



EXHIBIT A OF ORDINANCE 2024-04

# CITY OF ISLETON

# ZONING

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## ARTICLE 1 – ADMINISTRATION

### SECTION 101 PURPOSES AND OBJECTIVES OF THE CODE

The zoning regulations are intended to guide the development of the city in an orderly manner, implement the policies of the general plan, protect and enhance the quality of the natural and built environment, promote the public health, safety and general welfare by regulating the use of land and buildings and the location and basic form of structures, and provide the physical, environmental, economic, and social advantages that result from the orderly planned use of land resources.

### SECTION 102 RELATIONSHIP TO PRIOR ORDINANCES, RIGHTS, AND VIOLATIONS

The provisions of this Code supersede all prior enactments by the City Council related to the City's Zoning Code. No provisions of this Code shall validate any land use or structure established, constructed, or maintained in violation of the prior Zoning Code, unless such validation is specifically authorized by this Code and is in conformance with all other regulations.

The regulations of this Code and requirements or conditions imposed pursuant to this Code shall also not supersede any other regulations or requirements adopted or imposed by the Isleton City Council, the State of California, or any federal agency that has jurisdiction by law over uses and development authorized by this Code. All uses and development authorized by this Code shall comply with all other such regulations and requirements. Where conflict occurs between the provisions of the Code and any other City ordinance, chapter, resolution, guideline, or regulation, the more restrictive provisions shall control, unless otherwise specified.

### SECTION 103 SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Code is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Code. The Isleton City Council hereby declares that it would have adopted this Code, and each section, subsection, sentence, clause, and phrase thereof, regardless of the fact that any or one or more sections, subsections, sentences, clauses, or phrases are declared invalid or unconstitutional.

### SECTION 104 RELATIONSHIP TO THE GENERAL PLAN

This Code implements the goals and policies of the City of Isleton General Plan by regulating the use of land and structures within the city. This Code shall be consistent with the General Plan. Any permit, license, or approval issues pursuant to this Code must be consistent with the General Plan. In any case where there is a conflict between this Code and the General Plan, the General Plan shall control.

- A. Zoning districts shall be applied to all public and private property in a manner that is consistent with applicable policies and land use arrangements set forth in the General Plan.
- B. All actions and procedures pertaining to the granting, modification or denial of various permits or other entitlements provided by the ordinance, including use permits, design

reviews, planned developments, and amendments, shall be consistent with applicable policies and land use arrangements set forth by the General Plan.

- C. Where policies of the General Plan have not yet been reflected in appropriated amendments to the zoning ordinance, the policies of the General Plan shall govern and take precedence over this Code until corresponding regulations have been added to this ordinance to implement such policies of the General Plan.

## SECTION 105            AUTHORITIES

This Section lays out the basic roles, responsibilities, and functions of all planning authorities, including the City Council, Planning Commission, and Planning Director.

### A.      City Council

The powers and responsibilities of the City Council include but are not limited to the following. The relationship of the City Council to the Planning Commission and staff in the approval process is shown in Table 1.1, “Review Authorities.”

1.      Consider and adopt, reject or modify proposed amendments to the General Plan, Zoning Code, Zoning Map, Planned Developments, Development Agreements, and environmental documents related to any of the foregoing, pursuant to the provisions of the Amendments to the General Plan, Zoning Code, and Zoning Map section in Article 2.
2.      Hear and decide appeals of decisions of the Planning Commission pursuant to the provisions of Article 1, Section 107 Appeals.
3.      Establish, by resolution, a City Fee Schedule listing fees, charges, and deposits for various applications and services provided pursuant to this Code.

### B.      Planning Commission

The relationship of the Planning Commission to the City Council and staff in the approval process is shown in Table 1.1, “Review Authorities.” As deemed necessary by the City Council and pursuant to Government Code section 65100, all duties and functions delegated to the Planning Commission may be assumed by the City. The powers and responsibilities of the Planning Commission include but are not limited to the following.

1.      Approve, modify, or deny Design Reviews, Conditional Use Permits Variances, and Modifications and Revocations of Permits.
2.      Make recommendations to the City Council on Planned Developments.
3.      Make recommendations to the City Council on proposed amendments to the General Plan, Zoning Code, Zoning Map, Planned Developments, and

environmental documents related to any of the foregoing.

4. Hear and decide appeals of decisions of the Planning Director.
5. Consider and adopt environmental determinations on any approvals within the purview of the Commission that are subject to environmental review under the California Environmental Quality Act, pursuant to State law.
6. Annually review progress towards implementation of the General Plan and as deemed appropriate by the Commission make recommendations to the City Council based on any new legislation, development trends, or changing economic, social, and environmental conditions.
7. Such other powers and responsibilities as delegated, assigned or directed by the City Council.

C. Planning Director

The Planning Director, who administers the Zoning Ordinance, is assigned this duty by the City Manager. The City Manager is appointed by the City Council in accordance with Chapter 2.12 of the Municipal Code. The relationship of the Planning Director to the City Council and Planning Commission in the approval process is shown in Table 1.1, “Review Authorities.” The powers and responsibilities of the Planning Director, or his/her designee, include, but are not limited to the following.

1. Annual report related to implementation of the General Plan in compliance with Government Code Section 65400;
2. Review of Public Works projects for conformity to the General Plan in compliance with Government Code Section 65401; and
3. Review of acquisition of property for conformity to the General Plan in compliance with Government Code Section 65402.
4. Clarify or make determinations when ambiguities exist with regard to the meaning of any provision of this Code or their application to a specific parcel or project.
5. Issue administrative regulations for the submission and review of applications subject to the requirements of Government Code Section 65950, Deadlines for Project Approval Conformance; Extensions.
6. Approve, modify, or deny Sign Permits, pursuant to the provisions of Article 3.
7. Approve, modify, or deny Administrative Permits, pursuant to the provisions of Article 5, Section 501.



8. Approve, modify, or deny a Minor Modification, pursuant to the provisions of Article 5, Section 505.
9. Approve, modify, or deny requests for Reasonable Accommodation for land use projects, pursuant to the provisions of Article 5, Section 506.
10. Determine whether a project is subject to review under the California Environmental Quality Act and notify the applicant if any additional information is necessary to conduct the review.
11. Make recommendations to the Planning Commission and City Council on all applications, appeals, and other matters upon which they have the authority and the responsibility to act under this Code.
12. Investigate and report to the Planning Commission on permit violations when the City has initiated revocation procedures, pursuant to the provisions of Article 5, Section 512.
13. Delegate administrative functions to members of the Planning Division.
14. Such other powers and responsibilities as assigned or directed by the City Council.

D. Summary of Review Authorities for Decisions and Appeals

Table 1.1: Review Authorities, below, identifies the Review Authority responsible for reviewing and making decisions on each type of application required by the Zoning Code.

<b>Table 1.1: Review Authorities</b>				
<b>Type of Action</b>	<b>Applicable Zoning Code Section</b>	<b>Role of Review Authority<sup>1</sup></b>		
		<b>Planning Director</b>	<b>Planning Commission</b>	<b>City Council</b>
<b>Legislative Actions</b>				
Zoning Code and Zoning Map Amendments	Article 1	Recommend	Recommend	Decision
General Plan Amendments	Article 1	Recommend	Recommend	Decision
Planned Developments	Article 5	Recommend	Recommend	Decision
Development	Article 5	Recommend	Recommend	Decision

Agreements				
<b>Planning Permits, Approvals, and Administrative Actions</b>				
Administrative Permits	Article 5	Decision	Appeal	Appeal
Conditional Use Permits	Article 5	Recommend	Decision	Appeal
Revocation of Permits	Article 5	Recommend	Decision	Appeal
Sign Permits	Article 3	Decision	Appeal	Appeal
Minor Modifications	Article 5	Decision	Appeal	Appeal
Variances	Article 5	Recommend	Decision	Appeal
Reasonable Accommodations	Article 5	Decision	Appeal	Appeal
Design Review	Article 5	Recommend	Decision	Appeal
Nonconforming Uses, Structures and Sites	Article 3	Decision	Appeal	Appeal
Interpretations of this Zoning Code	Article 1	Decision	Appeal	Appeal
Zoning District Boundary Determinations	Article 1	Decision	Appeal	Appeal
<p>Table Notes</p> <ol style="list-style-type: none"> <li>1. "Recommend" means that the Review Authority makes a recommendation to a higher decision-making body; "Decision" means that the Review Authority makes the final decision on the matter; "Appeal" means that the Review Authority may consider and decide upon appeals to the decision of an earlier decision-making body.</li> <li>2. When necessary, the Planning Director may defer action and refer the request to the Planning Commission for consideration and final decision or may bring an Action from the Planning Commission to be made by the City Council.</li> <li>3. As deemed necessary by the City Council and pursuant to Government Code section 65100, all duties and functions delegated to the Planning Commission may be assumed by the City Council.</li> </ol>				

**SECTION 106 PUBLIC HEARING NOTICING AND PROCEDURES**

A. Noticing Requirements

Notice of public hearings shall be provided consistent with City procedures specified below and Government Code Section § 65090-96.

1. Notice of a public hearing shall be given not less than ten (10) days prior to the date of the hearing by publication in at least one newspaper of general circulation within the City, which notice shall contain the date, time and place of the public hearing, the identity of the hearing body, a general explanation of the matter being considered, and a general description either in text or by diagram of the location of the real property, if any, which is the subject of the hearing.
2. Notice of a public hearing shall be given in all of the following ways:
  - a. Publication as specified under paragraph 1 of this Section.
  - b. First class mailing, postage prepaid, at least ten (10) days prior to the hearing, a notice of the time and place of the hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.
  - c. First class mailing, postage prepaid, a notice of the time and place of the hearing to all persons whose names appear on the property owners list submitted under Section 110 (A)(4).
  - d. First class mailing, postage prepaid, a notice of the time and place of the hearing to any person who has filed a written request with the City Council. Such request may be submitted at any time during the calendar year and shall apply to the balance of such year.

B. Conduct of Public Hearings

The conduct of public hearing(s) shall include the following:

1. Discretionary Review. At the public hearing, the authorized hearing body shall review the application and any pertinent materials submitted with the application, and any report based on City staff's investigation of the application.
2. The Applicant's Rights at Public Hearing. During any public hearing, the applicant for the application shall have the right to be represented to provide testimony and present evidence.
3. The Public's Rights at Public Hearing. All other persons shall have the right to comment on any relevant aspect of the application under consideration.
4. Discretionary Action. Following the completion of testimony at a public hearing,

action shall be taken to approve, conditionally approve, deny, continue, or take under advisement, the subject of the public hearing.

5. Continuation of Public Hearing. If the action is taken to continue the item being considered or to take the matter under advisement, before adjournment or recess, the person presiding at the public hearing shall, if possible, publicly announce the time and place to which the hearing will be continued. When an item is continued to specific date and time, no further notice shall be required. If an item is continued but without a specific date, a new public noticing shall be provided as required by this Code when a date is selected.
6. Final Decision. All decisions shall be considered final unless a decision is appealed. In all cases, the City Council shall represent the final authority. Decisions of the City Council are not subject to appeal.

## SECTION 107 APPEALS

### A. Appeal of Planning Director's Decisions

Any discretionary decision of the Planning Director may be appealed to the Planning Commission within (10) ten calendar days after the date of the decision. An appeal shall be in writing and submitted to the Planning Director in the form provided by the Planning Department, which shall be accompanied by the required filing fee.

Upon receipt of a completed appeal, the Planning Director shall set the matter for hearing before the Planning Commission within (60) sixty days thereafter and shall give written notice of the hearing as provided in this Code.

The Planning Commission shall render a decision, and shall mail a written notice of such decision to the appellant within (30) thirty days of reaching a decision.

### B. Appeal of Planning Commission Decisions

Any decision of the Planning Commission may be appealed to the City Council within ten calendar days after the date of the Planning Commission's decision. The appeal shall be submitted in writing to the city clerk on the forms provided by the City, which shall be accompanied by the required fee.

Upon receipt of a completed appeal, the Planning Director shall set the matter for hearing before the City Council not less than (5) five days or more than (30) thirty days thereafter and shall give written notice of the hearing as provided in this Code. The City Council shall render its decision within (30) thirty days following the close of the hearing on the appeal.

The City Council's decision is final. In the event the City Council assumes the Planning Commission's duties and functions, pursuant to Government Code section 65100, appeals of the Planning Director to the Planning Commission are determined by the City Council and are final.

SECTION 108 INTERPRETATIONS

A. Determining Uncertain Zoning District Boundaries

1. The Planning Director shall make decisions regarding uncertain zoning district boundaries.
2. Where uncertainty exists with respect to the boundaries of the various zones, the following rules shall be used in determining the following:
  - a. Where boundary lines are indicated as following streets and alleys they shall be construed as following the centerlines thereof.
  - b. Where boundary lines are indicated as approximately following lot lines, the lot lines shall be construed to be the boundaries.
  - c. Where a boundary line divides a lot or crosses unsubdivided property, the location of the boundary shall be as indicated upon the zoning map using the scale appearing on the map.
3. Where further uncertainty exists, the Planning Commission upon written application, or upon its own motion, may by resolution determine the location of a disputed boundary, giving due consideration to the apparent indicated location thereof and the scale of the zoning map and the expressed intent of this Code.

B. Use Determination

Determination of land uses not specifically listed in Article 2 (Zoning Districts) shall be reviewed and determined by the Planning Director per the provisions below.

C. Planning Director's Determination

The Planning Director has the authority to determine when a proposed land use that is not listed in Article 2 (Zoning Districts) is similar to another listed use that is permitted or administratively permitted if the following findings can be made:

1. The characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the uses listed in the zoning district as allowable, and will not involve a greater level of activity, population density, intensity, traffic generation, parking, dust, odor, noise, or similar impacts as determined by special environmental studies as required by the Planning Director, than the uses listed in the zoning district;
2. The proposed use will meet the purpose/intent of the zoning district that is applied to the location of the use;

3. The proposed use will be consistent with the goals, objectives, and policies of the General Plan, or any planned development district; and
4. The proposed use is not prohibited or illegal.

D. Planning Commission Appeal.

The Planning Director's decision regarding a Use Determination can be appealed to the Planning Commission.

E. Applicable Standards and Permit Requirements.

When the Planning Director or Planning Commission determines that a proposed but unlisted land use is equivalent to a listed use, the proposed use will be treated in the same manner as the listed use in determining where the use is allowed, what permits are required, and what other standards and requirements of this Zoning Code apply.

SECTION 109 ENFORCEMENT OF THIS ZONING CODE

This Section establishes the responsibilities of various departments, officials, and public employees of the City to enforce the requirements of this Zoning Code and establishes uniform procedures the City will use to identify, abate, remove, and enjoin uses, buildings, or structures that are deemed to be in violation of this Code.

A. Enforcement Responsibilities

All departments, officials and public employees of the City vested with the duty or authority to issue permits, certificates or licenses shall comply with the provisions of this Code and shall issue no permit, certificate or license for uses, buildings or purposes which may be in conflict with the provisions of this Code and any such permit, certificate or license issued in conflict with the provisions of this Code, intentionally or otherwise, shall be null and void.

1. Planning Director. The Planning Director shall enforce the provisions of this Code pertaining to the use of any land or structure, bulk, height and land coverage of structures, open spaces about structures and the dimensions and area of sites upon which structures are located.
2. Other Officials. Requirements pertaining to health and sanitation, fire protection and Building Code regulations shall be enforced by the respective agencies which have jurisdiction in such matters. Whenever there is a conflict between the provisions of this Code and other City, State and Federal regulations, the more restrictive regulations apply.

B. Revocation

Any permit may be revoked in accordance with Article 5, Section 512.

C. Nuisance Defined

Any building, structure, or planting which is set up, erected, constructed, altered, enlarged, converted, moved, or maintained contrary to the provisions of this Code, any use of any land, building, or premises which is established, conducted, operated, or maintained contrary to the provisions of this Code, and failure to comply with any of the conditions of a permit granted under this Code is declared to be unlawful and a public nuisance. Declared nuisances shall be subject to penalties and remedies in accordance with Chapter 10.16 or as provided within this Municipal Code.

SECTION 110 APPLICATION FORMS AND FEES

This Chapter establishes uniform procedures for the preparation, filing, and processing of all land use permits and approvals provided for in this Code, unless superseded by a specific requirement of the Zoning Code or State law.

A. Forms and Fees

1. Applicant. An applicant shall be the owner of property or the owner's authorized agent. If the application is made by someone other than the owner or the owner's agent, proof of the property owner's authorization to submit the application shall accompany the application.
2. Application Forms. The Planning Director shall prepare, and issue application forms and lists that specify the information that will be required from applicants for projects subject to the provisions of this Code.
3. Supporting Materials. The Planning Director may require the submission of supporting materials as part of the application, including but not limited to: statements, photographs, plans, drawings, renderings, models, staking and flagging, material samples and other items necessary to describe existing conditions and the proposed project and to determine the level of environmental review pursuant to the California Environmental Quality Act (CEQA).
4. Surrounding Property Owner mailing List. The application shall be accompanied by a drawing of the site and the surrounding area for a distance of at least three hundred (300) feet from each boundary of the site, showing the location of streets and property lines and the names and last known addresses of the recorded legal owners of all properties shown on the drawing, as shown on the latest adopted tax roll of the County of Sacramento. County Assessor's maps may be used for this purpose.
5. Availability of Materials. All submitted material becomes the property of the City, may be distributed to the public, and shall be made available for public inspection. At any time, upon reasonable request, and during normal business hours, any person may examine application materials in support of or in opposition at the Planning Division offices. Unless prohibited by law or superseded by specific permit confidentiality requirements, copies of such materials shall be made available at a reasonable cost.
6. Reimbursement and Indemnification. The application shall include an enforceable provision in which the applicant agrees to reimburse the City for the cost of processing the application and to defend the City in any legal actions arising from the City's processing and/or approval or denial.

B. Concurrent Processing of Multiple Applications

Multiple applications for the same project (e.g. a change of zone and a conditional use permit) may be processed concurrently. Each application shall be reviewed and approved or denied by the Review Authority designated by the Zoning Code. In the case of concurrent applications which require review and approval by different approval authorities (e.g., Planning Commission and City Council), the lower approval authority shall act on the applications as provided in this Code and either approve or provide a



recommendation. Any approval of applications by the lower authority shall be contingent upon approval of other related applications by the higher authority.

C. Application Fees

1. Fee Schedule. The City Council shall approve by resolution a Fee Schedule that establishes fees and deposits for permits, procedures for processing flat fees or deposits, informational materials, penalties, copying, and other such items.
2. Fee Payment. No application shall be deemed complete, and processing shall not commence on any application until all required fees and deposits have been paid.
3. Fee Waiver. No fee shall be required when the applicant is the City, or if it is waived under any other provision of the Isleton Municipal Code.
4. Refund of Fees. Application fees are non-refundable unless otherwise provided for in the Isleton Municipal Code, Fee Schedule, or by any other adopted policy of the City.

D. Review of Applications

1. Initial Completeness Review. The Planning Director shall determine whether an application is complete within (30) thirty days of the date the application is accepted and the required fee received, whichever is later, except for legislative acts (zoning amendments, general plan amendments etc.) or where this time limit is superseded by state law.
2. Incomplete Application. If an application is deemed incomplete, the Planning Director shall provide written notification to the applicant listing the application(s), forms, information, and any additional fees that are necessary to complete the application.
3. Appeal of Determination. Determinations of incompleteness may be appealed as provided in this Code.

E. Inactive Applications

An application will be classified as “inactive” when the applicant has not adequately responded within 180 days to submittal items required by staff for further processing as provided in an incomplete letter. The Planning Director shall determine when an application is in an “inactive status” and 30-day extensions may be granted at the discretion of the Planning Director. Any determination of inactive status is subject to appeal procedures of Section 108 of this ordinance.

F. Waiting period of 1 year required.

When any application made pursuant to these regulations has been denied, no new application which is substantially the same shall be filed within one year of the date of the previous denial unless the Planning Commission or City Council, for good cause, shall grant permission to do so. The Commission or Council shall initiate such application based on whether the project was denied by the Commission or Council. If the decision to deny an application reviewed by the Commission is finally determined on appeal by the Council, the Council shall grant permission. The Planning Director shall determine when an application is substantially the same as a previous application, subject to the appeal procedures of Section 108 of this ordinance.

SECTION 111            AMENDMENTS TO THE GENERAL PLAN, ZONING CODE, AND ZONING MAP

As the Isleton General Plan, Zoning Code and Zoning Map are carried out over the years, there will be a need for changes in district boundaries and other regulations of these ordinances and maps, and other changes in the regulations of this code may be warranted periodically. This Section establishes procedures for consideration and review of Amendments to the General Plan, Zoning Code, and/or Zoning Map.

A.     Applicability

The procedures in this Chapter shall apply to:

1.     All proposals to change the text or maps and diagrams of the General Plan; and
2.     All proposals to change the text of this Zoning Code or to revise a zone or boundary line shown on the Zoning Map.

B.     Initiation of Amendment

An Amendment to the General Plan, Zoning Code, or Zoning Map may be initiated by any individual or group, by the Planning Director, or by an adopted Resolution of the City Council or Planning Commission.

C.     Authority

The review authority for Amendments to the General Plan text, General Plan Land Use Map, Zoning Code text, and Zoning Code Map are established in Section 105 of this Article.

D.     Public Hearing and Notice

Public Hearing procedures and notices shall be conducted in accordance with Section 106 of this Article.

E.     Required Finding of General Plan Consistency for Zoning Text or Map Amendments

The City Council shall not approve a Zoning Amendment unless the proposed amendment

is found to be consistent with the General Plan. In the case of a combined General Plan amendment and change of zone or Zoning Code amendment, a finding may be made that the Zoning Amendment is consistent with the General Plan as proposed to be amended.

F. Change of Zoning Map

A change in a district boundary shall be indicated on the zone plan with a notation of the date and number of the ordinance amending the map.

SECTION 112 CHANGES OF DISTRICT BOUNDARIES OR REGULATIONS DUE TO ANNEXATION OR RIGHT-OF-WAY ABANDONMENT

- A. All territory annexed to the City which was previously classified by the County in a particular zoning district may be retained by the City if such classification is also provided for by this Code and is consistent with the Isleton General Plan.
- B. Where property to be annexed to the City was classified previously by the City under pre-zoning provisions of State Law and this ordinance, such pre-zoning classification shall become effective at the same time that the annexation becomes effective.
- C. All territory which becomes unzoned through abandonment as a public street or shall immediately become classified the same as the property adjoining such right-of-way.

SECTION 113 INCONSISTENT ORDINANCES REPEALED

All ordinances and parts of ordinances inconsistent with the provisions of this article are hereby repealed insofar as they are inconsistent with the provisions hereof.

SECTION 114 PERMITS, CERTIFICATES AND LICENSES

All officials, departments and employees of the City of Isleton vested with the authority or duty to issue permits, certificates or licenses shall comply with the provisions of this ordinance and shall issue no permit, certificate or license which conflicts with the provisions of this ordinance. Any permits, certificates or licenses issued in conflict with the provisions of this Code shall be void.

SECTION 115 DUTIES OF THE PLANNING DIRECTOR

The Planning Director, who is the Planning Director for the City of Isleton or the person given the authority by the City Manager to carry out the responsibilities of the Planning Director in the Isleton General Plan and Municipal Code, shall be the official responsible for the enforcement of this Code.

SECTION 116 VIOLATIONS – PENALTIES

- A. Any person, firm, corporation or organization violating any provision of this ordinance shall be guilty of an infraction. A person, firm or corporation or organization shall be deemed guilty of a separate offense for each day during any portion of which a violation

of this ordinance is committed, continued or permitted by the person, firm, corporation or organization.

- B. Any structure erected, moved, altered, enlarged or maintained and any use of site contrary to the provisions of this ordinance shall be and is hereby declared to be unlawful and a public nuisance, and the City Attorney shall immediately institute necessary legal proceedings for the abatement, removal and enjoinder thereof in the manner provided by law and shall take such other steps as may be necessary to accomplish these ends, and shall apply to a court of competent jurisdiction to grant such relief as will remove or abate the structure or use and restrain or enjoin the person, firm, corporation or organization from erecting, moving, altering, or enlarging the structure or using the site contrary to the provisions of this ordinance.
- C. All remedies provided for herein shall be cumulative and not exclusive.

**ARTICLE 2 – ZONING DISTRICTS**

**SECTION 201 ZONING DISTRICTS ESTABLISHED**

The base zoning districts described in this Article establish the basic land use and property development regulations applicable to all property within the City.

The base zoning districts are as follows:

A. Base Districts

The Base Districts are as follows:

**RESIDENTIAL ZONING DISTRICTS**

**Single-Family District**

R-1            7,000 square feet minimum; 4,000 to 6,999 square feet with a PD application

**Multi-Family Residential Districts**

RM-MH        5,400 square foot minimum site area per mobile home (8 mobile homes per net acre)

RM-4           4,000 square foot minimum site area per dwelling unit

RM-3           3,000 square foot minimum site area per dwelling unit

RM-2 MXU    2,000 square foot minimum site area per dwelling unit

The Single-Family and Multi-family Districts are also subject to the density limitations, policies and standards of the Land Use Element of the Isleton General Plan.

**COMMERCIAL ZONING DISTRICT**

CC              Central Commercial District

**INDUSTRIAL ZONING DISTRICT**

PDI             Planned Industrial District

**OTHER ZONING DISTRICTS**

PD              Planned Development District

MXU            Mixed Use District

RCO	Resource, Conservation and Open Space District
UR	Urban Reserve District

SECTION 202 EFFECT OF DISTRICT REGULATIONS

Except as otherwise provided in this Code:

- A. No structure or part thereof shall be erected, altered, added to or enlarged, nor shall any site or structure be used, designated or intended to be used for any purpose, or in any manner other than is included among the uses hereinafter listed as permitted or conditional in the district in which such structure, land or premises is located.
- B. No structure or part thereof shall be erected, nor shall any existing structure be altered, enlarged or rebuilt or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, site area and building location regulations hereinafter designated for the district in which such structure or open space is located.
- C. No yard or other open space on one site shall be considered as providing a yard or open space for a structure on any other site.
- D. Any lot recorded prior to the adoption of this ordinance, any lot of record in any area heretofore or hereafter annexed to the City, which is substandard with respect to the minimum lot area requirements of this ordinance, shall be classified as a legal nonconforming lot. The existence of a legal nonconforming lot shall not be deemed to change any other requirement or regulation pertaining to such lot.

SECTION 203 ADOPTION OF ZONING MAP

In order that comprehensive zoning regulations may be applied uniformly to all incorporated territory with the adoption of this ordinance, and the mapped zones are made a part of this Code by reference with the same force and effect as if the boundaries, together with any notations, references and information shown on said map, were specifically set out and described in this Code.

The designation, location and boundaries of the aforementioned zones and areas shall be by written description or by delineation on a map which shall be adopted as specified in this title. The map and written legal descriptions shall become a part of the zoning ordinance under this section, may be adopted in accordance with the provisions of this article and this ordinance, and shall be known as the Zoning Map of the City of Isleton.

SECTION 204 DIVISION OF THE ZONING MAP

For purpose of the convenience and identification the zoning map may be divided into parts and subparts, which may be separately shown or employed for purpose of amending the zoning map or any official reference thereto.

SECTION 205 PRE-ZONING OF UNINCORPORATED TERRITORY

The City may pre-zone unincorporated territory adjoining the City for the purposes of determining the zoning that will apply to such property in the event of subsequent annexation to the City. The method of accomplishing such pre-zoning shall be the same as that for the zoning of property within the City as provided by this Code.

