural California. Lets discuss this before we force an outcome that maybe does not serve our interests or needs.

6) Where is the Site Plan for the Commission to review for 502 6th Street? Updates have been requested at several past meetings starting in September. Everything including the fees stipulated in municipal code or passed by City Council has been complied with. The deadline passed months ago for the city to reject the site plan submitted. Per Municipal Code it is the Planning Commission that reviews site plans.

7) What is the status of The Meadows application? It was supposed to be presented in December and now January and now? I understood that everything was turned in and the public comment period has been sufficient.

8) A discussion of whether Isleton should add a Compassionate Conditional Use to section 603 conditional uses in a residential zone, and maybe to the commercial code as well, as has been repeatedly requested starting in August. The response from the city so far has been to point to state recommendations and mandates regarding affordable housing, accessory dwelling units, and handicap accessibility which is not the same thing as a limited conditional use for a residential use where normally it is not allowed or the dwelling unit is of a type not allowed due to its category (ie a camper or mobile home). This would not be an exemption from safety considerations nor something that runs with the property as it is specific to an individual person at a specific location.

9) A discussion of affordable housing, accessory dwelling unit, single room occupancy, rv park, and mobile home park standards. This is becoming time sensitive since The Meadows is planning an RV park with the possibility of long stay residents. Before we deliberate the merits of their CUP we need to deliberate our standards for long stay non-standard housing. Should we define these single bedroom but clustered dwelling units as a village for ease of discussion as a category? What can we change in our municipal code to prevent the chaos that was the Del Rio? I don't expect our decision to be one that places burden on a well managed stand alone non-standard residence or village of same but I don't really know since it hasn't been discussed publicly or even sufficiently privately. (Brown Act has not been violated yet btw and my questions here are rhetorical. I am asking that we discuss this publicly, not outside public view)

10) Update on when the City will place the current Municipal Code back on the website as required by state law.

11) Planning Commission needs to appoint a Vice Chair and a Secretary to help avoid having topics the public and Commissioners wish to discuss never being agendized.

Yes, it is a lot. All of it should have been on agendas prior to now. All of it should be ready to print because it is either part of our code or has been known about for months. I would like to at least discuss all of it even if only a few need to be voted on this time.

Michelle Burke  
Isleton property owner since 2017  
Isleton resident since 2018  
Isleton Planning Commissioner since 2019

On Thursday, December 8, 2022 at 11:13:57 AM PST, Ruby Fowler <[rubyfowler@gmail.com](mailto:rubyfowler@gmail.com)> wrote:

In light of new and clarifying information obtained by the commission after the December 6, 2022 meeting in which the commission approved CUP 02-22 and DA 2022-01, please schedule and convene a special meeting of the commission, for the benefit of the public, to further discuss, and possibly rescind either temporarily or permanently, the vote of approval based on new information and other extenuating circumstances.

It is imperative that this meeting and the concerns of the commission be addressed prior to the January city council meeting in which a vote to approve the CUP is anticipated.

Please let me know what questions or concerns you have. Thank you.