SECTION 206 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT - PURPOSES AND APPLICATION

- A. The R-1 district is intended primarily to provide living areas at locations designated by the General Plan for low density, involving single-family dwellings, and accessory dwelling units with regulations designed to accomplish the following:
1. To promote and encourage a suitable environment for family life.
  2. To provide space for community facilities needed to complement urban residential areas, and for institutions which require a residential environment, in accordance with policies of the General Plan and state law.
  3. The R-1 district is intended primarily for application for single-family and accessory dwelling residential areas of the community with minimum lot sizes of 7,000 square feet except under the following circumstances, where smaller lot sizes may be permitted:
    - a. Older housing areas of the community between Jackson Blvd., and H Street, north of Sixth Street, where lot sizes are typically less than six thousand (6,000) square feet in area.
    - b. Lot sizes of not less than 4,000 square feet may be applied to residential areas under the PD (Planned Development) provisions of this ordinance.

SECTION 207 RM-MULTI-FAMILY RESIDENTIAL DISTRICTS - PURPOSES AND APPLICATION

The RM Multi-Family Residential Districts are intended primarily for the development of multi-family residential structures at densities consistent with policies of the General Plan as follows:

- A. The R MH Mobile Home Residential District is intended for application to areas designated by the General Plan for mobile home park residential development. As required by state law, mobile home parks may be located within any other R District under PD provisions of this ordinance.
- B. The RM-4.0 Medium-Low District is intended for application to areas designated by the General Plan for either Medium Density or Low Density under PD provisions of this ordinance.
- C. The RM-3 Medium Density zoning district is intended for application to areas designated for Medium Density by the General Plan.

- D. The RM-2 MXU High Density Mixed Use Residential District is intended for application to areas designated by the General Plan for High Density in the immediate vicinity of the East Main Street Central Commercial District, including above-ground floors and the rear halves of ground floor structures designated residential by the General Plan. The street adjacent half of the ground floor shall be reserved for commercial uses.



SECTION 208 RM- DESIGN REVIEW

Except for mobile homes, single-family dwellings, accessory dwelling units, and accessory structures and related uses, no use may be established on any lot or site in an RM district until a site plan and architectural plans shall have been submitted to and approved by the City pursuant to the provisions of Article 5 of this ordinance. The development of mobile home parks within the RMH District shall be subject to the standards and regulations prescribed under Article 4 or this ordinance

SECTION 209 RCO-RESOURCE CONSERVATION AND OPEN SPACE DISTRICT - PURPOSE AND APPLICATION

This district is intended to provide for permanent open space in areas of the community which exhibit significant vegetation, scenic qualities, wildlife or recreation potential, and which are designated as Open Space, parks, school sites or agriculture by the General Plan. This district is further intended to be applied to lands within the City which are subject to an agricultural land conservation contract under the provisions of the Williamson Act.

SECTION 210 UR-URBAN RESERVE DISTRICT - PURPOSES AND APPLICATION

- A. This district is intended for application to areas which are designated by the General Plan to be held in reserve for future urban expansion, including lands where Williamson Act contracts have not yet been cancelled.
- B. The purposes of this district are to: preserve the availability of agricultural and vacant lands required for future urban expansion and, to prevent the premature development of lands where the range of municipal type services required by the General Plan are not yet available. When such services are or by agreement with the City can be made available, the property shall be rezoned to the appropriate zoning designation as determined and adopted by the City Council.

SECTION 211 UR - REQUIRED CONDITIONS

No conditional use shall be permitted and no process, equipment or materials shall be used which are found by the Commission to be objectionable to persons living or working in the vicinity or injurious to property, crops, livestock or poultry in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any hazard of fire, explosion or toxic chemicals.

SECTION 212 CC-CENTRAL COMMERCIAL DISTRICT - PURPOSES AND APPLICATION

The commercial district included in this Code is designed to provide the opportunity for various types of retail stores, offices, service establishments, wholesale business, and residential uses 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 213            CC - REQUIRED CONDITIONS

- 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 conditional use shall be permitted and no process, equipment or materials shall be used which are found by the review authority 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 of an Administrative Permit by the City staff. Permanent use for such purposes is strictly prohibited.
- D. The minimum required area for commercial use shall be 50% of the floor area of the first floor or 900 square feet, whichever is less.

SECTION 214            CC - DESIGN REVIEW

No use shall be erected on any lot or site in any CC District until a Design Review application has been submitted to and approved by the City pursuant to the provisions of Article 5.

SECTION 215            PDI-PLANNED INDUSTRIAL DISTRICTS - PURPOSES AND APPLICATION

The PDI industrial district is included in the Zoning Code to achieve the following purposes:

- A. The reserve appropriately located areas for various types of industrial plans and related activities in areas that are designated for industrial use by the General Plan;
- B. To protect areas appropriate for industrial use from intrusion by residences and other inharmonious uses;
- C. To protect residential, commercial and nuisance-free non-hazardous industrial uses from noise, odor, dust, dirt, smoke, vibration, heat, glare, fire, explosion, noxious fumes, radiation, hazardous chemicals and other hazardous and objectionable influences incidental to certain industrial uses;
- D. To provide opportunities for certain types of industrial plants to concentrate in mutually beneficial relationships to each other;
- E. To provide adequate space to meet the needs of modern industrial development, including off-street parking and truck loading areas; and
- F. To provide industrial employment opportunities for residents of the city.

SECTION 216 PDI-REQUIRED CONDITIONS

- A. In any industrial district, all open and unlandscaped portions of any lot shall be maintained in good condition free from weeds, dust, trash and debris.
- B. No conditional use shall be permitted and no process, equipment or materials shall be employed which is found by the review authority to be injurious to persons residing or working in the vicinity by reason of odor, fumes, dust, smoke, cinders, dirt, refuse, noise, vibrations, illumination, glare or heavy truck traffic or to involve any hazard of fire, explosion or radio activity or to emit electrical disturbances which adversely affect commercial or electronic equipment outside the boundaries of the site.
- C. No solid or liquid wastes shall be discharged into a natural watercourse, nor into a public or private sewage disposal system except in compliance with applicable regulations of the Central Valley Regional Water Quality Control Board.
- D. No use shall emit particulate matter or other air pollutants in excess of the applicable air pollution emission standards of the Sacramento County Air Pollution Control District, the State of California or of the Federal Government.

SECTION 217 PDI-DESIGN REVIEW

No use shall be erected on any lot or site in any lot or site in an I District until a Design Review application has been approved in accordance with the provisions of Article 5.

SECTION 218 MXU-MIXED USE DEVELOPMENT DISTRICT - PURPOSES AND APPLICATION

The MXU – Mixed Use District is intended for application to those residential, commercial and industrial base zoning districts which lay within the boundaries of the City’s former redevelopment project area(s), and which are designated as areas characterized by a mixture of uses, lighted structures and sites, and/or inadequate street and alley improvements. Use arrangements within these areas are to be made physically, functionally and aesthetically compatible through a Design Review and if applicable, a Conditional Use Permit.

SECTION 219 MXU – APPLICABLE REGULATIONS AND PROCEDURES

The MXU District provides the flexibility needed to improve land use conditions within areas under conditions of uncertainty as to the types of uses that may be proposed or that may be economically feasible for specific properties over time. Under Mixed Use, all categories of land use shown on the General Plan diagram are eligible for consideration within MXU District.

Because the best potential use for some properties may be more clear-cut than for others, the land use designations of the General Plan provide guidance for the selection of those base zoning districts to be applied throughout the redevelopment project area(s). However, such guidance does not abrogate the potential and flexibility offered for mixed use. An application for a Design Review and if applicable, a Conditional Use Permit, will initiate the process for determining an appropriate development proposal under mixed use regulations. The review authority shall make

a determination as to which procedures shall be followed under the provisions of Article 5 of this ordinance.

SECTION 220 PD-PLANNED DEVELOPMENT DISTRICT - PURPOSES AND APPLICATION

Planned Developments (PDs), involving the careful application of design, are encouraged to achieve a more functional, aesthetically pleasing and harmonious lining and working environment within the City which otherwise might not be possible by strict adherence to the regulations of this ordinance.

A Planned Development may include a combination of different dwelling types and/or a variety of land uses which are made to complement each other and harmonize with existing and proposed land uses in the vicinity, by design. In order to provide locations for such well-planned developments, the City Council is empowered to grant a Planned Development application for PDs, provided that such developments comply with the regulations prescribed in this article. The Council is also empowered to zone lands for PD under the provisions of Article 5, Section 507 of this ordinance.

SECTION 221 PD DISTRICTS

Any district may be rezoned to a Planned Development District upon the granting of a Planned Development Permit in accordance with the provisions of this article, or by applying the PD procedures in accordance with the provisions of Article 5, Section 507 of this ordinance.

SECTION 222 USES ALLOWED BY ZONE AND DEVELOPMENT STANDARDS.

- A. Status of uses. Uses within zones shall be as provided in Tables 2.1-A, and 2.1-B symbols shall have these meanings:
1. P = The use is allowed.
  2. AP = The use is subject to an administrative use permit (Limited Use) as provided in Section 501 of this ordinance, approved by the Planning Director subject to:
    - a. The standards for permitted uses that are set out in this Zoning Ordinance.
    - b. The applicable limited use standards for the specified use.
  3. CUP = The use is subject to a use permit by the Planning Commission in accordance with Section 502 of this ordinance, if the Planning Commission approves a use permit the use shall be subject to:
    - a. Standards for permitted uses that are set out in this Zoning Ordinance.
    - b. The applicable limited use standards for the specified use.
  4. X means that the use is Prohibited in the specified zoning district.
- B. Interpretation of use listing. These regulations are intended to permit similar types of uses within each zone. The Planning Director, subject to the appeal procedures of Section 108\_

of this ordinance, shall determine whether uses which are not listed shall be deemed allowed or allowed subject to use permit approval in a certain zone. This interpretation procedure shall not be used as a substitute for the amendment procedure as a means of adding new types of uses to a zone.

- C. Principal and accessory uses. Listed uses are principal uses. Accessory uses are allowed with principal uses.
- D. If a proposed use is not listed in this Section and the Planning Director has made a determination that the use is either a subcategory of a permitted, limited or conditional use or a use that is functionally similar to a permitted, limited or conditional use, the Planning Director will authorize a proposed use. If the Planning Director determines that a proposed use is not a subcategory of or functionally similar to, a permitted, limited or conditional use, then the use is a prohibited use. The Planning Director may refer a proposed use to the Planning Commission for determination.
- E. Development standards in Tables 2.1-B and 2.2-B shall apply as applicable and coincide with Article 3 which defines measurements and standards.

<b>Table 2.1-A - Land Use Table (Residential Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	R-1 Low Residential 1	R MH Mobile Home Residential	RM-4 Medium Low Density	RM-3 Medium Density	RM-2 High Density	Notes
<b>Residential Uses:</b>						
Single Family Dwelling	P	CUP	P	P	P	Single family dwellings shall be a minimum of 800 sq. ft.
Multi-Family	X	X	P	P	P	Subject to specific design standards (see Table 2.1-b). See Section 406 regarding development standards.
Accessory Dwelling Units/Junior Accessory Dwelling	P	P	P	P	P	Subject to specific design standards (see Table 2.1-b). See Section 405 regarding development standards.

**Table 2.1-A - Land Use Table (Residential Zones)**

**P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use**

Use	R-1 Low Residential	R MH Mobile Home Residential	RM-4 Medium Low Density	RM-3 Medium Density	RM-2 High Density	Notes
Mobile Homes/Manufactured Houses	P	P	AP	AP	AP	Mobile homes constructed more than 10 years from the date of proposed installation shall be prohibited.  Mobile homes shall be a minimum of 800 sq. ft.  See Section 404 regarding development standards.
Mobile Home Parks	CUP	P	X	X	X	
Group or foster home serving fewer than seven people	P	P	P	P	P	
Senior Independent Living Center (SILC)	CUP	P	P	P	P	
Large Residential Care Facility	AP	AP	AP	AP	AP	
Small Residential Care Facility	P	P	P	P	P	
Non- Commercial Agriculture/Garden	P	P	P	P	P	
Farmworker Housing	AP	AP	AP	AP	AP	



<b>Table 2.1-A - Land Use Table (Residential Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	R-1 Low Residential	R MH Mobile Home Residential	RM-4 Medium Low Density	RM-3 Medium Density	RM-2 High Density	Notes
Swimming Pools and Other Non-Structural Accessory Uses	P	P	P	P	P	Subject to applicable development standards and codes.
Indoor Cultivation of Cannabis for Personal Use	AP	AP	AP	AP	AP	See Article 4, Section 407 for permit requirements.
<b>Commercial Uses:</b>						
Substance Abuse Recovery Facility	P	P	P	P	P	
Daycare, small	P	X	P	P	P	
Daycare, large	P	X	P	P	P	
Adult Day Care	P	P	P	P	P	
Place of Worship	AP	X	AP	AP	AP	
Educational Institutions (Private and Charter)	CUP	X	CUP	CUP	CUP	
Public Use Facilities (Administrative, Civic or Cultural)	AP	AP	AP	AP	AP	
Golf Course	CUP	CUP	CUP	CUP	CUP	
Bed and Breakfast	CUP	X	CUP	CUP	CUP	
Home Occupation	AP	AP	AP	AP	AP	

<b>Table 2.1-A - Land Use Table (Residential Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	R-1 Low Residential	R MH Mobile Home Residential	RM-4 Medium Low Density	RM-3 Medium Density	RM-2 High Density	Notes
Nursing Homes/Room and Board Facilities	CUP	CUP	CUP	CUP	CUP	
Private Club or Lounge	X	CUP	CUP	CUP	CUP	
Yard Sales and Garage Sales	P	P	P	P	P	
<b>Industrial Uses:</b>						
Public Utility Facilities and appurtenances	CUP	CUP	CUP	CUP	CUP	Except those exempted local or other related uses established in Sections 8.20.050 and 8.20.060 of the Isleton Municipal Code.

Table 2.1-B Development Standards (Residential Zones)						
Development Standards	R-1	RM-5.4	RM-4	RM-3	RM-2	Notes
Site Area (minimum)	7,000 sq. ft. <sup>1</sup>	5,400 sq. ft.	4,000 sq. ft.	3,000 sq. ft.	2,000 sq. ft.	
Lot Width (minimum)	50 feet for interior lots; 60 feet for corner lots	50 feet	50 feet	50 feet	50 feet	On lots with curved or irregular frontage, the minimum width may be 40 feet, provided that the width of the lot is 50 feet at the front setback line.
Lot Depth (minimum)	90 feet for interior lots; 80 feet for corner lots		80 feet	80 feet	80 feet	
Lot Coverage (maximum)	45%		50%	50%	60%	
Front Yard Setback (minimum)	20 feet		15 feet	15 feet	15 feet	
Rear Yard Setback (minimum)	10 feet		10 feet	10 feet	10 feet	Accessory structures less than 7 feet in height may be placed in any portion of the required rear yard. ADUs have a minimum setback of 4 feet from the rear property line.

Side Yard Setback (minimum)	5 feet		5 feet	5 feet	feet	
Distance Between Buildings (minimum)	10 feet	10 feet	10 feet	10 feet	10 feet	
Building Height (maximum)	35 feet	35 feet	35 feet	35 feet	35 feet	

1. Lot size exceptions shall be established as provided for by Section 206.A.3.

Table 2.2-A – Land Use Table (All Other Zones)						
P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use						
Use	RCO Resource Conservation and Open Space	UR Urban Reserve	CC Central Commercial	PDI Planned Industrial	MXU Mixed Use	Notes
<b>Residential Uses</b>						
Single Family Dwelling	CUP	X	P*	CUP	P	<p>Single family dwellings shall be a minimum of 800 sq. ft.</p> <p>*Residential uses are permitted in the Downtown area of the CC zone.</p> <p>Dwellings over and to the rear of a permitted use including above-ground floors and the rear halves of ground floor structures</p>
Multi-Family	CUP	X	P*	CUP	P	<p>*Residential uses are permitted in the Downtown area of the CC zone.</p> <p>Dwellings over and to the rear of a permitted use including above-ground floors and the rear halves of ground floor structures.</p>

<b>Table 2.2-A – Land Use Table (All Other Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	RCO Resource Conservation and Open Space	UR Urban Reserve	CC Central Commercial	PDI Planned Industrial	MXU Mixed Use	Notes
Accessory and Junior Accessory Dwelling Units	P	X	P	P	P	Only if the site also has a house on it. See Section 405 regarding development standards.
Mobile Homes/Manufactured Houses	CUP	X	CUP	CUP	P	Mobile homes constructed more than 10 years from the date of proposed installation shall be prohibited.  Mobile or manufactured homes shall be a minimum of 800 sq. ft.  See Section 404 regarding development standards.
Non- Commercial Agriculture	X	X	X	X	P	
Group home serving fewer than seven people	CUP	X	CUP	CUP	P	
Senior Independent Living Center (SILC)	CUP	X	CUP	CUP	P	See Section 406 regarding development standards.
Farmworker Housing	X	X	CUP	X	CUP	See Section 406 regarding development standards.

<b>Table 2.2-A – Land Use Table (All Other Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	RCO Resource Conservation and Open Space	UR Urban Reserve	CC Central Commercial	PDI Planned Industrial	MXU Mixed Use	Notes
Substance Use Recovery Facility	X	X	X	X	P	Design and operations of these uses are regulated by the State of California.
Single Room Occupancy	X	X	CUP	X	CUP	See Section 414 regarding development standards.
Supportive and Transitional Housing	X	X	CUP	X	CUP	See Section 406 regarding development standards.
<b>Commercial Uses</b>						
Daycare, small	X	X	P	X	P	See Section 411 regarding development standards.
Daycare, large	X	X	X	X	AP	See Section 412 regarding development standards.
Place of Worship	X	X	CUP	X	CUP	
Educational Institutions (Private)	CUP	X	CUP	X	CUP	
Recreational Facilities	CUP	X	CUP	X	CUP	
Agriculture	CUP	P	X	X	X	
Commercial Stable	CUP	X	X	X	X	
Hotel	X	X	CUP	X	CUP	
Golf Course	CUP	X	X	X	CUP	
Kennel, Commercial	CUP	X	X	CUP	X	
Bed and Breakfast	X	X	X	X	CUP	
Home Occupation	X	X	AP	X	AP	See Section 402 regarding development standards.

<b>Table 2.2-A – Land Use Table (All Other Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	RCO Resource Conservation and Open Space	UR Urban Reserve	CC Central Commercial	PDI Planned Industrial	MXU Mixed Use	Notes
Drive-Thru Facilities	X	X	CUP	X	CUP	
Gas Stations and Carwashes	X	X	CUP	P	CUP	
Assisted Living Facilities	X	X	X	X	CUP	See Section 406 regarding development standards, and the California Code of Regulations Section 58032 for operational standards.
Vending Stall	X	X	X	AP	AP	
Private Club or Lounge	X	X	CUP	X	CUP	
Professional and Commercial Offices	X	X	P	X	P	
Personal Services	X	X	P	X	P	
Residential Care Facilities, Small	X	X	P	X	P	See Section 406 regarding development standards, and the California Code of Regulations Section 58032 for operational standards.
Residential Care Facilities, Large	X	X	AP	X	AP	See Section 406 regarding development standards, and the California Code of Regulations Section 58032 for operational standards.
Retail	X	X	P	X	P	



<b>Table 2.2-A – Land Use Table (All Other Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	RCO Resource Conservation and Open Space	UR Urban Reserve	CC Central Commercial	PDI Planned Industrial	MXU Mixed Use	Notes
Secondhand Store	X	X	P	X	P	
Outdoor Sales	X	X	AP	X	AP	
Highway Commercial	X	X	P	X	P	
Mixed Use (one residential use associated with one commercial use)	X	X	AP	X	P	
Self-Storage	X	X	CUP	P	CUP	
Tattoo Parlor	X	X	P	X	P	
Vehicle Service	X	X	CUP	X	CUP	
Vehicle Sound Installation	X	X	AP	X	AP	Only permitted as accessory to sales
Truck Stop	X	X	CUP	CUP	X	
Farmers Market	X	X	AP	X	AP	
Wholesale Establishments	X	X	CUP	X	CUP	
Veterinarian, Large Animal	X	X	X	CUP	X	
Veterinarian, Small Animal	X	X	P*	CUP	P*	*Outside facilities in conjunction with a small animal veterinarian office would require a CUP

<b>Table 2.2-A – Land Use Table (All Other Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	RCO Resource Conservation and Open Space	UR Urban Reserve	CC Central Commercial	PDI Planned Industrial	MXU Mixed Use	Notes
Temporary Sidewalk Sales or Temporary Outdoor Display	X	X	AP	X	AP	
Commercial Cannabis Facilities	X	X	CUP	CUP	X	See Article 4, Section 407 for permit requirements.
<b>Industrial Uses</b>						
Petroleum Storage including Bulk Propane	X	X	X	CUP	X	
Light Industry	X	X	X	P	X	
Contractor Storage and Lumber Yards	X	X	X	P	X	
Food Processing and Packaging	X	X	X	CUP	X	Accessory sales of products produced on site is permitted
Processing and Packaging, General	X	X	X	CUP	X	Accessory sales of products produced on site is permitted
Warehouses	X	X	CUP	P	X	Hazardous materials associated with warehousing permitted within the PDI zone only.
Wholesale Storage and Distribution Center	X	X	X	AP	X	

<b>Table 2.2-A – Land Use Table (All Other Zones)</b>						
<b>P: Permitted; CUP: Conditional Use Permit; AP: Administrative Permit; X: Not a Permitted Use</b>						
Use	RCO Resource Conservation and Open Space	UR Urban Reserve	CC Central Commercial	PDI Planned Industrial	MXU Mixed Use	Notes
Temporary Construction Storage	X	X	X	AP	X	
Heavy Industry	X	X	X	CUP	X	
Raw Material Processing	X	X	X	CUP	X	
Aggregate Material Yard	X	X	X	CUP	X	
<b>Public Uses</b>						
Public Uses (Administrative or Cultural)	CUP	X	CUP	X	CUP	
Public Utility Facilities	CUP	X	CUP	P	CUP	Except those exempted local or other related uses established in Sections 8.20.050 and 8.20.060 of the Isleton Municipal Code.
Parking Lot	P	X	P	P	P	
<i>The City Council shall establish all land uses and required review authority within the Urban Reserve and Planned Development Districts planning areas pursuant to Article 5, Section 507.</i>						

Table 2.2-B Development Standards						
Development Standards	RCO	UR	CC	PDI	MXU	Notes
Site Area (minimum)	1/2 acre	No limitation 1	No limitation 1	1/2 acre	No limitation 1	The review authority may approve a smaller parcel for a PD.
Lot Width (minimum)	No limitation 1	No limitation 1	No limitation 1	No limitation 1	No limitation 1	
Lot Depth (minimum)	No limitation 1	No limitation 1	No limitation 1	No limitation 1	No limitation 1	
Lot Coverage (maximum)	No limitation 1	No limitation 1	No limitation 1	No limitation 1	No limitation 1	
Front Yard Setback (minimum)	No limitation 1	No limitation 1	No limitation 1	10 feet	No limitation 1	
Rear Yard Setback (minimum)	No limitation 1	No limitation 1	*No limitation (except as noted) 1	**No limitation (except as noted) 1	No limitation 1	* The minimum CC rear yard abutting a RCO, UR, R or RM District shall be ten (10) feet.  ** The minimum PDI rear yard abutting a UR, RCO, R, RM or C District shall be fifteen (15) feet.
Side Yard Setback (minimum)	No limitation	No limitation 1	*No limitation (except as noted) 1	**No limitation (except as noted) 1	No limitation 1	* The minimum CC side yard abutting a RCO, UR, R or RM District shall be ten (10) feet.  ** The minimum PDI side yard abutting a UR, RCO, R, RM, or C District shall be fifteen (15) feet, except the minimum side yard adjoining one of these zones, the street shall not be less than one-half (1/2) the required front yard on the key lot.

Distance Between Buildings (minimum)	10 feet between a single-family home and any other structure.	* 10 feet	5 feet between a dwelling unit and any other structure.	No limitation 1	No limitation 1	* Structures in the UR district which are used for housing livestock or poultry shall be kept a minimum distance of 25 feet from any structure for used for human habitation.
Building Height (maximum)	*35 feet	35 feet	50 feet	*75 feet	No limitation 1	* A greater height may be approved for tanks, towers, silos and similar facilities.
<i>1. The City Council shall establish all applicable development standards within the Urban Reserve and Planned Development Districts planning areas pursuant to Article 5, Section 507.</i>						

## **ARTICLE 3 – GENERAL PROVISIONS, DEVELOPMENT AND OPERATION**

### **SECTION 301            COVERAGE- MEASUREMENTS**

The percentage of the site area covered by structures shall be measured by dividing the number of square feet of horizontal floor area covered by structures, open or enclosed, by the total horizontal area within the property lines of the site.

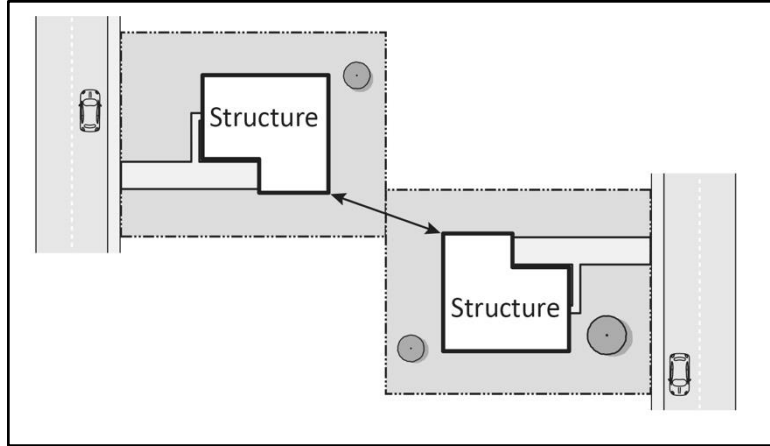
### **SECTION 302            YARD SPACE**

- A. No yard space surrounding any structure in compliance with the regulations for the district in which it is located shall be deemed to provide a yard for any other structure, and no yard on a parcel shall be deemed to provide a yard space for a structure on another site.
- B. Where two (2) or more dwellings are located on the same lot, and any one of them has a door facing a side yard, such dwelling shall be located not less than ten (10) feet from the adjacent side lot line. A door shall be deemed to face a side yard if the wall in which the door set is located at an angle of forty-five degrees (45°) or less to the side yard.

### **SECTION 303            GENERAL RULES OF MEASUREMENT**

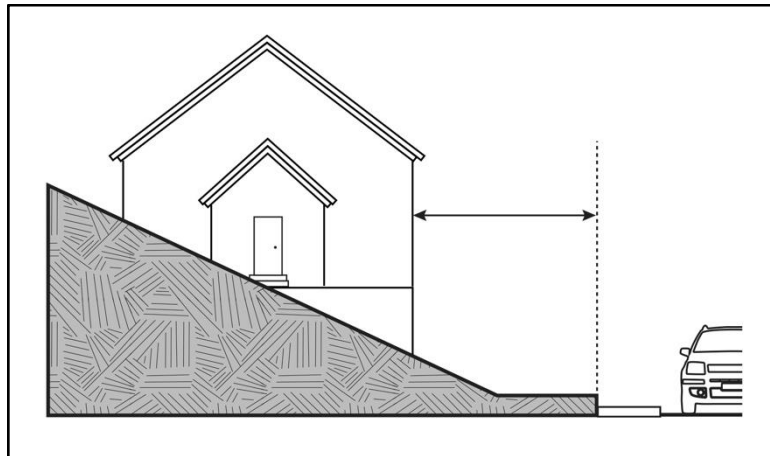
For all calculations, the applicant shall be responsible for supplying drawings illustrating the measurements that apply to a project. These drawings shall be drawn to scale and of sufficient detail to allow easy verification upon inspection.

- A. Fractions. Wherever this Code requires consideration of distances, parking spaces, dwelling units, or other aspects of development or the physical environment expressed in numerical quantities, and the result of a calculation contains a fraction of a whole number, the results will be rounded as follows:
  - 1. General Rounding. Fractions exceeding one-half (0.5) or greater shall be rounded up to the nearest whole number and fractions equal to or less than one-half (0.5) shall be rounded down to the nearest whole number, except as otherwise provided.
- B. Measuring Distances.
  - 1. Measurements Are Shortest Distance. When measuring a required distance, such as the minimum distance between a structure and a lot line, the measurement is made at the closest or shortest distance between the two objects.



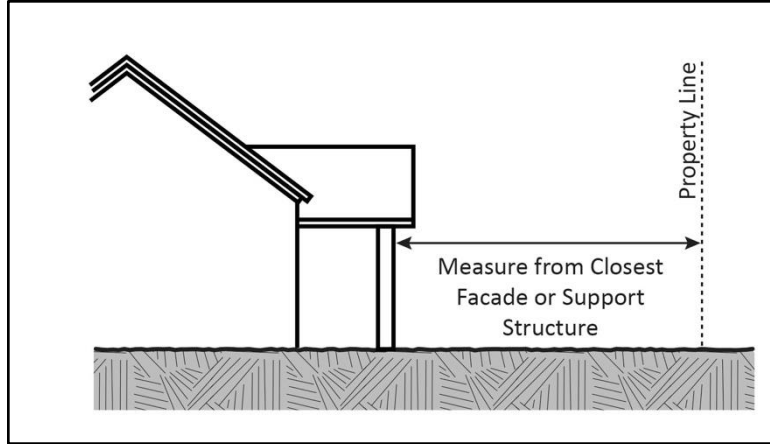
*Example of measuring the shortest distance, in this case between two buildings.*

2. Distances Are Measured Horizontally. When determining distances for setbacks and structure dimensions, all distances are measured along a horizontal plane from the appropriate line, edge of building, structure, storage area, parking area, or other object. These distances are not measured by following the topography or slope of the land.



*Setbacks and other dimensions are measured horizontally, even on sloping sites.*

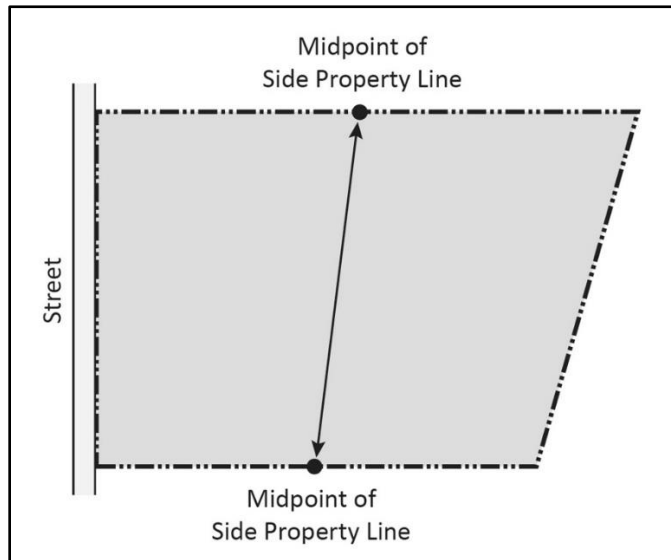
3. Measurements Involving a Structure. Measurements involving a structure are made to the closest support element of the structure. Structures or portions of structures that are entirely underground are not included in measuring required distances.



*Setbacks are measured to the support element of the structure.*

C. Measuring Lot Width and Depth.

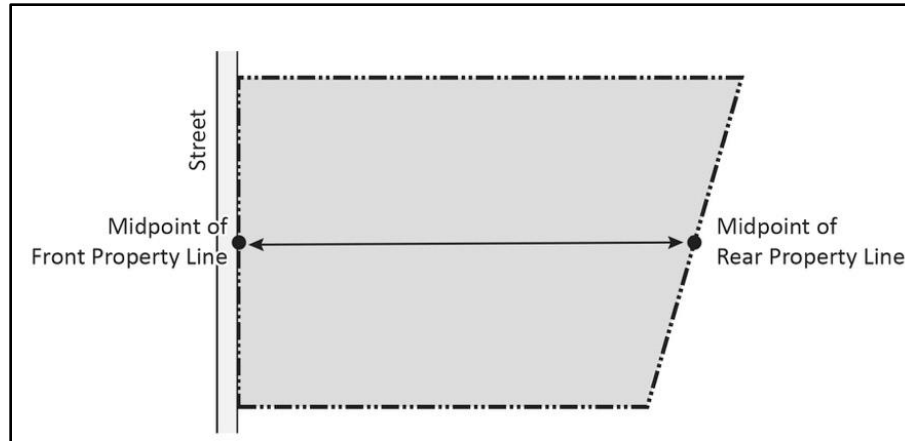
1. Lot Width. Lot width is the horizontal distance between the midpoints of the side lot lines.



*Measuring lot width.*

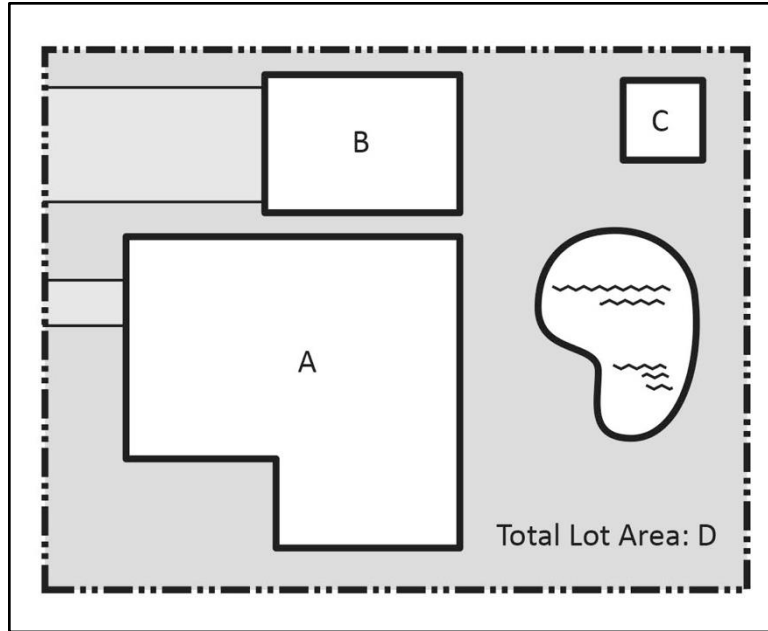
2. Lot Depth. Lot depth is measured along a straight line down from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lot line where there is no rear lot line.





*Measuring lot depth.*

- D. **Determining Gross Floor Area of Structures.** The gross floor area of a building is the sum of the areas of all floors of a building or other enclosed structure, measured from the outside perimeter of the exterior walls.
1. **Floor Area in Residential Zones (R1, and RM).** The gross floor area for structures in residential zones shall be measured as the total floor area of all the floors of a building from the outside walls. The gross floor area shall include: the residential floor area of any building(s) located on the lot including the main dwelling, detached accessory structures, accessory dwelling units, garage or carport, except non-enclosed covered structures such as covered patios or porches, decks, and balconies.
  2. **Floor Area in Non-Residential Zones.** The gross floor area shall include the total floor area of all the floors of a building measured from the outside walls, including vents; shafts; covered courts; elevators; stairways; mechanical, electrical, and communications equipment; and similar facilities.
- E. **Measuring Lot Coverage (Area Covered by Structures).** Lot coverage is the ratio of the total gross floor area of all structures, except for excluded structures, to the total lot area, typically expressed as a percentage.



*Lot coverage is the sum of the area of all structures (A + B + C) divided by the total area of the lot or parcel (D). Features such as swimming pools are not included in lot coverage.*

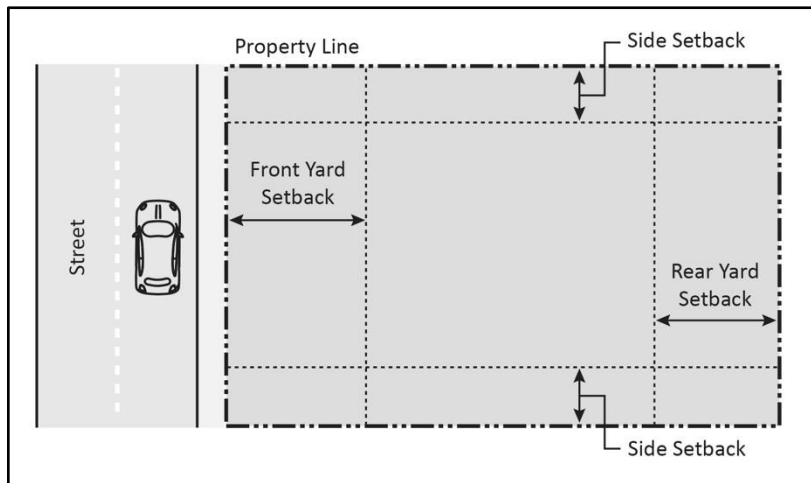
The following structures shall be excluded from the calculation of lot coverage:

1. Unenclosed and unroofed decks, uncovered patio slab, covered or uncovered porches, covered or uncovered landings, and covered or uncovered balconies;
2. Sidewalks, driveways, and other paved areas not covered by a roof;
3. Eaves and roof overhangs projecting up to three feet from a wall;
4. Structures that have roofs that are at least 50 percent open to the sky through uniformly distributed openings;



*Example of a structure with an “open” roof.*

5. Uncovered swimming pools and hot tubs.
- F. Determining Lot Lines. The following shall be used to determine the locations of front, side, and rear lot lines.
1. Front Lot Line. The narrowest boundary line separating a lot from a public or private street; in the case of a lot having no street frontage, the same will mean the narrowest boundary line parallel and closest to the nearest street or highway, as determined by the director.
  2. Rear Lot Line. A lot line which is most distant from the front lot line.
  3. Side Lot Line. Any lot boundary line which is not a front or rear lot line.
  4. If access to a public roadway is provided via an easement, the front lot line shall be the line to which the easement is connected.
- G. Determining Yard Setbacks. Required yards shall be measured as the minimum horizontal distance from the property line of the site or street line to a line parallel thereto on the site, provided that when a precise street plan has been adopted by the City Council, required front yards shall be measured from the plan line, and no provision of this ordinance shall be construed to permit a structure or use to extend beyond such line.



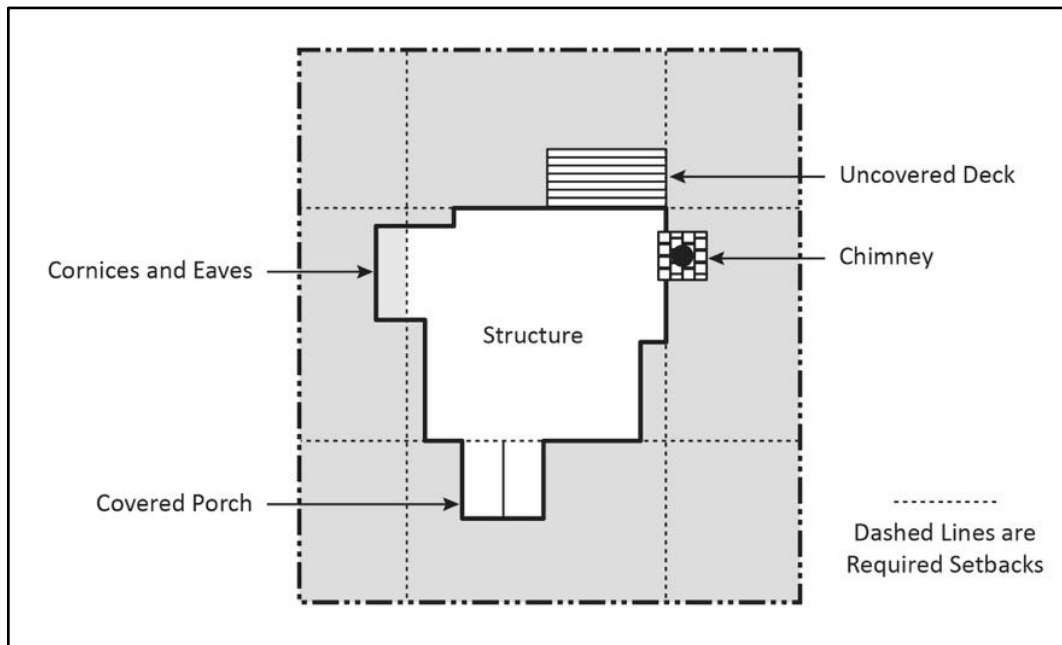
*Illustration of the locations of setback lines. On a parcel or lot with curved lot line(s), the corresponding setback lines will also be curved.*

- H. Where a site abuts on a street having only a portion of its required width dedicated or reserved for street purposes, site area and required yards shall be measured from a line representing the boundary of the additional width required for street purposes abutting the site.

- I. Where a site abuts a public alley, required yards shall be measured from the nearest line of the alley, except that garages and carports having access perpendicular from the alley right-of-way shall be located a minimum of twenty-seven (27) feet from the opposite alley right-of-way line.

SECTION 304          YARD REQUIREMENTS - EXCEPTIONS

- A. Architectural features including sills, chimneys, fireplaces, cornices and eaves may extend into a required side yard, a required rear yard, or a space between structures not more than thirty-six inches (36”) and may extend into a required front yard not more than six (6) feet, provided that where an architectural feature extends more than twenty-four inches (24”) into a required side yard, said extension shall be protected by a minimum of one (1) hour fire resistant standard. No building or projection thereof, except a garden structure, may extend into a public easement.



*Examples of building features that can encroach into required setback areas.*

- B. Open, unenclosed, uncovered metal fire escapes and depressed ramps or stairways may project into any required yard or space between buildings not more than four (4) feet; planter boxes attached to a building, may be extended into a required front yard by not more than three (3) feet.
- C. Fences, walls, hedges, garden structure walks, driveways and retaining walls may occupy any required yard or other open spaces, subject to the limitations prescribed in the district regulations, and except that the provisions of this ordinance shall not apply to a fence or wall necessary for public safety or as required by any law or regulation of the State of California or any agency thereof, and further that a chain link fence up to seven (7) feet in

height may be located in any required front yard in conjunction with public and quasi-public uses.

SECTION 305 THROUGH LOTS

A front yard shall be provided on each frontage of a through lot, except where a waiver-of-access has been dedicated to one of the frontages, in which case a rear lot setback shall apply where access has been waived.

SECTION 306 MAINTENANCE OF LANDSCAPED AREAS

- A. A landscaped area provided in compliance with the regulations prescribed in this ordinance or as a condition of Design Review, a use permit or variance shall be planted with live and healthy plant materials suitable for screening or ornamenting the site, whichever is appropriate, and plant materials shall be replaced as needed to screen or ornament the site.
- B. Landscaped areas shall be watered, weeded, pruned, fertilized, sprayed or otherwise maintained to ensure compliance with the regulations requiring landscaped areas.
- C. Landscaped areas within sites subject to Design Review shall be watered by automatic systems.

SECTION 307 MAINTENANCE AND ELIMINATION OF NON-CONFORMING SITES, USES, AND STRUCTURES

A. Purposes and Application

- 1. A non-conforming use is a use of a structure or land which was lawfully established and maintained prior to the adoption of this ordinance, but which does not conform to the use regulations for the district in which it is located. This section is intended to limit the number and extent of non-conforming uses by limiting their enlargement and prohibiting their reestablishment after abandonment, and by prohibiting the alteration of the structures they occupy and their restoration after destruction.
- 2. It is the intent of this section to discourage the long-term continuance of nonconformities that have the potential to create nuisance or other incompatibility issues and provide for their eventual elimination while allowing them to exist under the limited conditions outlined in this code.

B. Establishment of Legal Nonconforming Status

The provisions of this Section shall apply to sites, uses, and structures that have become nonconforming by adoption of this Code as well as sites, uses, and structures that become nonconforming due to subsequent amendments to its text or to the City Zoning Map.

C. Nonconformities Defined

Any lawfully established use or structure that is in existence on the effective date of this Code or any subsequent amendment thereto but does not comply with the standards and requirements of this Code shall be considered nonconforming.

1. A non-conforming use or structure may result from any inconsistency with the requirements of this Code including, but not limited to, use, location, density, floor area, height, setback, other development standards, or the lack of an approved Administrative Permit, Conditional Use Permit, or other required authorization.
2. A parcel of land may be considering nonconforming if it was previously used and/or developed without required site improvements including but not limited to paving, screening, landscaping, lighting, drainage, etc.

D. Continuance of Legal Nonconforming Uses and Structures

Any use or structure that was lawfully established prior to the effective date of this Code or of any subsequent amendments to its text or to the Zoning Map may only be continued and maintained provided there is no alteration, enlargement, addition, or other change to any building or structure or use therein; or no substitution, expansion, or other change including an increase in occupant load or any enlargement of the area, space, or volume occupied by or devoted to such use, except as otherwise provided in this Article. The right to continue a nonconforming use or structure shall attach to the land and shall not be affected by a change in ownership, tenancy, or management. The right to continue a nonconforming use or structure shall not apply to uses or structures determined by the review authority as described in this Article to be a public nuisance arising from conditions that constitute a threat to public health, safety or general welfare.

The right to continue a nonconforming use or re-occupy a nonconforming structure shall terminate if the nonconforming use has been abandoned or the nonconforming structure has been vacated for the relevant period described in the Abandonment of Nonconforming Uses Section.

E. Nonconforming Uses

Nonconforming uses shall not be expanded, modified, or substituted for another nonconforming use except as provided below.

1. Expansion. Except for dwellings, no building existing on the date that this Zoning Code rendered the use nonconforming, that is devoted to a use not permitted in the zoning district in which such building is located, except when required to do so by law or order, shall be enlarged, extended, reconstructed, substituted or structurally altered, unless the use thereof is changed to a use permitted in the district in which such building or premises is located and except as provided in this Article.

2. Substitution or Alteration. Nonconforming uses shall not be reconstituted or substituted or substantially altered, unless the use thereof is changed to a use permitted in the district in which such building, structure or land is located or except upon approval of a conditional use permit when the proposed alteration of a nonconforming use shall result in a lesser discrepancy between the existing conditions and the zoning requirements for the district based on the following criteria:
  - a. The new use serves a need which is directly related or complementary to permitted uses of the property;
  - b. The new use results in reduced parking, traffic or congestion problems;
  - c. The new use is not to be detrimental to the habitability of adjacent properties throughout the period of its continued use; and
  - d. The new use and resulting general appearance will not detract from the neighborhood character or desirability.
3. Absence of Permit. Any use that is nonconforming solely by reason of the absence of a Use Permit may be changed to a conforming use by obtaining the appropriate Use Permit pursuant to the requirements with the provisions in Article 5, Section 502.
4. Conditions. The review authority may impose reasonable conditions deemed necessary to ensure compliance with the required findings. The review authority may also require reasonable guarantees and evidence that such conditions are being, or will be, complied with.
5. Abandonment of Nonconforming Uses. If the nonconforming use ceases to operate, whether with the intent to abandon the use or not, for a continuous period of one calendar year, it shall be considered abandoned and shall not be resumed, reestablished, reopened, or replaced by any use other than a conforming use. It is the responsibility of the applicant to provide evidence demonstrating to the satisfaction of the review authority that the use was legally established and has not been abandoned.
  - a. Abandonment. The time period set forth above shall commence when the use ceases to operate, whether with the intent to abandon the use or not, and any one of the following occurs:
    - i. The site is vacated;
    - ii. The business license expires or is revoked;
    - iii. Utilities are terminated; or
    - iv. The applicable lease is terminated.

- b. Extension of Abandonment Period. The review authority may approve an additional one-year time period during which the use will not be considered abandoned; provided that the review authority finds that economic conditions warrant the additional time. If additional time period is approved, the total period during which the use will not be considered abandoned shall not exceed two years from the date the use ceased to operate.
6. Burden of Proof. The burden of proof as to the nonconforming status of any use shall rest with the property owner, tenant, and/or resident.

F. Nonconforming Structures

Nonconforming structures may be continued and maintained in compliance with the following provisions.

1. Repairs. Such repair and maintenance work as required to keep the nonconforming building or structure in sound condition may be made.
2. Alterations.
  - a. In general. Enlargements or alterations may be made to a nonconforming structure only if the enlargements or alterations are consistent with all applicable district standards.
  - b. Single-family and duplex structures. Nonconforming single-family and duplex structures may be altered if the structure was legally built prior to the effective date the zoning ordinance amendment rendered the structure nonconforming.
  - c. Accessory structures and garages. Accessory structures, including garages, which were legally built prior to the date a zoning ordinance amendment rendered the structure nonconforming may be altered or expanded, provided the alterations comply with applicable parking requirements. Nonconforming garages or storage buildings may not be expanded to include a habitable space nor converted to a habitable space.
  - d. An accessory or junior accessory dwelling unit that conforms with the standards in this chapter will not be required to correct a non-conforming zoning condition.
3. Relocation. A nonconforming structure shall not be moved unless it conforms to the standards of all applicable district standards at its new location.
4. Additions and Enlargements. Additions to and/or enlargements of nonconforming structures are allowed if the addition or enlargement complies with all applicable laws and requirements of this Code, the use of the addition/enlarged area of the property is authorized by this Code, and there is no increase in the discrepancy



between existing conditions and the requirements of this Code, except as provided below.

5. **Maintenance and Repairs.** Structural and non-structural maintenance, repair, and interior alterations to a nonconforming structure are permitted if the changes and improvements do not enlarge the structure, change the building footprint, or increase building height or roof pitch. This excludes any improvements required to meet accessibility requirements.
  - a. **Nonconforming Setbacks, Residential Zones.** In Residential Zones, a nonconforming setback may be maintained and extended, and shall not be considered an increase in the discrepancy, provided that:
    - i. A new encroachment into any other required setback is not created;
    - ii. The height of the portion of the structure that is within the required setback is not increased; and
    - iii. Any residential additions above the first floor shall conform to the setbacks in effect at the time the application for the addition is submitted.
6. **Restoration of Damaged or Destroyed Nonconforming Structures.** A nonconforming structure that is damaged or partially destroyed by fire, explosion, earthquake, or natural disaster that was not caused by an act or deliberate omission of a property owner, their agent, or person acting on their behalf or in concert with them, may be restored or rebuilt subject to the following provisions.
  - a. **Restoration When Damage is 50 Percent or Less of Value.** If the cost of repair or reconstruction is less than or equal to 50 percent of the appraised value of the structure as determined by the Building Official, replacement of the damaged portions of the structure is allowed by right provided that the replaced portions are the same size, extent, and configuration as previously existed. The determination of the appraised value shall be made by a professional appraiser selected by the City, whose fee shall be paid by the building or property owner.
  - b. **Restoration When Damage Exceeds 50 Percent of Value.** If the cost of repair or reconstruction exceeds 50 percent of the appraised value of the structure, as determined pursuant to Subsection (a) above, the land and building shall be subject to the requirements of this Title, except as provided below.
    - i. **Residential Structures.** Any nonconforming residential structure may be reconstructed, restored, or rebuilt up to the size and number of dwelling units prior to the damage and the nonconforming use, unless the review authority finds that the reconstruction, restoration,

or rebuilding will be detrimental or injurious to the health, safety, or general welfare of persons residing or working in the neighborhood.

- ii. Timing. Building permits must be obtained within two years of the date of the damage or destruction and construction shall be completed within one year of issuance unless another time period is specified through consideration by the review authority. Building permits must be maintained valid through the completion of the project.

7. Burden of Proof. The burden of proof as to the nonconforming status of any structure shall rest with the property owner, tenant, and/or resident.

G. Nonconforming Lots and Sites

A nonconforming site is a lot or parcel or collection of adjacent lots or parcels developed as a single project, that are not in compliance with current site development standards (e.g., parking, landscaping, etc.) but which was in conformance when the site was developed.

A nonconforming lot is a lot or parcel as defined in Article 6 that is not in compliance with current development standards (e.g., lot size, dimensions, setbacks, and other development standards, etc.) but which was in conformance when the site was developed.

In conjunction with the expansion of existing buildings or the construction of new buildings on a partially developed site, nonconforming sites shall be brought into compliance on the following basis.

In all cases, it is recognized that full compliance with the requirements of this Zoning Code may not be possible, due to limitations such as the size of the parcel. In such cases, a good faith effort to achieve compliance shall be sufficient.

<b>Table 3.1</b>	
<b>Expansion of Nonconforming Structures</b>	
<b>Proposed Building Expansion</b>	<b>Required Site Improvements</b>
Less than ten percent (10%) increase in floor area or 500 square feet of expansion, whichever is less	Exempt; no site improvements required.
Ten percent (10%) or greater increase in floor area	Landscaping shall be installed along street and building frontages to the extent possible
Thirty percent or greater increase in floor area	One of the improvements below shall be made with the construction of the increased floor area, if enough site area is available:

	<ul style="list-style-type: none"> <li>a. Installation of additional parking to achieve as much compliance with parking requirements as possible;</li> <li>b. Installation of landscaping to achieve as much compliance with landscaping requirements as possible.</li> </ul>
Fifty percent or greater increase in floor area	<p>Both of the items below shall be completed with the construction of the increased floor area, if enough site area is available:</p> <ul style="list-style-type: none"> <li>a. Installation of additional parking to achieve as much compliance with parking requirements as possible;</li> <li>b. Installation of landscaping to achieve as much compliance with landscaping requirements as possible.</li> </ul>

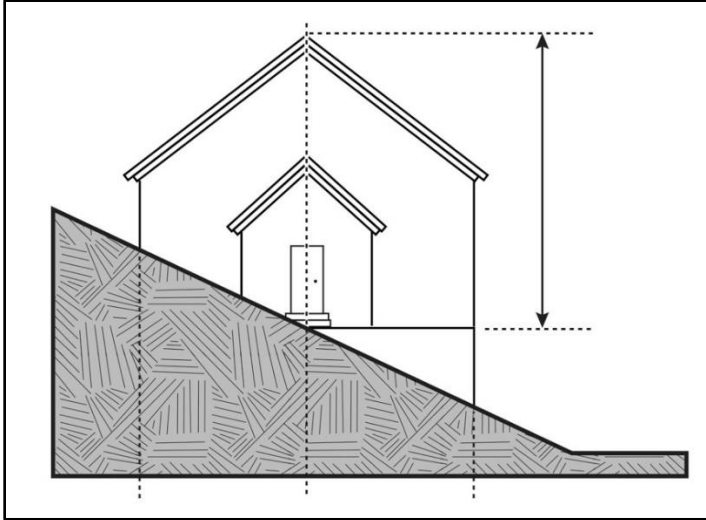
H. Abatement

The provisions of this Article are in addition to existing state law authority to declare and abate a public nuisance and other applicable provisions of the City Code. If a legal nonconforming structure or use is found to constitute a public nuisance, appropriate action may be taken by the City pursuant to the City Code.

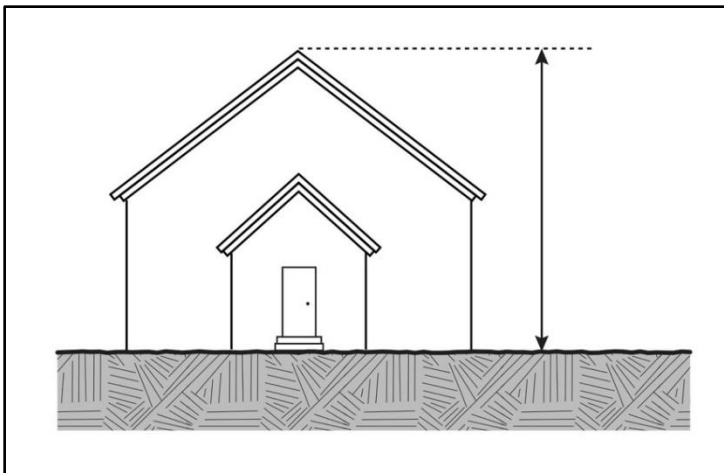
SECTION 308 HEIGHT LIMITATIONS - MEASUREMENT AND EXCEPTIONS

A. Measuring Height. The provisions of this section shall not apply to the height of any structure necessary for public safety or as required by any law or regulation of the State or an agency thereof.

1. Measuring Building Height. Building height is measured from the average level of the highest and lowest points where the vertical plane of the exterior walls touches finished grade, to the highest point on the roof.

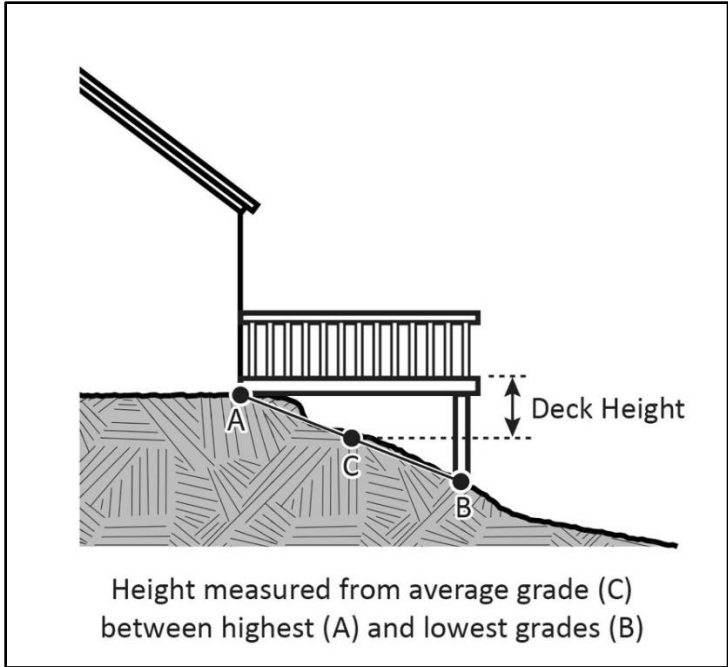


*On a sloping site, building height is measured from the average of the high and low points on the ground to the top of the structure.*



*On a flat site, building height is measured from ground level to the highest point of the structure.*

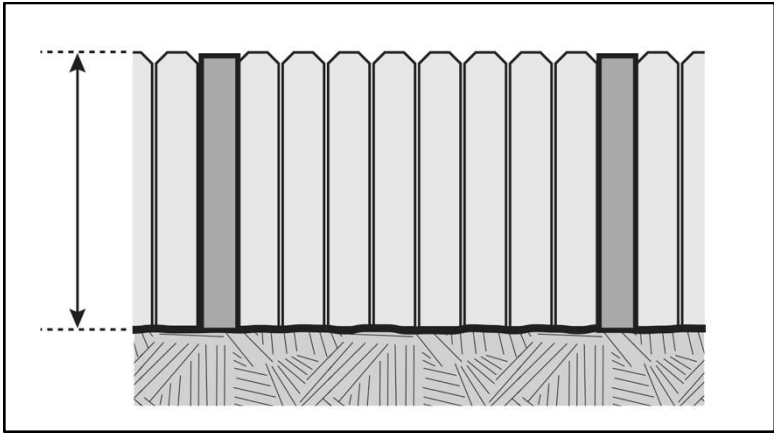
2. Measuring the Height of Decks. Deck height is determined by measuring from average level of the ground below the deck to the top of the floor of the deck directly above the point measured.



*Measuring deck height. On a very flat site, A, B and C will be at the same level.*

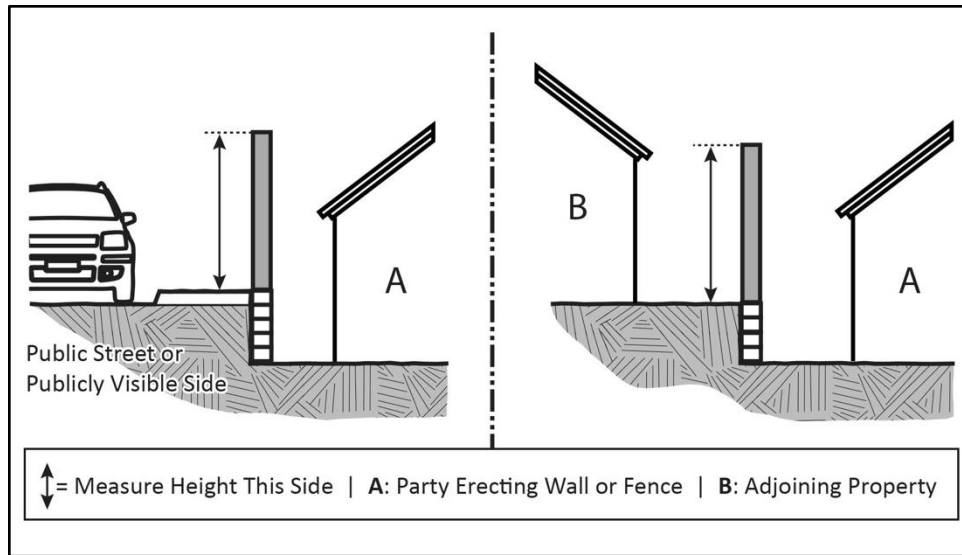
3. Measuring the Height of Fences and Walls.

- a. Fence and wall height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence.



*Fence height is measured to the top edge of the fence.*

- b. The height of fencing placed atop a wall shall be measured from the base of the wall, except as provided below.
- c. The height of a fence or wall shall be measured on the side facing a public right of way or the lot or parcel adjacent to the lot or parcel of the person(s) erecting the fence or wall, as shown in the figure below.



*Fence height is measured from the side visible to the public (in the examples above, from the adjacent street).*

- B. Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, air conditioning equipment or similar equipment required to operate and maintain buildings, and fire and parapet walls, skylights, towers, spires, cupolas, road signs (where permitted), flagpoles, chimneys, smokestacks, television and radio masts, or similar structures, may be erected above the height limit, as noted in Table 2.2-B, but shall not be allowed for the purpose of providing additional floor space.

**SECTION 309 OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES**  
**PURPOSE AND APPLICATION**

In order to alleviate progressively or to prevent traffic congestion and shortage of curb spaces, off-street parking and off-street loading facilities shall be provided incidental to new land uses and major alterations and enlargements of existing land uses. The number of parking spaces and loading berths shall be in proportion to the need for such facilities as created by the particular type of land use. Off-street parking and loading areas are to be laid out in a manner which will ensure their usefulness, protect the public safety and, where appropriate, insulate surrounding uses from their impact.

Provisions of this article are also intended to deal with problems, conditions and needs which are apparent in attempting to provide sufficient off-street parking facilities in areas of intense commercial development, including:

- A. The difficulty in assembling land by private means, including the often excessive time required;
- B. The varying financial capabilities and traffic generating characteristics among varying types of commercial enterprise;

- C. The importance of avoiding fragmented patterns of off-street parking facilities which may bear little relation to the needs of a commercial area as a whole;
- D. The importance of having regulations which will not inadvertently discourage private investment while alleviating or preventing traffic congestion; and
- E. The importance of achieving a reasonable distribution of financial burden among private interests and the public at large consistent with their individual and collective responsibilities to provide off-street parking facilities.

SECTION 310 OFF-STREET PARKING FACILITIES REQUIRED

- A. **Parking space definition:**  
A parking space shall be an area for the parking of a motor vehicle, plus those additional areas and facilities required to provide for safe access to and from said space. The area set aside to meet these provisions must be useable and accessible for the type of parking needs that must be satisfied. Relaxed parking requirements are provided for the Central Commercial District, shared parking facilities and other allowances further described below.
- B. Where there has been a reduction in required parking, all resulting spaces must be available for common use and not exclusively assigned to any individual use. In mixed-use projects, required residential parking may be reserved, but commercial parking must be made available for guests or overflow from residences.
- C. Uses not listed. The Director shall determine the parking requirement for uses which are not listed. His/her determination shall be based on similarity to listed uses and may be appealed to the Planning Commission.
- D. **Automobile trip reduction.** By approving an administrative permit, the Director may reduce the parking requirement for projects implementing non-auto travel, particularly for commuting, when it can be demonstrated that reduction of on-site parking will be safe and will not be detrimental to the surrounding area or cause a decline in quality of life. The applicant shall provide reasonable justification for the reduction, including innovative project design, transportation demand management (TDM) or incentives, which will reduce single-occupant vehicle travel to and from the site. These may include, but are not limited to programs such as carsharing, employer-paid transit passes (i.e. trip reduction incentive plans) or off-peak work hours.
- E. **Special limitation and requirements in residential areas:**
  - 1. In any residential district, no recreation vehicles (RV's), including motor homes, camping trailer, above-cab campers, boat trailers, boats, pick-up campers, fifth wheel trailers or dune buggies, shall be stored or parked within a side or rear yard, or within front yard driveways or other off-street parking space, except as provided below:

- a. Parking of RV's within front yard areas shall be wholly within the front yard property line and at least ten (10) feet from the curb line of the street.
- b. Parking of RV's within side yard shall not infringe upon the minimum side yard setback unless the RV is less than seven (7) feet in height.
- c. Guest parking of RV's along the curb line of the street shall be limited to not more than fourteen (14) days. Such guest parking shall not permit on-site hookups of the RV to on-site water, gas, electricity, or sewage disposal facilities.
- d. All other parking of RV's at the street curb line shall be permitted only for the active loading or unloading of such vehicles.

F. Time when off-street parking meeting the requirements of this Code is required:

- 1. Initial occupancy of a site.
- 2. A major alteration or enlargement of a use, site or building.
- 3. A change in use.

G. Parking space schedule:

- 1. Residential Uses

<b>Table 3.2-A</b>	
<b>Required Parking: Residential Uses</b>	
<i>Residential Uses</i>	<i>Off-Street Parking Spaces Required</i>
Single- and Two-Family Dwellings, Triplexes, Fourplex, and Multi-Family Dwellings.  (See section 405 for parking standards for Accessory Dwelling Units)	Two (2) stalls per dwelling unit, one (1) of which shall be a covered carport or garage
Caretaker Units	One (1) per unit
Group Residential	One (1) per employee, plus one (1) per bedroom or one (1) per every two beds, whichever is greater
Residential Care Facilities, Small	None beyond the parking required for the residential housing type.



<b>Table 3.2-A</b>	
<b>Required Parking: Residential Uses</b>	
Large Residential Care Facilities, and Assisted Living Facilities	One (1) per every three beds.
Supportive Housing	None beyond the parking required for the residential housing type.
Transitional Housing	None beyond the parking required for the residential housing type.
Private Clubs, Lodging, Rooming Houses including SROs	One (1) per every two beds.
Motels, Hotels, Inns and Bed and Breakfast Establishments	One (1) space for each guest room, plus one (1) space for each employee on the largest shift.

- a. Except for driveways allowed in the front setback area of a garage or carport, all additional parking for 2-4 unit structures and multi-family units shall be to the rear or side of such units. If parking is located to the side of the units, the first parking space shall be to the rear of the front yard setback line.

<b>Table 3.2-B</b>	
<b>Required Parking: Commercial, Public, and Industrial Uses</b>	
Banks	One (1) space for each three hundred (300) square feet of floor area.
Commercial Offices	One (1) space for each four hundred (400) square feet of floor area.
Medical and Dental Offices and Clinics	Three spaces for each practitioner, plus one (1) space for each employee, or one (1) space for each two hundred fifty (250) square feet of floor area, whichever is greater.
Hospitals	One (1) space for each four (4) beds and one (1) space for each employee of the maximum working shift, plus one (1) space for each staff doctor.
Convalescent Homes and Nursing Homes	See “Residential Facility, Assisted Living”

<b>Table 3.2-B</b>	
<b>Required Parking: Commercial, Public, and Industrial Uses</b>	
Charitable and religious institutions providing sleeping accommodations	One (1) space for each employee and one (1) space for each four (4) beds.
Churches, Mortuaries, Sports Arenas and Stadiums, Dance Halls, Private Clubs and Lodges	One (1) space for each fifty (50) square feet of floor area used for seating if seats are not fixed, or one (1) space for each four (4) seats, plus one (1) space for each employee.
Theaters	One (1) space for each four (4) seats.
Bowling Alleys	Four (4) spaces for each alley, plus one (1) space for each four (4) seats devoted to restaurant and/or cocktail lounge, plus one (1) space for each employee of the maximum working shift.
Restaurants – Dine-in	One (1) space for each four (4) seats.
Drive-in and Fast-food Restaurants	One (1) space for each two (2) seats, and one (1) space for each employee of the maximum working shift.
Places of Assembly without Fixed Seating	One (1) space for each fifty (50) square feet of floor areas used for assembly, plus one (1) space for each employee of the maximum working shift.
Markets and Grocery Stores	One (1) space for each one hundred-fifty (150) square feet of floor area; mini-market food stores – one (1) space for each three hundred (300) square feet of floor area for stores under two thousand (2,000) square feet of gross floor area.
Retail, General	One (1) space for each three hundred (300) square feet of floor space.
Furniture and Large Appliance and Equipment Sales	One (1) space for each six hundred (600) square feet of floor area.
Service Commercial, Repair, and Wholesale	One (1) space for each eight hundred (800) square feet of floor area, plus one (1) space for each employee, and one (1) space for each vehicle stored on the property for more than twenty-four (24)

<b>Table 3.2-B</b>	
<b>Required Parking: Commercial, Public, and Industrial Uses</b>	
	hours.
Outdoor Commercial and Industrial	One (1) space for each employee of the maximum working shift, plus one (1) space for each vehicle stored on the property for more than twenty-four (24) hours.
Manufacturing, Indoor Storage, and Indoor Industrial	One (1) space for each employee of the maximum working shift, plus one (1) space for each vehicle stored on the property for more than twenty-four (24) hours.
Utility Substations and Facilities	One (1) space for each two (2) employees of the maximum working shift, plus one (1) space for each vehicle stored at the site. Where the use is un-manned, one (1) space for each service vehicle to be parked at the site.
Charter or Private Nursery Schools, Daycare Centers, Elementary and Junior High Schools	One (1) space for each employee, plus sufficient space for safe and convenient bus loading and unloading of students.
Charter or Private High Schools	One (1) space for each employee, one (1) space for each 10 students, plus sufficient space for safe and convenient bus loading and unloading of students.
Colleges	One (1) space for each employee, plus one (1) space for each five (5) students enrolled.
Business, Professional, Trade, and Art Schools and Colleges	One (1) space for each employee, plus one (1) space for each three (3) adult students.
Government Administrative Offices	One (1) space for each employee, plus one (1) space for each one thousand (1,000) square feet of floor area.
Public Buildings and Grounds Other than Offices	One (1) space for each employee of the maximum working shift, plus the number of additional spaces prescribed by the review authority.
Transportation Terminals and Facilities	One (1) space for each employee of the maximum working shift, plus sufficient space for loading and

<b>Table 3.2-B</b>	
<b>Required Parking: Commercial, Public, and Industrial Uses</b>	
	unloading of passengers.

2. Uses within the Central Commercial District established as the Downtown General Plan Land Use Designation:
  - a. Commercial uses, excluding conditional uses, within the area designated as the Central Commercial District by the General Plan – one (1) space for each eight hundred (800) square feet of floor area.
  - b. Uses within an integrated shopping center located outside of the Central Commercial District involving a combination of three (3) or more retail uses for which building area, off-street parking, off-street loading, landscaping, lighting and other features are developed, managed and maintained as if a single unit: three (3) spaces for each one thousand (1,000) square feet of gross lease able area, or four (4) spaces for each one thousand (1,000) square feet of gross lease able area if the center includes a supermarket.
  - c. Other commercial uses within or outside of the Central Commercial District – the number of spaces otherwise required for the type of use.

H. Shared Parking Facilities:

Common parking facilities may be provided in lieu of the individual requirements contained herein, but such facilities shall be approved by the review authority, in connection with a Design Review application, as to size, shape and relationship to sites to be served. The total of such off-street parking spaces, when used together, shall not be less than the sum required for the various uses computed separately, except as follows:

1. Where joint use is allowed.
2. When such common parking facility is to occupy a site three thousand (3,000) square feet or more, a fifteen percent (15%) reduction in the total number of spaces shall be permitted.
3. Where the provisions of paragraph D 2 of this section apply.

I. In-lieu Provisions for Uses within the Central Commercial District:

In lieu of furnishing the parking spaces and facilities required by the provisions of this section for uses within the Central Commercial District, where space is not available for off-street parking because of physical limitations of the site, the requirements thereof may be satisfied by the provisions of public off-street parking at convenient locations within the

Central Commercial District, and by street parking, upon execution of a written agreement satisfactory to the City Attorney regarding applicant and his successors in-interest to waive protest and to join a downtown parking assessment district to be formed in the future.

J. Miscellaneous Uses:

For a use not specified or covered by the above parking schedule, the same number of spaces shall be provided as are required for the most similar use. The most similar use shall be determined by the review authority.

K. Recreation Vehicle Parking within Multi-Family Developments:

1. Recreational vehicle parking shall not be permitted within multi-family developments unless except in an area designated for the purpose enclosed by a security fence, and located where it will have the least visual impact on the site as a whole.
2. RV parking within required yards on a multi-family site is prohibited.

L. Demonstrated Alternative Parking Requirements:

Notwithstanding the parking requirements of subparagraphs D 2 and D 3 of the above schedule, an applicant shall be entitled to submit a parking formula for consideration by the review authority which is based on a demonstrated satisfaction of parking requirements for the same or similar use at another location. Such alternative demonstration shall be submitted in writing, together with photographic and other evidence as may be necessary in support of the request.

M. Elderly housing parking. Housing occupied exclusively by persons aged 62 or older may provide one half space per dwelling unit or one space per four occupants of a group quarters.

N. Low-income housing parking. Housing occupied exclusively by very low or low-income households, as defined by the State, may provide for reduced parking requirements of one car and one bicycle space per dwelling unit.

O. Units of Measurement:

1. For purposes of this article, and with the exception of references to “gross floor area”, the term “floor area” shall mean that floor area used, or intended to be used, for direct service to the public as customers, patrons, clients or patients, or as tenants, including areas occupied by fixtures and equipment for the display and sale of merchandise, or for repair services. It shall not include areas used principally for non-public use, including restrooms, storage areas or administrative offices incidental to a commercial use.
2. In outdoor or indoor places of assembly, in which patrons or spectators occupy benches, pews or other similar seating facilities, each twenty-four (24) lineal inches of each seating facility shall be counted as one (1) seat for purposes of calculating off-street parking requirements.
3. If, in the application of the requirements of this section, a fractional number is obtained, one (1) parking space shall be provided for a fraction of one-half ( $\frac{1}{2}$ ) or more, and no parking space shall be required for a fraction of less than one-half ( $\frac{1}{2}$ ).

P. Change in Use, Additions and Enlargements:

Whenever there is a change in use or increase in floor area, or change in other unit of measurement specified herein, and such change or increase creates a need for additional off-street parking spaces by twenty percent (20%) or more, such increase in parking facilities shall be provided on the basis of the increased requirements of the new or enlarged use; provided however, that in the event a change in use creates a need for an increase of two (2) or less off-street parking spaces, no additional parking facilities shall be required.

Q. Remodeling:

No additional off-street parking facilities shall be required solely because of the remodeling of an existing use or building, unless there is a change in use, addition or enlargement for which additional facilities are required in accordance with paragraph F of this section.

R. Mixed Uses:

In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements for the uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as herein specified for joint use and uses within integrated shopping centers.

S. Joint Use:

The review authority may, authorize the joint use of parking facilities by the following uses and activities, and under the conditions specified herein:

1. Seventy-five percent (75%) of the parking facilities required for a use considered to be primarily a daytime use may be provided by the parking facilities of a use

considered to be primarily a nighttime use, or the reciprocal; provided however, that such parking area shall meet the conditions set forth in lieu of payments in paragraph K 3 below.

2. The following uses are typical daytime uses: banks, business offices, retail stores, personal services, manufacturing or wholesale uses and similar uses. The following uses are typical nighttime uses: dance halls, theaters, bars, auditorium and restaurants that only serve dinners.
  3. The following are conditions required for joint use:
    - a. The building or use for which application is made for authority to utilize the existing off-street parking facilities provided by another building or use shall be located within two hundred (200) feet from such parking facility.
    - b. The applicant shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use of off-street parking facilities is proposed.
    - c. If the building, structure or improvement requiring parking space is in one ownership and the required parking space provided is in another ownership, partially or wholly, there shall be a recording in the office of the Sacramento County Recorder of a covenant by such owners for the benefit of the City, in a form approved by the City, that such owner or owners will continue to maintain such parking space so long as said building structure or improvement is maintained by said owner within said City. The covenant herein required shall stipulate that the title to and right to use the parcel or parcels upon which the parking space is to be provided will be subservient to the title to the premises upon which the building is to be erected and that said parcel or parcels are not and will not be made subject to any other covenant or contract for use without prior written consent of the City.
- T. Electrical Charging Stations. Electric charging stations for vehicles shall be provided in accordance with the City's Building Codes as adopted.

## SECTION 311 STANDARDS FOR OFF-STREET PARKING FACILITIES

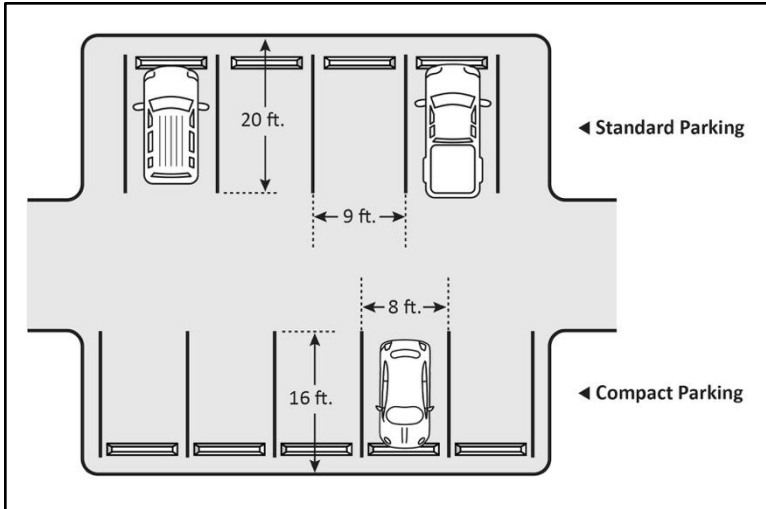
Off-street parking facilities shall conform to the following standards:

- A. All parking areas shall have adequate ingress and egress to and from a street or alley and shall comply with the City of Isleton Public Improvement Standards . Sufficient room for turning and maneuvering vehicles shall be provided on the site. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the Public Works Director.

- B. Entrances and exits to parking lots and other parking facilities shall be provided only at locations approved under Design Review procedures of this code.
- C. Parking lot lighting shall be deflected away from abutting sites so as not to cause annoying glare to such sites.
- D. No commercial repair work or servicing of vehicles shall be conducted on a parking site.
- E. The parking area, aisles and access drives shall be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water, with the design and specifications of such work subject to City standards and the approval of the City Engineer.
- F. The requirements of this section shall apply to all uses for which a site plan must be approved in accordance with the provisions of Article 5.
- G. Parking spaces and maneuvering aisles shall meet the minimum size and dimensions established in Table 3.3, Parking Space Minimum Dimensions for 90-Degree Spaces, and Table 3.4 Angled Parking Space Dimensions, and the City of Isleton Improvement Standards.

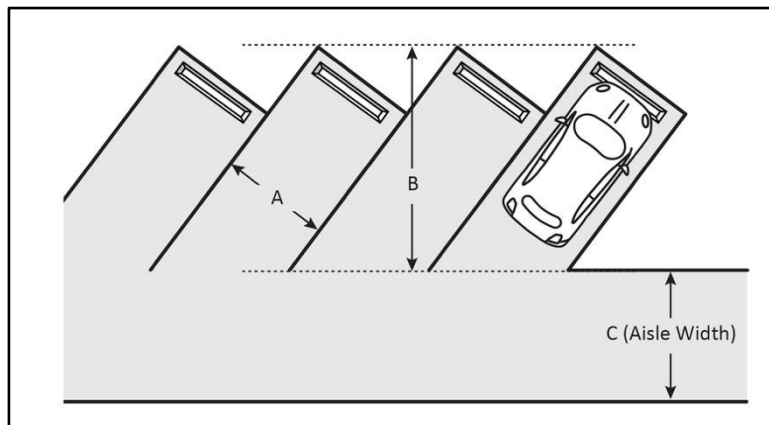
<b>Table 3.3</b>			
<b>Parking Space Minimum Dimensions for 90-Degree Spaces</b>			
Type of Parking Space	Width (feet)	Length (feet)	Aisle (feet)
Standard	9	20	27
Compact	8	16	27
Parallel/Tandem	9	22	25
ADA Accessible	Compliant with the California Building Code		25





*Measuring parking space dimensions in a 90-degree configuration.*

Table 3.4			
Angled Parking Space Dimensions			
Type of Parking Space	Stall Width "A" (feet)	Stall Depth "B" (feet)	Aisle Width "C" (feet)
30 Degrees	9	18	20
45 Degrees	9	20	20
60 Degrees	9	21	20



*Measuring parking space dimensions for angled parking spaces.*

- H. Bicycle and motorcycle spaces. Each use or development, which requires 10 or more spaces, shall provide facilities for parking bicycles and motorcycles as follows:

1. Motorcycle spaces. Parking for motorcycles shall be provided at the rate of one space for each 20 car spaces. Projects that provide more motorcycle spaces than required may reduce the required car spaces at the rate of one car space for each five motorcycle spaces, up to a 10% reduction, subject to the approval of the Director.
  2. Bicycle spaces. Parking for bicycles shall be provided in accordance with Table 17. All bicycle spaces shall be located at the ground floor level. Additional City standards and guidelines for bicycle parking can be found in the City's Parking Standards and Design Review Manual. Projects which provide more bicycle and/or motorcycle spaces than required may reduce the required car spaces at the rate of one car space for each five bicycle spaces, up to a 10% reduction, subject to the approval of the Director.
- I. Tandem parking.
1. For residential uses (except for accessory and junior accessory dwelling units), when parking spaces are identified for the exclusive use of occupants of a designated dwelling, required spaces may be arranged in tandem (that is, one space behind the other) subject to approval of the Director. Tandem parking is intended to allow for needed flexibility on constrained lots or where tandem parking is consistent with the existing neighborhood pattern. Tandem parking shall not be used to provide for the conversion of garage spaces.
  2. Hotel and Restaurant Projects (New and Existing). Tandem parking may be used for hotel and restaurant development in the CC Zone where parking service is provided, subject to the approval of a Parking Management Plan by the Director. A Parking Management Plan is a document that outlines how site parking will be regulated and includes provisions to reduce parking demand, including but not limited to, availability of transit in close proximity, access to a car share program and access to information regarding alternative transportation programs.
  3. Tandem parking may be considered in commercial office development if all of the following requirements are satisfied:
    - a. With review of the location and design by the Design Review Committee, where adequate maneuverability and access arrangements are provided; and
    - b. When the tandem spaces are set aside for the exclusive use of on-site employees; and
    - c. Except for accessory and junior accessory dwelling units, where the total number of tandem spaces does not exceed 30% of the total parking provided for projects that require 10 vehicle parking spaces or less and 15% of the total parking provided for projects that require 11 or more vehicle parking spaces; and
    - d. With the approval of a Parking Management Plan by the Director and Public Works Director to ensure that proper management and oversight of the use of the proposed tandem spaces will occur.

4. For existing office development where there is a desire to upgrade or modify the parking layout to increase efficiency or better meet standards and review by the Design Review Committee would not be required, the approval of new tandem parking spaces would require the approval of an administrative use permit, where adequate maneuverability and access arrangements are provided.

SECTION 312 OFF-STREET LOADING FACILITIES REQUIRED

In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of ten thousand (10,000) square feet or more, which is to be occupied by manufacturing, storage, warehouse, goods display, retail store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt or distribution by vehicles of materials or merchandise, there shall be provided and maintained, on the same parcel with such building, at least one (1) off-street loading space, plus one (1) additional off-street loading space for each twenty thousand (20,000) square feet or major fraction thereof of gross floor area.

SECTION 313            STANDARDS FOR OFF-STREET LOADING FACILITIES

Off-street loading facilities shall conform with the following standards:

- A. Each loading berth shall be of a length and width and shall have an overhead clearance sufficient to accommodate fully the maximum size of vehicles used in loading or unloading operations.
- B. Sufficient room for the turning and maneuvering of vehicles shall be provided on the site.
- C. Entrances and exits shall be provided at locations approved under the Design Review procedures of this code.
- D. The loading area, access drives and aisles shall be paved so as to provide a durable, dustless surface and shall be so graded and drained as to dispose of surface water, with the design and specifications of such work subject to City standards and approval of the City Engineer.
- E. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the Public Works Director.
- F. If the loading area is illuminated, lighting shall be deflected away from abutting sites so as not to cause annoying glare to such sites.
- G. A loading area shall not be located in a required front yard. A loading area may be located in a required side or rear yard.
- H. No commercial repair work or servicing of vehicles shall be conducted in an off-street loading area.

SECTION 314            LOCATION OF OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

Off-street parking and off-street loading facilities shall be located on the same site with the use for which the berths are required or on an adjoining site, except that within the Central Commercial District, off-street loading is not required. No off-street loading space shall be required where buildings are serviced by a public alley.

SECTION 315            SCREENING, FENCING AND LANDSCAPING

- A. Where an off-street parking area in a CC District adjoins a UR, R, or RM, District, an ornamental solid wall or fence, vine-covered open fence, or compact screening device, as may be required under Design Review, shall be located on the property line common to such districts, except in a required front yard.
- B. In a CC, or PDI District, not less than five percent (5%) of the interior of a parking area shall be landscaped with trees and other plant materials suitable for ornamentation. Landscaped areas shall be distributed throughout the parking area to the extent practical in consideration of the size and design of the parking area. Shade trees approved by the City shall be provided within off-street parking areas at a ratio of approximately one (1) tree per

five (5) parking spaces, placed along the line between parking bays and at both ends of a line of parking spaces, and served by automatic irrigation.

SECTION 316 EXISTING USES

No existing use of land or structure shall be deemed to be a non-conforming use solely because of the lack of off-street parking facilities or off-street loading facilities prescribed in this article; provided, however, that facilities being used for off-street parking and off-street loading at the time of the adoption of this ordinance shall not be reduced in capacity to less than the number of spaces or berths or reduced to less than the minimum standards prescribed in this article. Where an existing use is expanded, the parking requirements of this article shall apply only to the addition.

SECTION 317 REDUCTION OF OFF-STREET PARKING AND OFF-STREET LOADING FACILITIES

No off-street parking or loading facilities shall be reduced in capacity or area without sufficient additional capacity or additional area being provided to comply with the regulations of this article.

SECTION 318 EXCEPTIONS TO OFF-STREET PARKING AND LOADING REQUIREMENTS

None of the provisions of this ordinance which require the provisions of off-street parking and off-street loading spaces in connection with the use of property for commercial or industrial purposes shall apply to any parcel of property which is located within any vehicle parking district hereafter formed and existing under the provisions of any parking district act approved by the City Council, and where parking and loading facilities provided by such district are determined by the City Council to be adequate to serve the district.

SECTION 319 REGULATIONS OF SIGNS

A. Purposes and Application

In order to maintain and enhance the attractiveness and orderliness of the City's appearance, and to protect the public safety and general welfare, the location, size, height, illumination and maintenance of signs and outdoor advertising structures are regulated as prescribed below.

B. General Provisions and Exceptions

1. Application:

The provisions set forth in this section shall be applicable to all signs permitted by this ordinance. All signs that are not exempt shall be subject to obtaining approvals from the Planning Director through submittal of a sign permit to the City.

2. Computation of Sign Area or Display Surface:

For purposes of this section, measurements for computing the area of a given sign shall be made as follows:

- a. For signs comprised of individual letters attached to the business structure, including module letters and logographic symbols, the effective sign area shall mean any area(s) enclosed by the minimum imaginary rectangle or parallelogram of vertical and horizontal lines which fully contains all extremities of each work and/or logographic symbol of the sign. Each work and/or logographic symbol shall be measured separately in computing total sign area. Shadow box borders and other border trims which are an intrinsic part of the building, either architecturally or structurally shall not be included in such area computations.
  - b. Where the sign consists of module letters only, and such letters are separated a minimum distance of one and one-half (1½) times the width of the individual module, the space between such letters shall not be included when computing sign area.
  - c. For single unit signs containing letters or logographic symbols on cabinets or panels, the effective sign area shall mean the area enclosed by the minimum imaginary rectangle or parallelogram of vertical and horizontal lines which fully contains the perimeter of the cabinet or panel sign.
  - d. For projecting signs and free-standing detached signs containing letters and/or logographic symbols, the effective sign area means the area enclosed by the minimum imaginary rectangle of vertical and horizontal lines which fully contains all extremities of the sign, exclusive of its supports and/or ornamental and decorative trim on cabinets or support columns.
3. Height:
- a. The minimum height clearance for any free-standing sign, projecting building sign or sign located on a building marquee shall be not less than eight (8) feet as measured from ground level to the lowest portion of the sign.
  - b. No sign other than a directional sign shall project more than twenty-four (24) inches into a required rear yard or interior side yard.
  - c. In an RCO, UR, R or RM District, a sign attached to a building shall not project above the parapet or roof line, wherever is higher.
4. Number of Free-Standing Signs:
- Not more than one (1) free-standing on premise sign, or free-standing outdoor advertising structure, may be located on each parcel of property within a zoning district in which a free-standing sign or free-standing outdoor advertising structure is permitted.
5. Traffic Hazards:

- a. No sign or outdoor advertising structure shall be placed within thirty (30) feet of the intersecting curb lines of a street intersection, unless placed on a single pole with a ground clearance of at least ten (10) feet, or unless placed so that the top of the sign and its supporting structure is a maximum of two and one-half (2½) feet above the ground.
- b. No red, green or amber lights or illuminated signs or outdoor advertising structures illuminated by or including flashing lights, shall be placed in such position that they reasonably could be expected to interfere with or be confused with any official traffic control device, traffic signal or official directional guide sign.

6. Utility Lines and Easements:

No sign or outdoor advertising structure shall be located within a utility easement, or erected or located in a manner which will reduce the vertical or horizontal clearance from communication lines or energized electric power lines as required by laws, rules and regulations of the State of California and agencies thereof.

7. Special Signs – Exceptions:

The following types of signs shall be exempt from the provisions of this section, provided, however, that temporary signs shall be removed by the agency, corporation, group or individual responsible for their erection, within thirty (30) days after the date of their original erection, or when the signs become damaged or are no longer intelligible, whichever time occurs first:

- a. Signs used exclusively for the posting or display of official notices by a public agency or official, or by a person giving legal notice;
- b. Signs erected or maintained by a public agency or official or required by law to be displayed by a public utility for directional, warning or informational purposes;
- c. Temporary signs or displays, including temporary, non-structural posters.
- d. Signs which shall be removed immediately after the completion of a sale or event.

8. Special Signs – Prohibition:

Animated signs, the movement of which is simulated by variations in the intensity, color, pattern or illumination of the sign, and flashing signs, are prohibited in all districts, except the following:

- a. A sign changing so as to show time and/or temperature.
- b. An on-premise barber pole.

9. Area Identification Signs:

Area identification signs intended to identify a neighborhood, subdivisions, shopping or industrial district, complex or other area composed of multiple ownerships, shall be limited to a maximum single surface area of twenty-five (25) square feet, and total sign area not exceeding fifty (50) square feet.

C. Signs in the RCO, UR, R and RM Districts

Signs in the RCO, UR, R, or RM Districts, shall comply with the following:

1. One (1) name plate, per building, not directly illuminated, with a maximum of two (2) square feet in area (e.g., dimensions of 1' x 2'), containing the name or names of occupants of a residence or office.
2. One (1) non-residential identification sign, per building, not directly illuminated, located flat against a wall and not projecting above the roof line, with a single surface area of not more than sixteen (16) square feet pertaining to a permitted or conditional use conducted on the site.
3. One (1) non-illuminated sign, with a single surface area of not more than eight (8) square feet, pertaining to the sale, lease, rental or display of a structure or site.
4. Non-illuminated directional signs, with a single surface area of not more than six (6) square feet, pertaining to vehicular or pedestrian traffic directions and located along a driveway or within a parking lot. Arrows painted on pavement are not included in this regulation.
5. One (1) bulletin board, per building, not directly illuminated, with a single surface area of not more than twenty (20) square feet, located on the site of a church, school, auditorium or other similar place of public assembly.
6. One (1) non-illuminated temporary construction sign, with a single surface area of not more than sixteen (16) square feet, on the site of a construction project, which shall be removed at the owner's expense at the time of project completion.
7. One (1) temporary subdivision sales sign, not directly illuminated, with a single surface area of not more than thirty-two (32) square feet, on the site of a residential subdivision.

D. Regulation Of Signs Within the CC Districts

1. Purpose and Application:

The purpose of sign regulation within the CC Districts is to avoid unsightly, inharmonious, competing, cluttered and hazardous location and appearance of signs, and to encourage the replacement of existing non-conforming signs. Sign



regulations of this section shall apply to any permitted or conditional use listed within a C District.

2. Maximum Sign Area in the CC District:

Primary frontage: An allowable minimum sign area of up to fifty (50) square feet shall be permitted for each primary building frontage (portion of building occupied by the business and facing a street), regardless of the width of such primary building frontage. A maximum total sign area, not to exceed three hundred fifty (350) square feet, shall be permitted for each primary building frontage based on two (2) square feet of sign area for each lineal foot of primary building frontage occupied by the business.

Secondary frontage: An allowable minimum sign area of up to thirty-five (35) square feet shall be permitted for each secondary building frontage (portion of building occupied by the business and facing an alley, an adjacent building, parking lot, or the like), regardless of the width of such secondary frontage. A maximum total sign area, not to exceed two hundred (200) square feet, shall be permitted for each secondary frontage based on one (1) square foot of sign area for each lineal foot of secondary building frontage occupied by the business.

3. Directional Signs:

Directional signs for off-street parking and loading facilities shall not exceed six (6) square feet for each sign; parking lot identification signs shall not exceed six (6) square feet per face of sign.

4. Sale, Lease & Rental Signs:

Signs pertaining to the sale, lease, rental or display of a structure or land shall not exceed thirty-two (32) square feet per single face of sign.

5. Projecting Signs:

No sign, other than a directional sign, shall project more than twenty-four (24) inches into a required rear yard or required interior side yard. No sign, other than a sign required by law or a marquee sign, shall project more than fourteen (14) inches into a public right-of-way.

6. Signs Attached to Buildings:

Signs attached to buildings shall be installed parallel with the building, with no more than a fourteen (14) inch projection from the wall except where permitted under subparagraph D 7, below and/or attached directly to the vertical or sloped face of the marquee.

7. Marquee or Canopy Signs:

Signs attached below the marquee or canopy shall not exceed six (6) square feet per face of sign and shall have a minimum ground clearance of eight (8) feet above

the sidewalk grade in order not to impede or interfere with pedestrian traffic and safety. Where the marquee or canopy is attached at an angle from a building, signs may be affixed to the sloped portion above the horizontal extension of the marquee or canopy as an integral part of the façade.

8. Painted Wall Signs:

Within any CC District, signs painted upon a wall exterior surface shall be included when computing the allowable sign area.

9. Free Standing Signs:

a. Free-standing area identification signs displaying the name and/or logographic symbol of a shopping center and/or the names of other groupings of businesses, offices, services, or combinations thereof, shall not exceed a total sign area of three hundred fifty (350) square feet.

b. No more than one (1) free-standing sign shall be permitted for a single business or for a grouping of businesses on a single site, except that an additional free-standing sign shall be permitted for a grouping of ten (10) or more businesses on a single site.

10. Temporary Signs Other Than Banners:

Temporary signs, including official notices, campaign posters, and posters advertising community functions or events, shall be removed by the agency, official, or person responsible for their erection within seven (7) days after the date of the advertised event or election. In the CC District, such temporary signs shall be permitted only on special structures which may be provided at various locations, such as public bulletin boards, kiosks, and other authorized informational centers.

11. Banners:

Temporary banners which extend over or across a street announcing civic events such as parades, homecomings, festivals and publicly or privately sponsored promotional events are allowed upon permit approval.

Banners which are hung from a building/business façade which announce promotional events are allowed. Such banners will not be utilized as the primary sole source business signs. The combined signage area shall not exceed the overall square footage as allowed under 319 D, 2 Maximum Total Aggregate Area in the CC District.

Banners will be removed when they become unsightly and or worn due to normal wear and tear. All banners will be removed within fourteen (14) days upon completion of advertised event.

12. Announcement and Bulletin Boards:

Announcement and bulletin boards or structures for any public, philanthropic, civic, religious, or charitable organization or agency, non-illuminated or illuminated by indirect lighting only, may not exceed thirty-two (32) square feet in area in any district when appurtenant to the premises on which they are located.

13. Public Service Signs:

Electronic public service signs displaying such information as time of day, temperature, or events of community interest, with the purpose of augmenting on-premise identification shall be permitted. The area of such signs shall be included when computing the total sign area of a business or site.

14. Portable Signs:

A-board (sidewalk signs). A-board or portable sidewalk signs may be allowed in all commercial districts.



*Typical "A-board" sign*

**Size and Stability.** A-board signs shall have a maximum height of five (5) feet, a minimum height of two (2) feet, and a maximum width of three (3) feet. Signs shall be stable, braced as necessary to prevent collapse or toppling.

**Location and Hazard.** A-board signs shall be located only on the property of the business which it advertises or on the sidewalk fronting that property. A-board signs shall not be placed on the street, or within the vehicular line of sight on corner properties, or within an ADA compliant path of travel.

A-board signs located on sidewalks shall be located only within two and one-half (2 ½) feet of curbside, or within two (2) feet of the building frontage on the interior of a sidewalk.

A-board signs shall be located so as not to obstruct pedestrian traffic or present a hazard, shall not obstruct any and disabled person access. A minimum horizontal sidewalk clearance of forth-eight (48) inches shall be required. No moving parts or projections shall be allowed.

Only one A-board sign shall be allowed per business. A-board signs allowed under these provisions shall not be counted against the number and aggregate area of signs otherwise available to a property under the terms of this title.

There shall be no more than two A-board signs displayed at any time for any one building or business property.

A-board signs shall be permitted to stand only during business hours.

A-board signs shall be maintained in good physical and aesthetic condition.

15. Public Utility Signs:

Non-advertising signs of public utility companies shall be permitted as required in their operation, providing service for the health, safety, and welfare of the general public, including, but not limited to the following: Informational signs for public telephone facilities or marking the location of underground facilities, directional signs for public utility services, signs notifying the public of “danger”, “emergency”, “construction”, and similar conditions. No sign or other item shall be attached to private utility company poles and/or light standards or supports without prior written approval from the utility company to which such poles belong.

16. Sight Distance at Intersections:

No sign permitted by this section shall be placed within thirty (30) feet of a street intersection (intersecting curb lines) unless placed so that the top of the sign is at a maximum of two and one-half (2 ½) feet above the ground or unless the bottom of the sign is a minimum of ten (10) feet above the ground level.

17. Height of Signs:

The height of signs within the C Districts shall not exceed the height of the structure which houses the business being advertised, and in no case shall any sign exceed the height limitations of the district in which it is located.

18. Signs Expressly Prohibited:

- a. No red, green, or amber light or illuminated sign may be placed in such a position that it could reasonably be expected to interfere with, or be

confused with, any official traffic control device, traffic signal, or official directional guide sign.

- b. Outdoor advertising structures of a permanent nature shall not be permitted.
- c. Glaring, flashing, and scintillating signs shall not be permitted.
- d. Open letter signs which may be viewed from the reverse shall not be permitted.
- e. Canvas, plastic, cloth, paper, or other types of banners or streamers suspended across public or private property, buildings or structures shall not be permitted, except temporary banners which extend over or across a street announcing civic events such as parades, homecomings, festivals and publicly or privately sponsored promotional events as may be approved by the review authority.

19. Design of Signs:

All signs shall be designed in scale and harmony with the architectural design of the buildings and uses they are intended to relate to or identify.

20. Approval Process:

Signs requiring permits shall be subject to review and approval by the City through submittal of a sign permit application.

E. Regulation Of Signs Within The Planned Industrial (PDI) Districts

No sign, outdoor advertising structure or display of any character shall be permitted in the PDI Districts, except as follows:

- 1. The maximum permissible area of all faces of all permanent and temporary signs pertaining to a permitted use or conditional use, excluding outdoor advertising signs, directional signs and signs identifying products within a window display area, shall be as follows: one (1) square foot of sign area per lineal foot of property line adjoining a street or one hundred (100) square feet per acre of site area in use, whichever is greater, to a maximum of six hundred (600) square feet of sign area.
- 2. Temporary signs, such as banners and flags, and window displays, shall be permitted in the PDI District, provided that their combined area shall not exceed ten percent (10%) of the maximum total aggregate sign area allowed, or sixty (60) square feet.
- 3. One (1) non-illuminated sign, not exceeding a single surface area of sixteen (16) square feet, pertaining to the sale, lease, rental or display of a structure or site.

4. Non-illuminated directional signs along driveways or within parking lots, not exceeding a single surface area of six (6) square feet, pertaining to vehicular and pedestrian traffic direction.
5. One (1) bulletin board not directly illuminated, not exceeding a single surface area of twenty (20) square feet located on the site of a place of public assembly.
6. One (1) non-illuminated temporary construction sign, not exceeding a single surface area of thirty-two (32) square feet, on the site of a construction project, to be removed at the owner's expense at the time of project completion.

F. Non-Conforming Signs and Outdoor Advertising Structures

Non-conforming signs shall be subject to the regulations prescribed in Article 3.

G. Abandoned and Dilapidated Signs

No person shall maintain or permit to be maintained on any premises owned or controlled by them, any sign which has been abandoned or which is physically dilapidated. Any such sign shall be promptly removed by the owner or such other person. Any sign which is located on property which becomes vacant and unoccupied for a period of six (6) months or more, or any sign which was erected for an occupant or business unrelated to the present occupant of business, or any sign which pertains to a time, event or purpose which no longer is applied, shall be presumed to have been abandoned. Where the owner or other person responsible for maintaining an abandoned or dilapidated sign fails to remove the sign in conformance with these provisions, the City shall cause the sign to be removed and shall assess the owner or other person responsible at a rate established by resolution of the City Council to cover the costs of such removal.

H. Authority To Modify Sign Regulations

Notwithstanding other provisions of this article, the review authority has the authority to modify or adjust regulations of this article in order to prevent or lessen practical difficulties or unnecessary physical hardships inconsistent with the objectives of the zoning Ordinance and the purpose of this section as would result from a strict or literal interpretation and enforcement of certain regulations of this article.

SECTION 320            TEMPORARY SUBDIVISION SIGNS AND SALES OFFICES

Temporary subdivision signs and sales offices may be located within subdivisions for a period not to exceed two (2) years from the date of recordation of the subdivision. Subdivision signs and sales offices shall be removed at the expense of the owner, unless prior to the expiration of two (2) years, a renewal of time is granted by the Director. Upon expiration of such renewal period, subdivision signs and sales offices shall be removed at the expense of the owner. Subdivision signs shall be governed by the regulations prescribed in Section 319 of this article. A temporary

subdivision sales office shall not be permitted until an application for a subdivision sales office permit shall be made to and approved by the Director in accordance with Article 5.



## **ARTICLE 4 – SPECIFIC USES, DEVELOPMENT AND OPERATION**

### **SECTION 401 YARD SALES AND GARAGE SALES WITHIN RESIDENTIAL AREAS**

The sale of personal possessions, whether within or outside of a dwelling within an R or RM zoning district shall be limited to no more than four such sales per year. Commonly referred to as “yard sales” or “garage sales”, such sales shall be conducted for periods no longer than three (3) days, and unsold possessions shall be removed from public view and stored within the premises. Materials to be sold shall be personal possessions. No materials shall be offered for sale which has been acquired solely for the purposes of the “yard sale” or “garage sale”. The driveway, yard, or other space used for purposes of the sale shall be restored to its normal residential character at the conclusion of the sale.

### **SECTION 402 HOME OCCUPATIONS**

#### **A. Procedure**

Home occupations shall be permitted only in accordance with the regulations in Article 5 and this section.

#### **B. Standards**

Before approving an application for a home occupation in accordance with the provisions of Article 5 and this section, the Planning Director shall determine that the proposed home occupation will comply with the following standard:

1. A home occupation within a dwelling unit shall be clearly incidental to the use of the structure as a dwelling.
2. Only residents of the dwelling shall be employed in the conduct of the home occupation. There is otherwise no limitation on the number of employees or the number of home occupations per dwelling.
3. Sales of goods on the premises shall be limited to the products of the home occupation, and no merchandise or goods produced elsewhere shall be sold, kept, or displayed for the purposes of sale on the premises except as provided under item 4 of this subsection.
4. Merchandise not produced on the premises may be kept and stored for purposes of sale at locations off the premises, provided that such merchandise is limited to small articles such as jewelry, cosmetics and similar items of merchandise which can be carried by one person in a case or other container. For purposes of this standard, materials, typically involved in providing contracting services, such as plumbing, heating, air conditioning, electrical carpentry and landscaping are not included within the meaning of the clause “small articles”.
5. A home occupation may involve the performance of business and professional services in which goods, wares and merchandise are commercially created, sold or

exchanged, but shall not include beauty salons, barber shops, and medical offices, or tattoo parlors, fortune tellers, palm readers or similar services.

6. A home occupation shall not involve the performance of any repair services on the premises other than the repair of small appliances and equipment or other small objects which normally are capable of being carried by one person without the aid of mechanical equipment or devices.
7. A home occupation shall not involve the use of any material or mechanical equipment not recognized as being part of normal household or hobby uses.
8. No motor power other than electrically operated motors shall be used in connection with a home occupation.
9. A home occupation shall not create any radio or television interference, or any noise audible beyond the walls of the dwelling.
10. The existence of a home occupation shall not be apparent beyond the boundaries of the site except for one non-illuminated name plate affixed to the dwelling not exceeding two (2) square feet in area (e.g., dimensions of 1' x 2').
11. The number of customers of a home occupation who must travel to the site of the home occupation shall not exceed four (4) persons per day.
12. Not more than one (1) truck of not more than one (1) ton capacity and no semi-trailers incidental to a home occupation shall be kept on the site.
13. A home occupation shall not be permitted until an application of an Administrative Permit shall be made and approved in the manner prescribed under Article 5. The Planning Director shall condition the Administrative Permit as they determine appropriate.
14. The Planning Director may also place other conditions deemed necessary to make the home occupation compatible with the neighborhood.

Upon approval of an Administrative Permit for a home occupation, the Planning Director shall attach the above standards to the notice of approval as conditions which must be met by the applicant. A permit for a home occupation may be revoked as prescribed under Article 5.

## SECTION 403 MOBILE HOME/MANUFACTURED HOUSING PARKS

### A. Location, Access And Procedure

For purposes of this ordinance, mobile home/manufactured housing parks shall be located only within R1 with approval of a CUP or RMH Districts by right, with access from elements of the Arterial or Collector street system. Mobile home/manufactured housing parks shall be permitted only in accordance with the regulations of Division 13, Part 2.1, Section 18200 – 18700 of the California Health and Safety Code.

SECTION 404                      MANUFACTURED HOUSING

A.     Where Allowed.

No mobile home or manufactured home shall be occupied or used for living or sleeping purposes, or be parked other than in a mobile home sales yard or in an approved storage area within the PDI District, unless it is located within a licensed mobile home/manufactured housing park, or as an office for a construction project, circus or carnival; as a residence of a watchman on the site of a construction project, or an industrial use; or to provide temporary living quarters for circus or carnival personnel in accordance with the provisions of an approved administrative permit.

B.     Occupancy in Residential Districts.

Mobile or manufactured homes shall have the same development standards and be treated the same as single family house. All mobile homes or manufactured houses, the same as single family homes shall be placed on permanent foundations shall be permitted uses within UR, R or RM districts as indicated in Tables 2.1-A and 2.2-A.

C.     Developmental/Architectural Standards.

Single family dwellings and mobile or manufactured /homes on permanent foundations shall meet the following developmental/architectural standards:

1.     Garages or Carports:

A garage or carport shall be provided for every dwelling located on a lot which is not part of a mobile home/manufactured housing park, in accordance with the parking regulations contained in Article 3 of this Code.

2.     Minimum Floor Area:

The minimum floor area for every dwelling located which is not a part of the mobile home/manufactured housing park shall be eight hundred (800) square feet, excluding the area of the garage or carport.

3.     Roof Overhang:

All main buildings shall have a pitched roof with a minimum twelve (12) inch roof overhang on each of the dwelling's perimeter walls such that the overhang is architecturally integrated into the design of the dwelling unit.

4.     Roofing Material:

All main buildings, and all detached garages and carports located on the front half of the lot shall have a roof constituted of either wood shakes, asphalt, composition or wood shingles, clay, tile, concrete or metal tile, slate or built-up asphalt-gravel materials.

5. Siding Material:

All main buildings and all detached garages located on the front half of the lot shall have exterior siding material consisting of either wood, masonry, concrete, stucco, mason or metal lap. The exterior siding material need not extend below the top of the foundation.

6. Foundations:

All main buildings shall be placed on a permanent foundation which meets applicable building code requirements and/or the provisions of Section 18551 of the California Health and Safety Code, such that the floor elevation of the dwelling is reasonably compatible with the floor elevations of the surrounding dwelling units.

7. Minimum Width:

The minimum width of a dwelling located on a lot outside of a mobile home park shall be twenty (20) feet.

8. Surrender of Registration:

Subsequent to applying for a building permit, and prior to occupancy of a mobile home on a permanent foundation, the owner shall request a certification of occupancy be issued by the Building Official pursuant to Section 18557 (a)(2) of the California Health and Safety Code. Thereafter, any vehicle license plate, certificate of ownership and certificate of registration issued by a State Agency is to be surrendered to the issuing State Agency. Any mobile home on a permanent foundation must bear a California Insignia or Federal label pursuant to Section 18550(b) of the California Health and Safety Code.

9. Tow Bars, Wheels and Axles:

All mobile home or manufactured house tow bars, wheels and axles shall be removed when the dwelling is installed on a residential lot.

10. Deviations:

The Planning Director may approve deviations from one or more of the standards of this Section on the basis of a finding that the architectural style proposed provides compensating design features and that the proposed dwelling will be compatible and harmonious with existing structures in the vicinity.

SECTION 405 ACCESSORY DWELLING UNITS

A. Purpose and Intent.

This section establishes regulations and a ministerial review process for Accessory Dwelling Units. Accessory Dwelling Units are intended to expand housing opportunities by increasing the number of rental units available within existing neighborhoods while maintaining lower density residential character of neighborhoods in Isleton.

B. Applicability.

In accordance with state law related to Accessory Dwelling Units and Junior Accessory Dwelling Units. Accessory dwelling units are permitted by right in any zoning district which permits single-family or multi-family homes. Any changes made to pertinent sections of State Housing Laws, including those related to Accessory Dwelling Units and Junior Accessory Dwelling Units, that occur from time to time, shall apply within this section of this ordinance and take precedence over any of these locally adopted regulations.

C. Relationship to General Plan and Zoning.

Any Accessory Dwelling Unit or Junior Accessory Dwelling Unit which conforms with the requirements of this Article shall be deemed to be consistent with the General Plan designation and zoning for the parcel, regardless of any limitations on residential density imposed by the General Plan or zoning.

Accessory Dwelling Units shall not be counted when determining residential density for conformance with General Plan or Zoning.

D. Permits and Approval.

1. Ministerial Action. Approval or denial of an Accessory Dwelling Unit or Junior Accessory Dwelling Unit is a ministerial action and subject to compliance with the standards in this Section and all other applicable codes.
2. Building Permit. All Accessory Dwelling Unit or Junior Accessory Dwelling Units shall require a building permit, subject to all the standard application and processing fees and procedures that apply to building permits generally. No other Planning-related permit is required.
3. Issuance of Permit. The City shall issue a building permit within (60) sixty calendar days from the date on which the City received a completed application, unless either.
  - a. The applicant requests a delay, in which case the 60-day time period is put on hold for the period of the requested delay; or
  - b. The application to create an Accessory Dwelling Unit or Junior Accessory Dwelling Unit is submitted with an application to create a new single-family dwelling unit on the parcel. The City may delay acting on the Accessory Dwelling Unit application until such time as the new single family dwelling unit is approved.

E. ADU Terms and Definitions.

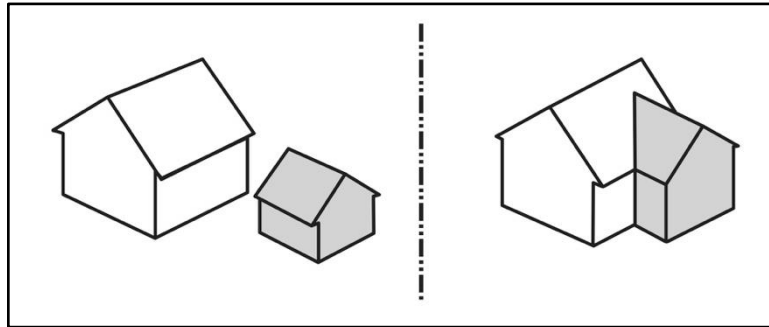
The following terms are used in this section. For definitions, see the Glossary in Article 6.

1. Accessory Dwelling Unit.

2. Accessory Structure.
3. Car Share.
4. Efficiency Kitchen.
5. Efficiency Unit.
6. Independent Living Facility.
7. Living Area.
8. Passageway.
9. Primary Dwelling.
10. Public Transit.
11. Single-unit, Two-unit, and Multi-unit.
12. Tandem Parking.

F. Types of Accessory Dwelling Units.

1. Accessory Dwelling Units, Attached and Detached

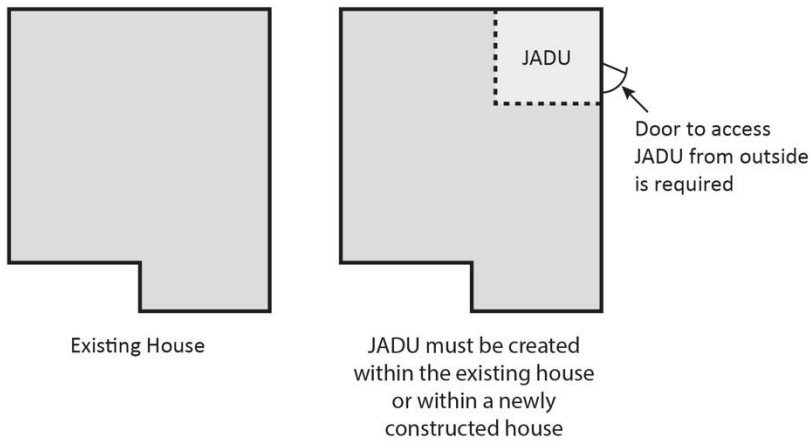


*Accessory Dwelling Units can be detached from (left) or attached to (right) the primary unit.*

- a. Attached. An Accessory Dwelling Unit that is attached to an existing or proposed primary dwelling, such as through a shared wall, floor, or ceiling. An Attached Accessory Dwelling Unit can be created by converting a portion of an existing primary dwelling, by constructing a new primary dwelling which includes an Accessory Dwelling Unit, or by constructing an addition to an existing primary dwelling.
- b. Detached. An Accessory Dwelling Unit that is physically detached or separated from the primary dwelling. Detached includes a second-story addition above an existing detached structure. A Detached Accessory Dwelling Unit can be new construction or the conversion or expansion of

an existing structure. Tiny homes, as defined in Article 6, may be used as Detached Accessory Dwelling Units.

2. Junior Accessory Dwelling Unit. An attached Accessory Dwelling Unit that is a unit that meets specific criteria as specified below.
  - a. Maximum gross floor area of 500 square feet in size.
  - b. Contained entirely within the existing footprint or area a single-unit primary dwelling (see illustration below). Plans for new single-family homes may include a JADU.
  - c. Has a separate entrance from the main entrance to the primary dwelling.
  - d. Has a bathroom that is either in the Junior ADU or in the primary dwelling.
  - e. Includes an efficiency kitchen.



G. Number of Accessory Dwelling Units on Lots or Parcels Which Allow Single-Family Homes.

The following number of Accessory Dwelling Units apply in all zoning districts that allow single family homes as a permitted use:

1. Two Accessory Dwelling Units shall be allowed on a parcel with one primary dwelling unit. The second Accessory Dwelling Unit shall be counted as part of the residential density of the parcel.
2. One Junior Accessory Dwelling Unit shall be allowed on a parcel with primary dwelling.
3. Up to one attached or detached Accessory Dwelling Unit and one Junior Accessory Dwelling Unit shall be allowed on a single parcel.

H. Number of Accessory Dwelling Units on Lots or Parcels Which Allow Multi-Family Homes.

The following number of Accessory Dwelling Units apply in all zoning districts that allow multi-family homes as a permitted use:

1. Attached Accessory Dwelling Units.
  - a. At least (1) one attached or up to (25) twenty-five percent of the number of the existing multi-family units shall be allowed as Attached Accessory Dwelling Units in an existing multi-family development.
  - b. Attached Accessory Dwelling Units in a multi-family development may be created only through the conversion of parts of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages.
2. Detached Accessory Dwelling Units. Up to (2) two detached Accessory Dwelling Units shall be allowed on a parcel with one or more multi-family structures, subject to compliance with the development standards for Detached Accessory Dwelling Units in this Chapter.

I. Development Standards for Attached and Detached Accessory Dwelling Units.

1. Attached Accessory Dwelling Units
  - a. Location. Shall be located on the same lot or parcel as a primary dwelling unit and be attached to the primary dwelling unit by at least one wall or by a ceiling (above or below the primary dwelling unit).
  - b. Size. The total floor area of an Attached Accessory Dwelling Unit shall not exceed 1,500 square feet gross floor area. This limit does not include up to (150) one hundred-fifty square feet of area added to the primary dwelling for the sole purpose of providing access to the Accessory Dwelling Unit.
  - c. Setbacks.
    - i. Front yard setback: Per the zoning district standard for the primary dwelling.
    - ii. Side yard: Four (4) feet.
    - iii. Rear yard: Four (4) feet.

If an attached garage is proposed for the Accessory Dwelling Unit, the setbacks above shall apply to the Accessory Dwelling Unit and the attached garage.

- d. Height. Per the zoning district standard for the primary dwelling.



- e. Access. An attached Accessory Dwelling Unit shall have direct exterior access separate from the main entrance to the primary dwelling.
  - f. Design. Accessory dwelling units shall be compatible with the architectural style, materials, and colors of the primary dwelling unit. Accessory Dwelling Units built using City-approved designs, or kit or modular homes may differ in architectural style and materials.
  - g. See subsection K, below, for parking requirements.
  - h. Outside facilities in conjunction with a veterinarian office would require a CUP Environmental Health clearance is required for water and wastewater systems serving the Accessory Dwelling Unit.
2. Detached Accessory Dwelling Unit Development Standards
- a. Location. Shall be located on the same lot or parcel as a primary dwelling unit.
  - b. Size. No minimum size, except as needed to conform with the requirements for an Efficiency Unit as defined in the Building Code. A Detached Accessory Dwelling Unit shall not exceed a gross floor area of 1,500 square feet in size.
  - c. Setbacks.
    - i. Front yard setback: Per the zoning district standard for the primary dwelling.
    - ii. Side yard: (4) Four feet.
    - iii. Rear yard: (4) Four feet.

If an attached garage is proposed for the Accessory Dwelling Unit, the setbacks above shall apply to the Accessory Dwelling Unit and the attached garage.

- d. Height. 25 feet for new structures built specifically as an Accessory Dwelling Unit. Existing structures can be converted to an Accessory Dwelling Unit consistent with the requirements of this Article.
- e. Design. Accessory dwelling units shall be compatible with the architectural style, materials, and colors of the primary dwelling unit. Accessory Dwelling Units built using City-approved designs may differ in architectural style and materials.
- f. See subsection K, below, for parking requirements.
- g. Environmental Health clearance is required for water and wastewater systems serving the Accessory Dwelling Unit.

3. Junior Accessory Dwelling Unit Development Standards
  - a. Location. A JADU Shall be contained entirely within the existing footprint or area of a single-unit primary dwelling. Plans for new single-family homes may propose an integrated JADU.
  - b. Size. Maximum of (500) five hundred square feet of living area. Up to (150) one hundred fifty square feet of building space may be added to the primary dwelling for the sole purpose of providing access to the Accessory Dwelling Unit; this shall not count toward the maximum area for the Junior Accessory Dwelling Unit.
  - c. Access. A Junior Accessory Dwelling Unit shall have direct exterior access separate from the main entrance to the primary dwelling.
  - d. Kitchen. Each Junior Accessory Dwelling Unit shall include an efficiency kitchen.
  - e. Utilities.
    - i. Whether built as part of a new dwelling or converted from space in an existing dwelling, a Junior Accessory Dwelling Unit shall not be considered a separate or new dwelling unit for the purposes of calculating connection fees or City charges for utilities, including water, sewer, or power service, or impact fees.
    - ii. No new or separate utility connection between the Junior Accessory Dwelling Unit and the utility shall be required, although the property owner may voluntarily install a submeter for the Junior Accessory Dwelling Unit.
    - iii. Any utility charges or fees shall be consistent with state law.
  - f. Parking. No additional off-street parking is required for a Junior Accessory Dwelling Unit.
  - g. Environmental Health clearance is required for water and wastewater systems serving the Junior Accessory Dwelling Unit.
  - h. Owner Occupancy Requirements for Junior ADUs.
    - i. A person with legal or equitable title to the primary dwelling shall reside on the property in either the primary dwelling or Junior Accessory Dwelling Unit as that person's legal domicile and permanent residence.

- ii. The owner occupancy requirement does not apply if the property is entirely owned by a governmental agency, land trust, or non-profit housing organization.
- iii. Prior to issuance of a Building Permit for a Junior Accessory Dwelling Unit, a deed restriction shall be recorded in the chain of title of the primary single-unit property. The form of the deed restriction shall be approved by the City and shall provide that the Junior Accessory Dwelling Units shall not be sold separately from the primary dwelling.
- iv. The deed restriction shall run with the land and shall be enforced against future property owners.

J. Impact Fees.

1. Impact Fee Requirements

- a. No City-imposed impact fees shall be charged for an Accessory Dwelling Unit that is less than (750) seven hundred fifty square feet in size.
- b. For Accessory Dwelling Units with a gross floor area (750) seven hundred fifty square feet or larger, City-imposed impact fees shall be charged proportionately in relation to the square footage of the primary dwelling (e.g., the floor area of the Accessory Dwelling Unit, divided by the floor area of the primary dwelling, times the typical fee amount charged for a new dwelling). See the example below:
  - 750 square foot ADU
  - 2,250 square foot primary dwelling

Example:  $750/2,250 = 0.33$  ADU pays 0.33 (33%) of the fees that would be charged for the primary dwelling

- c. For the purposes of this Subsection, impact fees do not include any connection fee or capacity charge for water or sewer service or charges for garbage or recycling service.
- d. Fees imposed by any agency or special district other than the City shall be collected in accordance with the agency's or district's fee schedule.

K. ADU Required Parking.

1. Number of Parking Spaces.

- a. One off-street parking space, covered or uncovered, is required for each Attached and Detached Accessory Dwelling Unit.

- b. No off-street parking is required for an Attached or Detached Accessory Dwelling Unit if one or more of the following applies:
    - i. The Accessory Dwelling Unit is located within one-half mile walking distance of public transit, including transit stations and bus stations.
    - ii. When on-street parking permits are required by the City but not offered to the occupant of the Accessory Dwelling Unit.
    - iii. The Accessory Dwelling Unit is part of the proposed or existing primary residence.
    - iv. The Accessory Dwelling Unit is the conversion of an existing accessory structure.
    - v. When there is a car share vehicle located within one block of the Accessory Dwelling Unit.
  - c. No off-street parking is required for a Junior Accessory Dwelling Unit.
  - d. Required off-street parking for an Accessory Dwelling Unit space may be provided as tandem parking, including on a paved driveway.
2. Parking lost when a garage, carport, or covered parking structure is demolished to allow for the construction of an Accessory Dwelling Unit or for the conversion of a structure to an Accessory Dwelling Unit shall not be required to be replaced. Parking lost when an attached garage is converted to a Junior Accessory Dwelling Unit shall not be required to be replaced.

SECTION 406 MULTI-FAMILY DEVELOPMENT POLICIES AND OBJECTIVE DESIGN STANDARDS

The objective design standards supplement the development standards in the Zoning Code and serve as minimum requirements for multi-family residential development, as well as for mixed-use development that contains residential uses. The objective design standards also further the goals, policies, and actions of the General Plan, which encourage high quality design in the City of Isleton.

Objective design standards are those that involve no personal or subjective judgment by the plan reviewer and are uniformly verifiable by reference to an external and uniform benchmark.

- A. **Applicability.** For a multifamily residential development or mixed-use residential development. For affordable housing projects, eligible for a streamlined ministerial approval process, this section provides objective design standards that the project must meet as set forth in Government Code section 65913.4. These design standards shall also be used as guidelines for multi-family developments other than affordable housing projects for discretionary review.

The discretionary design review process described in Article 5 of this Code shall be used for all multi-family residential development projects that are not eligible for affordable housing/ streamlined review. All applicable design standards for multifamily or mixed-use development including those for affordable housing projects, are referenced below.

B. Site Planning. The following design and development standards shall apply to the location of buildings and site features within a multi-family project:

1. Neighborhood Compatibility.

- a. Residential projects located across the street from or adjacent to single-family neighborhoods shall orient the following features toward the street: individual entries, patio areas and landscaping.
  - i. Multi-family units abutting single-family neighborhoods shall include individual front doors and interior stairs (when stairs are needed).
  - ii. Parking lot areas and carports shall not be located along single-family neighborhood street frontages.
- b. When located adjacent to one- or two-story single-family detached homes, the design of multi-unit structures along the project edge shall be designed to transition in scale. This can be achieved by the following standards:
  - i. Subdividing perimeter buildings into segments compatible with adjacent residential scale (e.g., upper story setbacks).
  - ii. Limiting the height of the portion of the multi-family structures within 100 (one hundred) feet of the common boundary to two stories. Beyond 100 (one hundred) feet, structures (and portions thereof) up to the height limit are permitted.

2. Pedestrian Access, and Open Space.

The following standards apply to the design of pedestrian and open space features within a multifamily project.

- a. On-site pedestrian circulation and access shall be provided according to the following standards:
  - i. Pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
  - ii. An on-site walkway shall connect the primary building entry or entries to a public sidewalk along each street right-of-way.

- iii. Walkways shall be a minimum of four feet wide and paved with concrete or pavers, either situated on a concrete or a permeable base.
  - iv. All outdoor stairs on a site shall be covered to protect them from weather conditions. The design of outdoor stair coverings shall be compatible with the architectural style, materials, and colors used in the main building.
- b. Common open space is required for all multifamily projects with more than 10 (ten) units and shall be provided according to the following standards:
- i. Common open space shall be incorporated into the site plan as a primary design feature and not just as remnant pieces of land used as open space. The open space shall be centrally located and positioned within the viewshed of the nearest units, such that the residents can watch over the area.
  - ii. Common open space shall be provided at a rate of 100 square feet of open space per dwelling unit. Required front, side, and rear setbacks shall not be counted toward meeting open space requirements.
  - iii. Common open space is open space used commonly by residents of a building, having a minimum dimension of fifteen feet in any direction and a minimum area of three hundred square feet.
  - iv. Common open space may be comprised of the following: patios with picnic tables and BBQ area with shade structure(s), community gardens, swimming pools, natural open space area with benches/viewing areas and/or trails, tot-lots/play structures, and sports courts (e.g. tennis, basketball, volleyball), and other active/passive recreation areas. These areas must be accessible to building residents and their visitors.
  - v. Common open space shall not include driveways, pedestrian access to units from common pedestrian walkways, parking areas or required front, side or rear setback areas.
  - vi. A minimum of 60% of the common open space shall be provided as a landscaped turf area or garden.
- c. For all multifamily projects with more than 10 (ten) units including affordable housing projects, private open space shall be reserved for the exclusive use of residents of every dwelling unit (such as patios or balconies). The following requirements shall apply:

- i. Private open space areas at ground level, such as patios, shall have a minimum of 120 square feet of private outdoor space directly adjacent to the unit.
    - ii. Private open space above ground level, such as balconies, shall have a minimum of 60 square feet of area with no dimension less than six feet.
    - iii. Private outdoor space shall be delineated by a wall, fence, or hedge.
  - d. Parking and Garages. Reduced parking standards shall apply to affordable housing projects in accordance with California Health and Safety Codes Sections 5-1-6 and 50106.
    - i. To facilitate development of attached housing forms (such as townhouses), rear alleys may be used for accessing garages, off street parking, utilities and trash facilities.
    - ii. All multi-family developments shall provide off-street parking for visitors at locations reasonably central to the units to be served at a ratio of one (1) space for each four (4) dwelling units. On-street parking spaces may be substituted for visitor parking at the ratio of one (1) space for each eight (8) units
    - iii. At least one-half ( $\frac{1}{2}$ ) of all off-street multi-family tenant parking spaces shall be covered by a garage or carport. Guest spaces may be uncovered or covered.
    - iv. Carports, detached garages, and accessory structures shall use similar materials, colors, and details equivalent to the principal buildings of a development.

3. Lighting and Landscaping.

The following standards apply to the design of landscaping and lighting within all multiple family residential and mixed use housing projects.

- a. Landscaping
  - i. Landscaping around the building perimeter is required.
  - ii. Within the landscaped area between the right-of-way and buildings, trees shall be planted at a rate of one for each twenty feet of landscaped area. Trees shall be located between four (4) and ten (10) feet from the back of the sidewalk. The landscaped area shall also include shrubs, ground covers, and other natural growth, or stormwater quality features and drainage treatments.

- iii. At least one half of the trees and shrubs shall consists of native and drought tolerant plants.
- b. **Parking Lot Landscaping**
  - i. A perimeter landscaped strip at least ten feet wide shall be provided for any parking area adjacent to a public street or to the side or rear property line. The perimeter landscaped strip may be located within a required setback area.
  - ii. Trees shall be planted and maintained in all parking lots at a minimum ratio of one tree for every six parking spaces. Trees shall be evenly distributed throughout the entire parking area.



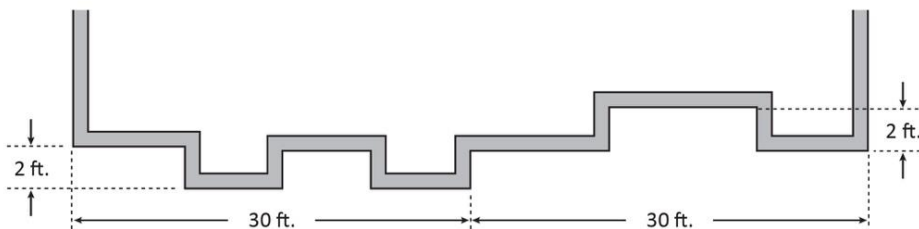
- c. Lighting
  - i. High-efficiency, warm white light shall be used.
  - ii. Lighting shall be shielded to reduce light pollution and arranged to reflect or direct light away from adjacent residential properties.

4. Architectural Design.

The following standards apply to the architectural design of the multi-family project.

a. Massing and Articulation

- i. A minimum two-foot offset is required for any wall plane that exceeds 30 feet in length.



All street-facing facades shall have at least one horizontal or vertical projection or recess at least two feet in depth, for every 30 horizontal feet of wall. Building entrances and front porches may count towards meeting this requirement.

- ii. Buildings over two stories tall shall have massing breaks at least every 100 feet along any street frontage adjacent to a public park, publicly accessible outdoor space, or designated open space. Breaks in massing may be provided through the use of varying setbacks, massing breaks, and/or building entries. Massing breaks, or modulation of building facades, shall be a minimum of two feet deep and four feet wide and extend the full height of the building. Building entrances and front porches may count towards meeting this requirement.
- iii. Variation of roof forms shall be used on buildings of over 50 feet in length along the street frontage and accomplished through the use of differences in roof height and/or form.
- iv. Varied roof form shall be used as appropriate to the architectural style, including but not limited to the following: hipped roofs, shed

roofs, gabled roofs, varying pitches, and roof dormers. Flat roofs shall also be appropriate behind parapet walls.

- v. Design of rooflines with changes in ridgeline direction and configuration shall be used to ensure variation in rooflines between structures.
- vi. Upper stories shall not project beyond the ground floor footprint, except for bay windows or balconies.
- vii. A minimum of two architectural features shall be incorporated into each building, including: dormers, bay windows, enhanced individualized entries, and accent materials.
- viii. Attached housing (such as townhouses) shall look like separate units by the use of clearly identified entries, style and design details, and differing roof forms.
- ix. All primary entrances into residential buildings or individual units shall provide weather protection extending a minimum of four feet from the building façade and four feet in width.

b. Façade Detailing and Materials

- i. While diversity of architecture is encouraged, each multi-family dwelling or building shall be designed with a single architectural style.
- ii. Where placement within the site allows, the front door to each unit shall be clearly visible from the adjacent street. The use of distinctive architectural elements and materials to denote prominent entrances is required.
- iii. Where the side façade at the end of a building is oriented to a street, driveway, or common open space area, massing and level of detailing of the side façade shall be consistent with the front façade. Articulation of the side façade may include windows, doors, and porches.
- iv. All building facades visible from the public right-of-way shall incorporate two or more of the following details: window recesses, cornices, changes in materials or other design elements. All building facades shall be designed with the same level of detailing and quality of materials.

- v. Window trim shall be a minimum of three inches in width and one inch in depth. In lieu of exterior window trim, windows may be recessed from a wall plane by a minimum of two inches.
- vi. A unified palette (color, texture, sheen) of materials shall be used on all sides of buildings. Every building shall have at least two complementary colors.
- vii. At least two materials shall be used on any building frontage, in addition to glazing and railings. One material must comprise at least 20% of the building facade.
- viii. Allowed materials shall include stone, brick, stucco, painted wood clapboard, and unpainted stone, river rock, or slate. The following materials are prohibited: precision concrete block, T111 plywood, vinyl siding, and metal siding (architectural metal treatments may be considered).
- ix. Roofing materials shall consist of the following: dimensional composite shingles, clay tile, concrete, and standing seam metal. Wood shingles shall be prohibited.

5. Accessory Features.

The following standards apply to the design of accessory features within the multi-family project.

a. Walls and Fences

- i. All wall and fence designs shall integrate materials and detailing that are used on the primary buildings (e.g. pilasters, stonework, wrought iron, or colors).
- ii. Walls shall be constructed of decorative masonry, including CMU walls, split-face walls, slump stone or material of similar appearance, maintenance, and structural durability. Precision concrete block is prohibited unless coated in stucco or a similar surface treatment.
- iii. Fencing between private yards and common open spaces shall be a minimum of six feet in height.
- iv. Exterior trash, refuse storage, utility boxes, and electric and gas meters shall be screened from the public right of way with landscaping, fences, or walls.

b. Refuse Containers

- i. Developments with four or fewer units may be designed so that units are provided with individual refuse containers. Refuse containers must be provided with a location to be stored which is out of view from pedestrian walkways and internal and external roadways.
- ii. In developments with five units or more, shared refuse containers shall be provided, which shall be located within an enclosure or building designed in compliance with the City's Public Improvement Standards.
- iii. Refuse enclosures shall be located so that no dwelling is closer than 20 feet (including those on abutting properties), or more than 100 feet from a residential unit.

## SECTION 407 CANNABIS LAND USE REGULATIONS

### A. Definitions

For the purposes of this article, the following terms shall apply, unless the context clearly indicates otherwise. For definitions, see the Glossary in Article 6. If a word is not defined in Article 6, the common and ordinary meaning of the word shall apply.

1. Authorized grower
2. Cannabis
3. Cannabis dispensary
4. Cannabis products
5. Commercial cannabis activity
6. Commercial cannabis facility
7. Cultivation
8. Day care center
9. Delivery
10. Greenhouse
11. Identification card
12. Immature cannabis plant
13. Indoor cultivation
14. Legal parcel
15. Mature cannabis plant

16. Manufacture
17. Medical cannabis
18. Mobile cannabis dispensary
19. Outdoor cultivation
20. Person with an identification card
21. Premises
22. Primary caregiver
23. Qualified patient
24. Residential structure
25. Smoking
26. Testing laboratory

B. Indoor Cultivation For Personal Use

Indoor cultivation for personal use in accordance with this article shall only be permitted in R1 family residential districts, and RM multi-family residential districts.

1. Indoor cultivation for personal use is permitted in residential structures and greenhouses located in R1-family residential districts, and RM multi-family residential districts.
2. Indoor cultivation of no more than six mature or 12 immature cannabis plants for personal use shall be permitted in residential areas subject to the following conditions:
3. There shall be no exterior visibility or evidence of the indoor cultivation from the public right-of-way, including, but not limited to, any cannabis plants, equipment used in the growing and cultivation operation, and any light emanating from cultivation lighting.
  - a. Grow lights used for indoor cultivation shall not exceed 1,200 watts each and shall comply with the California Building, Electrical, and Fire Codes as adopted by the city. Gas products (including, without limitation, butane, propane, and natural gas), or generators shall not be used within any detached structure used for the cultivation of cannabis.
  - b. The residential structure or greenhouse used for personal indoor cultivation shall have a ventilation and filtration system installed that shall prevent cannabis plant odors from exiting the interior of the structure and that shall

comply with California Building Code § 402.3, Mechanical Ventilation, as now existing or hereafter amended.

- c. The residential premises used for personal indoor cultivation shall have a fully functional and usable kitchen, bathroom, and bedroom areas for their intended use by the resident grower, and the premises shall not be used primarily or exclusively for cannabis cultivation.
- d. The authorized grower shall reside full-time in the residence where the cannabis cultivation occurs.

4. Commercial cannabis activity is prohibited in residential zones.

#### C. Outdoor Cannabis Cultivation Prohibited

It is unlawful, a public nuisance, and a violation of this article for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the city to cause or allow such premises to be used for outdoor cultivation.

#### D. Cultivation Permits

- 1. Indoor cultivation without a cultivation permit. It is unlawful, a public nuisance, and a violation of this article for any person owning, leasing, occupying, or having charge or possession of any parcel within any zoning district in the city to cause or allow such premises to be used for indoor cultivation without a cultivation permit.
- 2. Number of permits per residence. Only one permit shall be allowed per residence.
- 3. Permit requirements. The following information will be required with the initial permit application and subsequent permit extensions:
  - a. The physical site address of where the cannabis will be cultivated.
  - b. The name of each person owning, leasing, occupying, or having charge of any legal parcel or premises where cannabis will be cultivated.
  - c. Property owner's written consent to the cultivation of cannabis at the premises, if different from the authorized grower.
- 4. Permit duration. The initial permit shall be valid for three years, and thereafter may be extended in increments of three years upon the determination by the city manager or his or her designee, to ensure the standards and conditions set forth in this article are being met.
- 5. Adjudication of permits. The city manager or his or her designee may deny an application for a cannabis cultivation permit, or extension thereof, that does not demonstrate satisfaction of the minimum requirements of this Article and state law.

6. Permit fees. The city may establish, by resolution, a fee or fees required to be paid upon filing an application for permit(s) as provided by this chapter, which fees shall not exceed the reasonable cost of administering this chapter.

E. Commercial Cannabis Activity Near Schools and Day Care Centers

It is unlawful and a public nuisance to use any legal parcel or premises for commercial cannabis activity within 600 (six hundred) feet of any school or day care center. Six hundred feet shall be measured from the closest property line of the school or day care center to the closest property line of the parcel upon which commercial cannabis activity will take place.

F. Commercial Cannabis Facilities

Subject to Section 413 and Article 5, commercial cannabis facilities may only be established in CC and PDI districts as set forth in this section. In addition to the requirements set forth in Article 5, all commercial cannabis facilities used for commercial cannabis activity shall be subject to the following additional conditions:

1. Commercial cannabis facilities shall require a development agreement approved by the City Council prior to operation.
2. Prior to commencing operation of commercial cannabis activity, a public safety and security plan for every commercial cannabis facility that is reviewed and approved by the city.
3. Commercial cannabis facilities shall have a ventilation and filtration system installed that shall prevent cannabis plant odors from exiting the interior of the structure and that shall comply with California Building Code § 402.3, Mechanical Ventilation, as now existing or hereafter amended.
4. Commercial cannabis facilities shall not be accessible to persons under 21 years of age, except that commercial cannabis facilities licensed to sell medicinal cannabis shall be accessible to persons 18 years of age or older who possess a valid government-issue identification card and either a valid county-issued identification card under § 11362.712 of the Health and Safety Code or a valid physician's recommendation for himself or herself or for a person for whom he or she is a primary caregiver.

G. Commercial Cannabis Facilities - Conditional Use Permits

1. Conditional use permit required. All commercial cannabis facilities within the city shall require a conditional use permit.
2. Conditional use permit applications. An application and accompanying materials shall be submitted to the planning department. The application and accompanying materials shall be in the form required by the planning department and shall satisfy all information requirements contained in the checklist maintained by the planning department.
3. Duration of conditional use permit. Any conditional use permit issued by the city pursuant to this section shall be valid for five years from the date of issuance.



Conditional use permits issued pursuant to this section may be extended in increments of one year. Such extensions are discretionary and subject to the owner of a commercial cannabis facility complying with all substantive and procedural requirements imposed by the city. Furthermore, the city retains the right to deny any application for a conditional use permit for a commercial cannabis facility, or extension of a conditional use permit, where it finds that the issuance of such permit or extension does not demonstrate satisfaction of the minimum requirements of this chapter.

4. Termination of conditional use permit. Notwithstanding any other provision in the city's Municipal Code, conditional use permits issued for commercial cannabis facilities shall automatically be considered revoked if:
  - a. The owner of the commercial cannabis facility attempts to transfer the commercial cannabis facility to another individual not named in the conditional use permit application as an owner or person in charge;
  - b. The commercial cannabis facility ceases to operate at the premises described in the conditional use permit application; or
  - c. The commercial cannabis facility ceases to operate for 60 consecutive calendar days.
5. Transfer of conditional use permits. The city manager shall have the authority to transfer conditional use permits from one owner to another owner where the owner of a commercial cannabis facility seeks to transfer their interest to another party.
6. Conditional use permit application fee. Prior to the city reviewing any application for a conditional use permit for commercial cannabis facilities, the applicant shall pay a fee to the city in an amount to be set by resolution of the city council.
7. Enforcement. In the event the city discovers the requirements of a development agreement or conditions of a conditional use permit have not been, or are not being, complied with, the city may commence revocation of the conditional use permit. The city shall give the owner of the commercial cannabis facility notice of the city's intention to revoke the conditional use permit at least ten days prior to the planning commission considering the revocation of the conditional use permit. Conditional use permits for commercial cannabis facilities may only be revoked by the city's planning commission.
8. General regulations. The following regulations shall apply to all commercial cannabis facilities:
  - a. On-premises cannabis use. Cannabis may not be inhaled, smoked, eaten, ingested, or otherwise consumed on the premises or in the parking areas of

a commercial cannabis facility, unless such on-premises use is specifically authorized through a conditional use permit.

- b. Visibility from public right-of-way. Cannabis or cannabis products on the premises shall not be visible from the public right of way, the unsecured areas surrounding the buildings on the premises, or the premises' main entrance and lobby.
  - c. No unaccompanied minors on premises. Unless a minor is a qualified patient or primary caregiver, or is accompanied by its parent or legal guardian, no minor shall be allowed to enter the premises of a commercial cannabis facility.
  - d. Accessibility to public. Except for retail facilities, access to a commercial cannabis facility shall be restricted to employees of that commercial cannabis facility.
9. Use-specific regulations.
- a. The total number of commercial cannabis facilities engaging primarily in retail cannabis sales in the city shall not exceed three.
  - b. The city will process completed applications for conditional use permits for commercial cannabis facilities on a first-come, first-served basis. Approval of conditional use permit applications will be based on the submission date of complete applications, demonstrated compliance with state laws, the compliance with all other requirements set forth in the Municipal Code, and the full execution of a development agreement with the city.

H. Cannabis Use On Public Property

It is hereby declared to be unlawful, a public nuisance, and a violation of this code to smoke cannabis or cannabis products on city property. Violations of this provision shall be punishable as a misdemeanor.

I. Public Nuisance - Cannabis

The violation of Sections 407 (A through H) are hereby declared to be a public nuisance and contrary to the public interests and shall, at the discretion of the city, create a cause of action for injunctive relief.

SECTION 408 TRANSITIONAL HOUSING, SUPPORTIVE HOUSING, AND LOW BARRIER NAVIGATION CENTERS

A. Purpose

These provisions are intended to allow transitional housing and supportive housing, as defined in Government Code Section 65582, and low barrier navigation centers, as defined

in Government Code Section 65660, consistent with State law to ensure equality of treatment for all residential uses regardless of the occupant. Supportive housing is generally described as permanent housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives. Transitional housing is generally described as a type of housing used to facilitate the movement of people experiencing homelessness into permanent housing and independent living. A low-barrier navigation center is generally described as a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

## B. Permitted Zones

1. Transitional and supportive housing shall be permitted in any zone that allows residential uses, and subject only to the provisions and development standards applicable to residential uses of the same type in the same zone.
2. Supportive housing shall be permitted in zones where multifamily and mixed uses are allowed if the proposed housing development satisfies all of the requirements of California Government Code Section 65651(a).
3. If the supportive housing development is located within one-half mile walking distance of a public transit stop, no parking spaces are required for the units occupied by supportive housing residents per Government Code Section 65654.
4. Low-barrier navigation centers shall be permitted in any zone that allows mixed-use and nonresidential zones that allow multifamily uses. Low-barrier navigation centers shall be allowed by-right if the application is in compliance with the following development and management standards:
  - a. The low-barrier navigation center offers services to connect people to permanent housing through a services plan that identifies services staffing;
  - b. The low-barrier navigation center 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 individuals to permanent housing;
    - i. "Coordinated entry system" is generally described as a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
  - c. The low-barrier navigation center complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code;

- d. The low-barrier navigation center has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information Systems, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations; and
  - e. The low-barrier navigation center complies with the development standards established for emergency shelters in Section 409 of this Article.
  - f. A planning permit is required prior to establishment of any low-barrier navigation center. The permit shall be a ministerial action without discretionary review or a hearing. The City shall notify a developer whether the developer's application is complete within 30 days, pursuant to California Government Code Section 65943. Action shall be taken within 60 days of a complete application being filed.
5. Subsection 4 of this Section shall remain in effect until January 1, 2027. As of January 1, 2027, subsection 4 shall be repealed unless State law is amended to require this subsection to be in effect beyond that date.

SECTION 409            EMERGENCY SHELTER REGULATIONS

A. Emergency Shelter Regulations Established.

The City hereby establishes emergency shelters which meet the following objective development and design standards, shall be allowed by right and are exempt from the provisions of the California Environmental Quality Act within the MXU district.

B. Application of Emergency Shelter Requirements.

Emergency shelters that comply with these standards may be established without a conditional use permit or any other discretionary review.

C. Emergency Shelter Development Standards.

Emergency shelters shall comply with the following objective standards:

- 1. Separation. An emergency shelter shall not be established or operated at any location less than three hundred (300) feet from another emergency shelter providing shelter and other services to homeless persons, provided, however, that this standard shall not apply where homeless shelters proposed to be located within three hundred (300) feet of each other are operated by the same social service provider, as defined in Article 6 of this Code.
- 2. Number of Emergency Shelters. The number and capacity of emergency shelters allowed without a conditional use permit approval shall be limited to that required to meet the shelter needs of the number of estimated homeless persons in the City,

as established by current reliable information. This number shall be updated every two (2) years, after the "point-in-time counts" are published for the County.

3. **Maximum Number of Beds.** The maximum number of beds per emergency shelter facility shall not exceed the most recent point-in-time count for unhoused individuals within the City of Isleton at the time of application submittal, not to exceed 35 beds per facility. Beds shall be made available to individuals meeting the City-defined criteria for local individuals; the emergency shelter facility shall not be a regional facility.
4. **On-site Waiting and Intake Areas.** On-site waiting and client intake areas shall be provided in the emergency shelter building. Outdoor waiting areas, if provided, shall be visually screened from the public right-of-way and from adjacent land uses.
5. **Parking.** Subject to Government Code Section 65583(a)(4)(B)(ii), sufficient parking shall be provided to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.
6. **Personal Storage.** A private storage area, such as a locker may be provided with each on-site bed. Regulations regarding personal storage use shall be set by City-approved policy, posted on-site, and provided upon intake to all clients.
7. **Shower and Toilet Facilities.** Toilets, sinks, and showers shall be provided on-site. The emergency shelter manager shall be responsible for ensuring that all restroom and shower facilities comply with the California Building Code requirements.
8. **Separate Housing for Families with Children.** Families with children shall be housed separately from other clients and be provided separate restrooms and shower facilities.
9. **Food Service Areas.** The emergency shelter manager shall be responsible for ensuring that any food service or on-site meal preparation areas comply with all applicable requirements of the County Health Department.
10. **Outdoor Storage.** Emergency shelters shall screen all outdoor storage areas from all public rights-of-way and on-site and adjacent parking lots. The emergency shelter manager shall ensure that all outside storage areas be maintained in a neat, clean, and orderly manner at all times.
11. **Exterior Lighting.** Lighting shall be provided in all parking and exterior waiting areas and along the periphery of the building without lighting adjoining properties.
12. **Design Review.** Emergency Shelters shall comply with the City's Zoning Code regarding architectural and development standards to ensure shelters are compatible with their surroundings, provide adequate privacy between uses, and minimize potential impacts of the proposed shelter on adjacent uses.

The process to review emergency shelter compliance with these requirements shall be a ministerial review that shall be considered at the time of building permit review or business license review, whichever comes first. Emergency shelters shall be exempt from all discretionary review processes including Design Review (Article 5, Section 503) and in accordance with state law.

D. Design Standards for Emergency Shelters

The design and orientation of emergency shelters shall ensure the preservation of the character and integrity of surrounding residential and non-residential uses. The following design criteria shall be used for the purpose of evaluating emergency shelters:

1. The height, scale, and massing shall be similar to nearby structures and the building design shall take into account the architectural design of adjacent buildings.
2. All structures and improvements associated with the development, such as parking facilities, traffic circulation, light standards and other ancillary features, shall be designed to avoid interference with its surrounding environment.
3. Landscaping shall be utilized and designed to enhance the compatibility of existing and new facilities.
4. All noise-producing equipment such as compressors, heating and air-conditioning units shall be insulated or enclosed so that they do not adversely impact adjacent properties.
5. Areas for trash or outdoor storage shall be provided for each use, and such areas shall be enclosed and architecturally screened in such a manner as to conceal all trash or stored material from public view.

E. Emergency Shelters Management and Operational Standards.

Emergency shelters shall be managed and operated in conformance with the following objective standards:

1. Shelter Operator. The emergency shelter shall be operated by a social service provider.
2. On-Site Management. The emergency shelter shall provide at least one (1) qualified on-site manager at all times, plus one (1) attendant for each twenty (20) occupants.
3. Maximum Stay. Occupancy for any individual or family shall not exceed six (6) months in a three hundred sixty-five (365) day period. No individual shall be denied emergency shelter because of an inability to pay.
4. Security Measures. Each emergency shelter operator shall submit to the Planning Director a plan for security during hours that the emergency shelter is in operation, taking into account the location of the emergency shelter. Such security plan may include fencing, appropriate surveillance measures, and/or on-site security personnel. Said Plan shall include a Management Plan. Each emergency shelter operator shall submit to the Planning Director a Management Plan which contains the following information:

- a. Client intake and screening processes;
- b. A description of services to be provided at the emergency shelter;
- c. Length of stay allowed for clients;
- d. Hours of operation;
- e. A set of facility rules and procedures for maintaining a safe environment within and outside the emergency shelter.
- f. The posting of signage regarding rules of the emergency shelter.
- g. Staff training programs.
- h. Referral service and distribution of resources available to clients for obtaining permanent shelter, mental and physical health care and other supportive services.
- i. Emergency plan, including, but not limited to emergency contact numbers, evacuation plans and on-site safety measures.
- j. Submission of the Emergency Plan and the Management Plan to the Planning Director shall be solely for informational purposes; said plans shall not be subject to discretionary review and/or approval.

SECTION 410 FARMWORKER HOUSING

A. Definitions

For the purposes of this article, the following terms shall apply, unless the context clearly indicates otherwise. For definitions, see the Glossary in Article 6. If a word is not defined in Article 6, the common and ordinary meaning of the word shall apply.

- 1. Agricultural Employee.
- 2. Agricultural Employee Housing.

B. The development and use of agricultural employee housing shall comply with the following standards:

- 1. Agricultural employee housing shall be occupied only by farm employees (and their households) engaged in commercial agricultural labor;
- 2. No more than 36 beds in a group quarters or up to 12 units are allowed on an individual parcel;
- 3. At least one parking space per unit or one space per three beds, whichever is more, shall be provided;



4. The property owner shall obtain all permits and/or approvals from the City of Isleton as applicable, and the State Department of Housing and Community Development (HCD) pursuant to Title 25 of the California Code of Regulations. Agricultural housing shall also comply with all development standards in the Zoning Code.
5. Prior to the submittal of the permit application for agricultural employee housing, the property owner shall provide appropriate evidence to the satisfaction of the Planning Director of active commercial agricultural use. An equestrian-related use is not considered evidence of commercial agriculture for agricultural employee housing;
6. Agricultural employee housing shall be removed from the property or converted to another permitted use that is approved through all permits and approvals required by the City within 90 days of termination of the property's use from agricultural production;
7. A deed restriction prepared to the satisfaction of the City shall be recorded on the subject property prior to issuance of permits, declaring that the agricultural employee housing will be continuously maintained as such in accordance with the Zoning Code and that:
  - a. The property owner will obtain and maintain, for as long as the agricultural employee housing is operated, the appropriate permit(s) from HCD pursuant to the Employee Housing Act and the regulations promulgated thereunder; and
  - b. The property owner will submit the annual verification form as required to the Planning Director.
8. Agricultural housing for five or more employees is subject to the permitting requirements of the California Housing Employee Act. The property owner shall obtain and maintain a permit(s) with HCD, pursuant to the Employee Housing Act and the California Code of Regulations, Title 25, Division 1, Chapter 1, Sections 600 through 940, prior to occupancy of the housing unit(s). A copy of the HCD permit shall be provided to the Planning Director within 14 days of issuance or at the time of building permit application submittal, whichever is earlier; and
9. On an annual basis, the property owner must file a verification form with the Planning Director stating that the commercial agricultural operation is still taking place on the property and that the tenants of the dwelling units or sleeping quarters are employed as agricultural employees, thereby renewing the agricultural certificate for the agricultural employee housing. Failure to file the verification form will be interpreted as indicating the commercial agricultural use has ceased operation and may be the basis for permit revocation.

SECTION 411 DAY CARE – SMALL FAMILY (8 OR FEWER CHILDREN)

All small family child day care homes shall comply with the applicable provisions of State of California Health and Safety Code Chapter 3.6, Sections 1597.44 and 1597.45. Such facilities are exempt from City review and approval.

SECTION 412 DAY CARE – LARGE FAMILY (UP TO 14)

All large family child day care homes shall comply with the applicable provisions of State of California Health and Safety Code Chapter 3.6, Sections 1597.45 and 1597.46. Such facilities are exempt from City review and approval.

SECTION 413 RESIDENTIAL DENSITY BONUS

A. Purpose

This section is adopted in accordance with Section 65915-65918, of the California Government Code. The purpose of this section is to establish a density increase and incentive program to provide both density increases and other incentives for owner-occupied and rental housing developments to encourage the creation of housing affordable to moderate, low, and very low-income households, to encourage the creation of housing for senior citizens, and to encourage the creation of affordable student and youth housing. As used in this section, density bonus units are those units designated for senior citizens, youth and students, or very low, low, or moderate-income households that qualified the housing project for award of a density bonus or other incentives.

B. Applicable Zones

This Section shall be applicable to all zones that allow residential uses.

C. Qualifications

All proposed housing developments that qualify under California Government Code Sections 65915-65918 for a density increase and other incentives, and any qualified land transfer under California state law shall be eligible to apply for a density bonus (including incentives and/or concessions) consistent with the requirements, provisions and obligations set forth in California Government Code Sections 65915-65918, as may be amended.

D. Density Increase and Other Incentives

The City of Isleton shall grant qualifying housing developments and qualifying land transfers a density bonus, incentives, concessions, and waivers, as described in the state Density Bonus Law, as set forth in California Government Code Sections 65915-65918.

E. Application and Review

A developer seeking a density bonus, incentive, or concession shall file an application with

the Isleton Planning Department. The form and content of the application shall be as specified by the Planning Director and shall be subject to a fee established by resolution of the City Council. The Planning Department will process the application concurrently with any other applications required for the housing development. The Planning Department will provide a list of all documents and information required to be submitted with the density bonus application in order for the density bonus application to be deemed complete and will notify the applicant whether the application is complete in a manner consistent with the timelines in Government Code Section 65943.

F. Incentives, Waivers, and Concessions Under the State Density Bonus Law

Whenever an applicant seeks an incentive, waiver, or concession under the State Density Bonus Law (Gov. Code § 65915), such requests for incentives, waivers, and concessions shall specify the nature of the incentive, waiver, and concession to a detailed level of specificity. This includes quantifying distances, dollar amounts, or other such details where applicable.

G. Standards for Qualifying Units

All qualifying units shall meet the following requirements:

1. Concurrency. Qualifying units shall be built concurrently with all other units in the development unless the City and the applicant agree in writing to an alternative schedule for development.
2. Location. Qualifying units shall be built on-site wherever possible and, where practical, shall be dispersed within the housing development.
3. Unit Size. Where feasible, the number of bedrooms of the qualifying units shall be equivalent to the bedroom mix of the other units in the development, except that the developer may include a higher proportion of qualifying units with more bedrooms.
4. Design. The design and appearance of the qualifying units shall match the design of the housing development as a whole.
5. Linked Sites. Circumstances may arise in which the public interest would be served by allowing some or all of the qualifying units associated with one housing development to be produced and operated at an alternative development site. If the developer and the City agree in writing to allow the production and operation of qualifying units at an alternative site, the resulting linked developments shall be considered a single housing development for the purposes of this Section.

H. Retention

Consistent with the provisions of California Government Code Section 65915 et seq., prior to a density increase or other incentives being approved for a project, the City of Isleton and the applicant shall agree to an appropriate method of assuring the continued availability of the density bonus units.

I. Denial of Affordable Housing Projects

If at least 20 percent of a housing development's units are sold or rented to low income households, and the balance of the units are sold or rented to either low or moderate income households, it shall not be denied or conditioned in a manner which renders the project infeasible for development for the use of low and moderate income households unless the review authority finds, based upon substantial evidence, one of the following, pursuant to California Government Code Section 65589.5:

1. The project is not needed for the City of Isleton to meet its share of the regional need of low and/or moderate-income housing as outlined in the adopted Housing Element to the General Plan; or
2. The project as proposed would have a specific, adverse impact upon the public health and safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the project unaffordable to low and/or moderate-income households; or
3. Denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the project unaffordable to low and/or moderate-income households; or
4. Approval of the project would increase the concentration of low-income households in a neighborhood that already has a disproportionately high number of low-income households and there is no feasible method of approving the development at a different site, including sites identified in the adopted Housing Element, without rendering the development unaffordable to low and/or moderate-income households; or
5. The project is proposed on land zoned for resource preservation which is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project; or
6. The project is inconsistent with the land use designation as outlined in the adopted Isleton General Plan or in any General Plan element as it existed on the date the application for the project was deemed complete.

SECTION 414 SINGLE ROOM OCCUPANCY

A. Purpose and Intent

The purpose of this section is to regulate the development and operation of single room occupancy residential land uses to ensure such uses provide for the safety and comfort of their residents; create housing opportunities for persons of lower incomes and special

housing needs, including but not limited to persons with disabilities, seniors, foster youth aging out of the foster system, and formerly homeless individuals; and integrate well into the neighborhoods and districts in which they are located.

B. Definition

For the purposes of this article, the following terms shall apply, unless the context clearly indicates otherwise. For definitions, see the Glossary in Article 6. If a word is not defined in Article 6, the common and ordinary meaning of the word shall apply.

1. Single Room Occupancy.

C. Applicability

Single room occupancy (SRO) units shall be allowed in the CC, and MXU Districts with the approval of a Conditional Use Permit.

D. Development Standards

An SRO may be established through adaptive reuse of an existing building or as new construction, subject to the development standards of the zone in which it is located and compliance with all the following standards.

1. Site Standards

- a. An SRO development may be developed up to the maximum density permitted by the General Plan.
- b. SRO developments shall be located on a primary or secondary arterial roadway, as defined in the General Plan.
- c. The minimum site area shall be twenty thousand (20,000 square feet), with a minimum street frontage of one hundred (100) linear feet.

2. Overall Standards

- a. Each SRO unit shall comply with the following unit size requirements:

	Minimum Size	Maximum Size
One-person unit (Single occupancy)	150 sf	220 sf
Two-person unit (Double occupancy)	221 sf	400 sf

- b. A minimum of fifteen (15) percent of the units shall be designed for double occupancy.

- c. Parking shall be provided at a minimum ratio 0.5 space per unit designated as single occupancy and 0.8 space per unit designated as double occupancy, plus one space for each employee on shift and one space for the on-site manager unit provided.
- d. Every SRO development shall have one controlled entryway into the development that is accessed through a main lobby. The main lobby shall include a front desk and/or leasing office, with cameras or other devices that allow a staff member to monitor activity in the lobby.
- e. A separate office or conference room with a minimum size of one hundred (100) square feet shall be provided that is separate from the reception desk, manager's office, or leasing office so that that space can be used by management—or others authorized by management—when interviewing or meeting with tenants.
- f. A twenty-four-hour manager and manager's unit shall be provided. The manager's unit shall be designed to be a complete residential unit, with a minimum size of five hundred (500) square feet for a studio unit and a minimum size of one hundred seventy-five (750) square feet for a one-bedroom unit. The manager's unit shall be located on the ground floor of the development and shall be located adjacent to the main lobby.
- g. Each SRO development shall have a common area of minimum size of four hundred (400) square feet, designed to be furnished for the use and comfort of the tenants. All common area shall maintain minimum dimensions of ten (10) feet. All common areas shall be located within the building. Where deemed appropriate by the responsible review authority, outdoor common patios may be considered toward meeting the common area requirement. Dining rooms, recreational rooms, or other similar areas that are accessible to tenants, and as approved by the responsible review authority, may be considered common areas. Common areas shall not include storage rooms, main lobby, laundry facilities, hallways, restrooms, and kitchens.
- h. Mailboxes shall be provided for each unit and located in the main lobby in plain view of the reception desk.
- i. A minimum of one computer with internet access shall be available in a common area accessible to tenants.
- j. Common laundry facilities shall be provided at a rate of one washer and one dryer per each eight units.
- k. A cleaning supply storeroom and/or utility closet with at least one laundry tub with hot and cold water shall be provided on every floor.

- l. A camera security system shall be provided in all common areas, including the parking facilities, which is monitored from the reception desk/leasing office.
  - m. To the extent possible, as determined by the responsible review authority, all stairwells shall be designed to be open to the main lobby, hallways, or other common areas to provide greater security and visibility into the stairwell.
  - n. All SRO developments shall provide an emergency power back-up system with a minimum running time of one hundred twenty (120) minutes to provide power to the building in case of a power outage.
  - o. If a gate is installed to secure the parking area, the development shall provide a separate pedestrian gate for exiting the parking area.
  - p. A “Knox Box” and keypad shall be provided for emergency access.
3. Standards for Individual Units
- a. An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator, and a stove, range top, or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
  - b. Each unit shall contain a bathroom with a toilet, sink, and shower or tub located within an enclosed compartment.
  - c. Each unit shall be equipped with an individually controlled heating and cooling ventilation system.
  - d. Each unit shall have in-unit closet/storage space of minimum size seventy-two (72) cubic feet.
  - e. Each unit shall be pre-wired for telecommunications services, which could include wireless telecommunications infrastructure.

E. Operational Standards

1. Management Plan.
  - a. A management plan shall be submitted for review and approval by the Planning Director. The management plan shall be approved before the issuance of a Certificate of Occupancy.
  - b. Occupancy. The management plan shall be comprehensive and contain management policies and operations, rental procedures and rates,



maintenance plans, residency and guest rules and procedures, security procedures, and staffing needs, including job descriptions. The approved management plan shall be in recordable form as approved by the City and recorded before issuance of a Certificate of Occupancy.

- c. Length of Stay. Rental regulations shall provide that minimum stays be at least thirty-one (31) days.

## **ARTICLE 5 – PERMITS AND OTHER PLANNING ACTIONS**

### **SECTION 501 ADMINISTRATIVE PERMITS**

Administrative Permits are provided for the individual review of a use at a specific location, including temporary uses and events, or a minor discretionary development, to ensure that their development and/or operation will be compatible with surrounding areas and uses. Administrative Permits are provided for certain uses and minor developments to expedite the processing of applications by allowing staff review and approval generally by the Planning Director. The Planning Director may refer any application for administrative permit review for an administrative public hearing or to the Planning Commission for action.

- A. **Applicability.** Uses and minor developments which require Administrative Permits are shown in the use tables in Article 2 of this Zoning Code.
  
- B. **Required Findings.** All of the following findings must be made in order to approve an Administrative Permit:
  - 1. The proposed use or development is administratively permitted within the applicable zone and complies with all other applicable provisions of this Title and all other titles of the City of Isleton Municipal Code, General Plan;
  - 2. The proposed use or development will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;
  - 3. The proposed use or development complies with any use regulations, or design or development standards applicable to the zone, use or development in question, unless waived or modified pursuant to the provisions of this Title;
  - 4. The site is physically suitable for the type, density, and intensity of the use or development being proposed, including access, utilities, and the absence of physical constraints.
  
- C. **Conditions of Approval.** Minor changes to an approved Administrative Permit to modify or substitute conditions of approval which are substantially the same as the approved conditions may be made by the review authority established in Article 1 of this Title. The review authority, be it the Planning Director, Planning Commission, or City Council, may impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.

## SECTION 502           CONDITIONAL USE PERMIT

The purpose of Conditional Use Permits is to allow flexibility in providing for, regulating, or preventing various uses, so they will be compatible with existing or desired conditions in their neighborhoods. Use permit approval is required for certain uses so that their detrimental effects can be reduced or avoided and potential conflicts in land use can be prevented. This is necessary because of the wide variety of uses that are allowed within each zone and because of the variety of existing sites and uses found in the community. In order to achieve this purpose the review authority is empowered to grant or to deny applications for Conditional Use Permits and to impose reasonable conditions upon the granting of Conditional Use Permits.

- A.     Applicability. Uses which require Conditional Use Permits are shown in the use tables in Article 2 of this Zoning Code.
  
- B.     Criteria for Approval. In deciding whether a proposal is acceptable at a given location, the Planning Director, Planning Commission and Council shall consider whether the proposal could be established and maintained without jeopardy to persons or property within or adjacent to the proposed site and without damage to the resources of the site and its surroundings. Appropriate criteria may be found in the following sources, without limitation:
  - 1.     Isleton General Plan elements (such as Land Use, Circulation, Housing, Safety):
  - 2.     Specific plans and special studies; and
  - 3.     Standards and recommendations of agencies commenting on environmental documents for the proposal or for similar projects.
  
- C.     Conditions of Approval. In approving a Conditional Use Permit, the review authority may impose reasonable conditions or restrictions to achieve the following outcomes. The review authority may also require reasonable guarantees and evidence that such conditions are being, or will be, complied with. Conditions imposed by the Planning Director, Planning Commission or Council may include, but are not limited to, the following:
  - 1.     Modification or limitation to activities, including times and types of operation;
  - 2.     Special yards or open spaces;
  - 3.     Fences, walls or landscape screens;
  - 4.     Provision and arrangement of parking and vehicular and pedestrian circulation;
  - 5.     On site or off site street, sidewalk or utility improvements and maintenance agreements;
  - 6.     Noise generation and attenuation;
  - 7.     Dedication of right of way or easements or access rights;
  - 8.     Arrangement of buildings and use areas on the site;

9. Special hazard reduction measures, such as slope planting;
  10. Minimum site area;
  11. Other conditions which may be found necessary to address unusual site conditions;
  12. Establishment of an expiration date, after which the use must cease at that site;
  13. Recycling and solid waste plans; and
  14. Conditions may not be imposed that restrict the use to a specific person or group.
- D. Minor Revisions to a Previously Approved Conditional Use Permit. A use permit granted under the provisions of this article or a confirming conditional use established prior to the enactment of this ordinance may be revised as to features of the site plan previously approved, provided that such revisions are minor, as determined by the review authority. Application for minor revisions to the site plan shall be made in writing, including three (3) copies of the revised site plan, to the review authority. The review authority may approve such revisions without public hearing, provided that it can be determined that the revisions will not substantially change the intensity or character of the use as previously approved by the City.

### SECTION 503            DESIGN REVIEW

The purposes of the Design Review process is to enable the review authority established in Article 1 of this Title to make a finding that the proposed development is in conformity with the intent and provisions of this ordinance.

- A. Applicability. Design Review is provided to ensure the following:
1. That structures, parking areas, walks, refuse containers, landscaping, lighting and street improvements are properly related to their sites and to surrounding sites and structures;
  2. To prevent excessive grading of the land and creation of drainage hazards;
  3. To avoid unsightly, inharmonious, monotonous and hazardous site development, and to encourage originality in site design and development in a manner, which will enhance the physical appearance and attractiveness of the community;
  4. To avoid the ugly, inharmonious and monotonous appearance of structures and signs through the review of the design, materials, textures, colors and such other elements of construction which affect the exterior appearance of structures.
  5. To encourage originality in building design and construction in a manner which will enhance the physical appearance and attractiveness of the community.
  6. To preserve the investments in properties which exhibit tasteful consideration of the external physical appearance of the site and structures thereon; and
  7. To encourage and enhance the desirability of private investment within the surrounding area.

- B. Required Findings. All of the following findings must be made in order to approve an Administrative Permit:
1. The proposed development is permitted within the applicable zone and complies with all other applicable provisions of this Title and all other titles of the City of Isleton Municipal Code, General Plan;
  2. The proposed development will not be adverse to the public health, safety, or general welfare of the community, nor detrimental to surrounding properties or improvements;
  3. The proposed development complies with any design or development standards applicable to the zone, unless waived or modified pursuant to the provisions of this Title;
  4. The site is physically suitable for the type, density, and intensity of the development being proposed, including access, utilities, and the absence of physical constraints.
- C. Conditions of Approval. In approving a Design Review application, the review authority may impose reasonable conditions deemed necessary to ensure compliance with the required findings and may require reasonable guarantees and evidence that such conditions are being, or will be, complied with.
- D. Minor Revisions to a Previously Approved Design Review. A Design Review granted under the provisions of this article may be revised as to features of the site plan previously approved, provided that such provisions are minor as determined by the review authority. Application for minor revisions shall be made in the same manner as prescribed by Section 502 (F) of this code.

#### SECTION 504            VARIANCES

This section is intended to provide a mechanism for relief from the strict application of this Title where it would deprive the property owner of privileges enjoyed by similar properties because of the subject property's unique and special conditions.

- A. Applicability. The review authority is empowered to grant Variances only because of special circumstances applicable to the property, including size, shape, topography, location or surroundings. The power to grant Variances does not extend to use regulations, because the flexibility necessary to avoid results inconsistency with the objectives of the zoning ordinance is provided by the Conditional Use Permit, Planned Development and amendment provisions of this ordinance.
- B. Required Findings. After conducting a public hearing, the review authority must make all of the following findings in order to approve or conditionally approve a Variance application. The review authority shall deny an application for a Variance if it is unable to

make any of the required findings, in which case it shall state the reasons for that determination.

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the vicinity and identical zone, and that the granting of a Variance will not constitute a granting of a special privilege inconsistent with the limitations on the property in the vicinity and identical zone;
2. The granting of the application is necessary to prevent a physical hardship which is not of the applicant's own actions or the actions of a predecessor in interest;
3. The granting of the application will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience; and
4. The granting of the Variance will be consistent with the general purposes and objectives of this Title, any applicable Planned Developments, and the General Plan.

C. Conditions of Approval. In approving a Variance, the review authority may impose reasonable conditions deemed necessary to ensure compliance with the required findings and may require reasonable guarantees and evidence that such conditions are being, or will be, complied with.

#### SECTION 505 MINOR MODIFICATIONS

This section allows for modifications to certain Zoning Code provisions to allow creative design solutions and to accommodate unique site conditions. These modifications are not intended to convey special privileges to a property beyond what would be otherwise permitted within the zoning district and are only for minor deviations from the code. See the Variances in Section 504 for more significant deviations from the code.

A. Applicability. A Minor Modification may be granted to modify certain requirements of this Zoning Code, as listed in Table 5-1 "Minor Modification Amounts". Minor Modifications cannot be granted to modify lot area, width or depth, or residential density requirements.

<b>Table 5.1: Minor Modification Amounts</b>	
<b>Standard</b>	<b>Maximum Reduction or Increase</b>
Parking or loading spaces	10% reduction in number of required spaces
Setbacks	10% reduction in required setback
Maximum lot coverage	10% increase in allowed coverage
Maximum height	10% increase in height

B. Required Findings. The review authority may approve a Minor Modification of the zoning standards, with or without conditions, only after first making all of the following findings:

1. That the proposed development is of sufficient size and is designed to provide a desirable environment within its own boundaries.
2. The proposed development is compatible with existing and proposed land uses in the surrounding area.
3. That any exceptions to or deviations from the design standards result in the creation of project amenities that would not be available through strict adherence to code provisions (e.g., additional open space, protection of natural resources, improved pedestrian connectivity, public plazas, etc.).
4. Granting the minor modification will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the premises in question.
5. The Minor Modification is consistent with the General Plan or any applicable Zone.
6. The modification is the minimum required.
7. The modification does not grant a privilege not available to other properties where an modification was not granted.

C. Conditions of Approval. In approving a Minor Modification of the zoning standards, the review authority may do the following:

1. Impose conditions to ensure that the modification does not grant special privileges inconsistent with the limitations on other properties in the vicinity and zoning district in which the property is located.
2. Impose conditions (e.g., the placement, height, nature, and extent of the use, buffers, landscaping and maintenance, off-site improvements, performance

guarantees, screening, surfacing, hours of operation) to ensure that the approval complies with the findings required by this chapter.

## SECTION 506 REASONABLE ACCOMMODATION

This Chapter establishes the procedures to request Reasonable Accommodation for persons with disabilities seeking equal access to housing under the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (“the Acts”) in the application of zoning law and other land use regulations, policies, procedures, and conditions of approval.

- A. **Applicability.** A request for Reasonable Accommodation may be made by any person with a disability, their representative, or any other entity, when the application of zoning law or other land use regulation, policy, or procedure acts as a barrier to fair housing opportunities.
1. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having this type of impairment, or anyone who has a record of this type of impairment.
  2. A request for Reasonable Accommodation may include a change or exception to the practices, rules, and standards for the development, siting, and use of housing or housing- related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.
  3. The Planning Director, or their designee, shall make a written determination within (45) forty-five days of the application being deemed complete and either approve, modify, or deny a request for Reasonable Accommodation in compliance with the Required Findings section below.
- B. **Required Findings.** The review authority established in Article 1 of this Title must consider all of the following factors in order to approve or deny a request for Reasonable Accommodation that will be consistent with the Acts.
1. Whether the housing, which is the subject of the request, will be used by an individual defined as disabled under the Acts;
  2. Whether the request for Reasonable Accommodation is necessary to make specific housing available to an individual with a disability under the Acts;
  3. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the County; and
  4. Whether the requested Reasonable Accommodation would require a fundamental alteration of a County program or law, including but not limited to land use and zoning.



- C. Conditions of Approval. In granting a request for Reasonable Accommodation, the review authority may impose any conditions of approval deemed reasonable and necessary to ensure that the Reasonable Accommodation would comply with the required findings. The conditions shall also state whether the accommodation granted shall terminate if the recipient of the accommodation was requested no longer resides on the property.

## SECTION 507 PLANNED DEVELOPMENT

The PD – Planned Development districts are intended for application to any residential or commercial property to assure that the property will be developed in a manner superior to that which otherwise would achieve through regulations of a standard zoning district. The PD zoning district replaces the base zoning district.

The regulations prescribed in this section shall control the procedure for making application for and processing of a Planned Development (PD).

- A. The PD application shall be processed in the same manner as a General Plan, Zoning Code or Zoning Map Amendment application.
- B. The application shall also be accompanied by a tabulation of the area proposed to be devoted to each land use and a tabulation of the average population density and number of housing units per net acre in the area or areas proposed to be devoted to residential use.
- C. All PDs shall include development standards (in written and/or illustrative form, as appropriate) for the following:
  - 1. A conceptual development plan of the entire Planned Development, drawn to scale and showing provisions for the following: draining of surface waters, water courses, public utility rights-of-way, streets, driveways and pedestrian walks, off-street parking and loading facilities, reservations and dedications for public uses, private uses including dwelling types, lot layout, locations, heights and elevations of structures and landscaped areas.
  - 2. A tabulation of the area proposed to be devoted to each land use and a tabulation of the average population density and number of housing units per net acre in the area or areas proposed to be devoted to residential use
  - 3. Standards for yards, setbacks and building separations. Minimum setbacks must be established by the PD.
  - 4. Height limits. All PDs shall establish height limits for all types of structures. Maximum permitted height limits lower than those permitted in standard zoning districts may be established if it is determined to be necessary for a planned development to achieve compatibility with the area in which the development is located.
  - 5. Standards for residential open space. All PDs with a residential component shall include standards for open space, recreation, and community amenities.

6. Maintenance of common areas. All PDs with a residential component must provide a mechanism for the funding of ongoing maintenance of common areas in a manner acceptable to the City.
  7. Community design and unit placement. All PDs with a residential component must include standards for the design and placement of individual housing units and/or multifamily buildings. These standards must ensure that privacy from unit to units and from unit to private open space is maximized, including window placement and orientation of units. These standards shall seek to minimize conflict between pedestrian and auto movements and to reduce the visual prominence of garage doors for individual units.
  8. Other standards. A PD may include other standards (such as permitted and conditionally permitted uses) or shall reference the standard zoning district to be consulted for standards which are not addressed in the PD. All such references shall be to the Zoning Code as it exists at the time the Code is consulted.
- D. For a PD proposed on land currently in any R zoning district, the average population density and number of dwelling units per net acre may be increased only if the PD application meets the requirements of Section 65915 of the California Government Code pertaining to housing development for very low-, low- or moderate-income households.
- E. For a PD proposed on land currently in any R or RM zoning district, the average housing density per net acre may be exceeded by not more than twenty five percent (25%) of the maximum population and housing density prescribed by the General Plan or the site area per dwelling unit regulations for the district in which the PD is to be located, if the applicant can demonstrate that the proposal qualifies under applicable provisions of Section 65915 of the California Government Code pertaining to the granting of density bonuses and other incentives for housing development intended for very low, low, or moderate income households.
- F. Required Findings. The Council may approve a PD only if the Council makes all of the following findings:
1. That the proposed Planned Development is consistent with the General Plan.
  2. That the proposed Planned Development and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare or materially injurious to properties or improvements in the vicinity.
  3. That the proposed PD will comply with all of the applicable provisions of this section.
  4. That the standards of housing density, site area and dimensions, site coverage, yard spaces, height of structure, distance between structures, off-street parking and off-street loading facilities, landscaped areas and street design will produce an environment of stable and desirable character consistent with the objectives of the

zoning ordinance and will not generate more traffic than the streets in the vicinity can carry without congestion and will not overload utilities.

5. That the combination of different dwelling types and/or variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses in the vicinity.
- G. Conditions of Approval. No use shall be permitted and no process, equipment or materials shall be employed which is found by the review authority to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason or odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare unsightliness or heavy truck traffic, or to involve any hazard of fire or explosion.

## SECTION 508 DEVELOPMENT AGREEMENTS

### A. Purpose

This Chapter establishes procedures and requirements for considering and entering into legally binding agreements with applicants for development projects, as provided for in State law. Such agreements provide a greater degree of certainty than the normal permit approval process by granting assurance that an applicant may proceed with development in accord with policies, rules, and regulations in effect at the time of the approval subject to conditions to promote the orderly planning of public improvements and services, allocate costs to achieve maximum utilization of public and private resources in the development process, and ensure that appropriate measures to enhance and protect the environment are achieved.

### B. Applicability

1. Provisions. The City incorporates by reference the provisions of Government Code Sections 65864- 65869.5. In the event of any conflict between those statutory provisions and this Section, the statutes shall control.
2. Development Agreement. A Development Agreement may be considered for a proposed development that will require a developer to make a substantial investment at the early stages of the project for planning and engineering for the entire project and for public facilities and services.

### C. Review Authority

1. Planning Director. The Planning Director shall coordinate the negotiations of specific components and provisions of the Development Agreement on behalf of the City and make a recommendation to the review authority as shown in Table 1.1, in Article 1 of this Title.

#### D. Procedures

An applicant for a development project may request that the City review the application as a Development Agreement application in accordance with the following procedures. The City incorporates by reference the provisions of Government Code Sections 65864-65869.5. In the event of any conflict between these statutory provisions and this Section, this Section shall control.

1. Application requirements. Applications for Development Agreements shall be filed with the Planning Department in accordance with the provisions set forth in Article 1, Application Forms and Fees. In addition to any other application requirements, the application for a Development Agreement shall include data or other evidence in support of the Required Findings.
2. Required contents of development agreements. A Development Agreement shall specify its duration, the permitted uses of the subject property, the general location and density or intensity of uses, the general location, maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. It shall contain provisions concerning its transferability (assignment).
3. Additional contents. Development Agreements may also include the following:
  - a. Improvements and fees. A Development Agreement may include requirements for construction and maintenance of onsite and offsite improvements or payment of fees in lieu of such dedications or improvements.
  - b. Conditions. A Development Agreement may also include conditions, terms, restrictions, and requirements for subsequent discretionary actions but does not eliminate the applicant's responsibility to obtain all required land use approvals.
  - c. Phasing. A Development Agreement may provide that the project be constructed in specified phases, that construction shall commence within a specified time, and that the project or any phase thereof be completed within a specified time. Schedule of performance (timeline).
  - d. Financing. If the Development Agreement requires applicant financing of necessary public facilities, it may include terms relating to subsequent reimbursement over time for such financing.
  - e. Indemnity. A Development Agreement may contain an indemnity clause requiring the applicant to indemnify and hold the City harmless against claims arising out of or in any way related to the actions of applicant in

connection with the application or the development process, including all legal fees and costs.

- f. Performance obligation fees. A Development Agreement may include provisions to guarantee performance of obligations stated in the agreement.
  - g. Other items. Other components and provisions as negotiated by City.
4. Concurrent processing. It is the intent of this Section that the application for a Development Agreement will be made and considered simultaneously with the review of other necessary applications, including, but not limited to rezoning, Planned Development, and Conditional Use Permits. If combined with an application for rezoning, Planned Development, or Conditional Use Permit, the application for a Development Agreement shall be submitted with said application and shall be processed, to the maximum extent possible, jointly to avoid duplication of hearings and repetition of information. A Development Agreement is not a substitute for, nor an alternative to, any other required permit or approval, and the qualified applicant or developer must comply with all other required procedures for development approval.
5. Exceptions from Required Content. Where the City determines it is in the public interest to omit any of the required items described in this section, Staff may recommend to the City Council to approve a Development Agreement that does not contain all required content.

E. Required Findings

The review authority must make the finding that a proposed Development Agreement and its provisions are consistent with the General Plan and any applicable Planned Development to approve a Development Agreement. This requirement may be satisfied by a finding that the provisions of a proposed Development Agreement are consistent with proposed General Plan or Planned Development provisions to be adopted concurrently with the approval of the proposed Development Agreement.

F. Execution and Recordation

Within 10 days after the ordinance approving the Development Agreement takes effect, the Mayor or their designee shall execute the Development Agreement on behalf of the City, and the City Clerk shall record the Development Agreement with the County Recorder.

G. Periodic Review

The applicant shall be required to demonstrate compliance with the provisions of the Development Agreement at least once a year at which time the City Manager or their designee shall review each approved Development Agreement.

1. Finding of compliance. If the City Manager or their designee, based on substantial evidence, finds compliance by the applicant with the provisions of the Development Agreement, no action is required.
2. Finding of non-compliance. If the City Manager or their designee finds the applicant has not complied with the provisions of the Development Agreement, the Planning Director may issue a finding of non-compliance which may be recorded by the City with the County Recorder after it becomes final. The Planning Director shall specify in writing to the applicant the respects in which the applicant has failed to comply and shall set forth terms of compliance and specify a reasonable time for the applicant to meet the terms of compliance. If the applicant does not comply with any terms of compliance within the prescribed time limits, the Development Agreement shall be subject to termination or revision pursuant to this Section.
3. Appeal of determination. Within 10 days after issuance of a finding of non-compliance, any interested person may file a written appeal of the finding with the City Council. The appellant shall pay fees and charges for the filing and processing of the appeal in amounts established by resolution of the City Council. The appellant shall specify the reasons for the appeal. The issuance of a finding of compliance or finding of non-compliance and the expiration of the appeal period without appeal, or the confirmation by the City Council of the issuance of the finding on such appeal, shall conclude the review for the applicable period and such determination shall be final.

#### H. Amendment or Cancellation

1. Mutual agreement. Any development may be canceled or amended by mutual consent of the parties following compliance with the procedures specified in this Section. A Development Agreement may also specify procedures for administrative approval of minor amendments by mutual consent of the applicant and City Manager or their designee.
2. After finding of non-compliance. If a finding of non-compliance does not include terms of compliance, or if applicant does not comply with the terms of compliance within the prescribed time limits, the City Manager or their designee may refer the Development Agreement to the City Council for termination or revision. After the public hearing, the City Council may terminate the Development Agreement, modify the finding of non-compliance, or rescind the finding of non-compliance, and issue a finding of compliance.
3. Recordation. If the parties to the agreement or their successors in interest amend or cancel the Development Agreement, or if the City terminates or modifies the Development Agreement for failure of the applicant to fully comply with the provisions of the Development Agreement, the City Clerk shall record notice of

such action with the County Recorder.

4. Rights of the parties after cancellation or termination. If a Development Agreement is cancelled or terminated, all rights of the applicant, property owner or successors in interest under the Development Agreement shall terminate. If a Development Agreement is terminated following a finding of non-compliance, the City may, in its sole discretion, determine to return all benefits, including reservations or dedications of land, and payments of fees, received by the City.

#### I. Effect of Approved Agreement

1. Existing rules and regulations. Unless otherwise specified in the Development Agreement, the City's rules, regulations, and official policies governing permitted uses of the property, density and design, and improvement standards and specifications applicable to development of the property shall be those City rules, regulations, and official policies in force on the effective date of the Development Agreement.
2. Future rules and regulations. . A Development Agreement shall not prevent the City, in subsequent actions applicable to the property, from applying new rules, regulations and policies that do not conflict with those rules, regulations and policies applicable to the property as set forth in the Development Agreement. A Development Agreement shall not prevent the City from denying or conditionally approving any subsequent land use project or authorization for the project on the basis of such rules, regulations, and policies. Unless otherwise specified in the Development Agreement, a Development Agreement shall not exempt the applicant from obtaining future discretionary land use approvals.
3. State and federal rules and regulations. . In the event that any regulation or law of the State of California or the United States, enacted or interpreted after a Development Agreement has been entered into prevents or precludes compliance with one or more provisions of the Development Agreement, then the Development Agreement may be modified or suspended in the manner and pursuant to the procedures specified in the Development Agreement, as may be necessary to comply with such regulation or law.

#### J. Enforcement

The procedures for enforcement, revision, cancellation, or termination of a Development Agreement specified in this Section and in Government Code Section 65865.4 or any successor statute, are non-exclusive. A Development Agreement may be enforced, revised, cancelled, or terminated by any manner otherwise provided by law or by the provisions of the Development Agreement.

SECTION 509            EFFECTIVE DATE

The review authority’s approval shall be final when the deadline for the filing of an appeal by the public or applicant has expired without the filing of an appeal. Applications which have been appealed or scheduled for review at the request of the review authority shall be deemed not approved until the City Council takes action to approve or deny.

SECTION 510            APPROVAL TO RUN WITH THE LAND

Any project subject to a public hearing, approved pursuant to the provisions of this article shall run with the land and shall continue to be valid upon a change of ownership of the site or structure which was the subject of the project application.

SECTION 511            EXPIRATIONS

- A. No automatic expiration for a project application not requiring a public hearing is imposed by this Code. Conditions may be required to be complied with by a certain date.
- B. A project subject to a public hearing shall lapse and shall become void one (1) year following the date on which the project became effective unless by conditions of the project, a lesser or greater time is prescribed in accordance with Section 510 (C), or unless prior to the expiration of one (1) year, a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site which was the subject of the permit application. A permit may be renewed for an additional period of one (1) year or for a lesser or greater period as prescribed in Section 510 (C) , provided that, prior to the expiration of the time period granted, an application of renewal of the permit is filed with the review authority.
- C. Time Limit for Development; Extension. The review authority may establish a lesser or greater time limit than that provided in Section 510 (B), within which the subject property and use or any stage or phase of the project has been commenced or completed. The time limits set by the review authority shall be reasonable, based on the size, nature and complexity of the proposed development. Said time limit may be extended by the review authority for good cause, such as proof of an unusual hardship not of the applicant’s own making.

SECTION 512            REVOCATIONS

A permit can be revised or revoked following a public hearing by the review authority based on non-compliance with conditions of approval or to address issues which have arisen due to the operation of the use despite adherence to all approved condition of approval. Noticing and hearing procedures for revocation shall be the same as for the initial consideration of the permit.



SECTION 513            NEW APPLICATION

Following the denial or revocation of any permit or Variance, no application for a permit or Variance for the same or substantially the same project on the same or substantially the same site shall be filed within six (6) months from the date of denial or revocation of the use permit, except when the review authority has acted to deny “without prejudice,” in which case a new application may be filed at any time.

SECTION 514            BUILDING PERMIT

Before a building permit shall be issued for any building or structure proposed as part of the approved planning application, the Planning Director shall determine that the proposed building location, facilities and improvements are in conformity with the site plan and conditions approved by the review authority.

## ARTICLE 6 - GLOSSARY

### SECTION 601 CONSTRUCTION

The following rules of construction shall apply unless inconsistent with the plain meaning of the context of this ordinance.

- A. TENSE: Words used in the present tense include the future tense.
- B. NUMBER: Words used in the singular include the plural, and words used in the plural include the singular.
- C. SHALL and MAY: The word “shall” is mandatory; the word “may” is permissive.
- D. HEADINGS: In the event that there is any conflict or inconsistency between the heading of an Article, Section or paragraph of this ordinance and the context thereof, the said heading shall not be deemed to affect the scope, meaning or intent of such context.

### SECTION 602 GENERAL TERMINOLOGY

The word “City” shall mean the City of Isleton, California.

The words “City Council” and “Council” shall mean the City Council of the City of Isleton.

The words “Planning Commission” and “Commission” shall mean the Planning Commission of the City of Isleton.

The words “City Building Official”, “City Attorney”, “City Clerk” “City Engineer,” “Director of Public Works”, “Fire Chief”, “Police Chief” and “Planning Director” shall mean City Building Official, City Attorney, City Clerk City Engineer, Director of Public Works, Fire Chief, Police Chief, and Planning Director of the City of Isleton.

### SECTION 603 DEFINITIONS

For the purpose of this ordinance, certain words and terms used herein are defined as follows:

**ACCESSORY DWELLING UNIT.** In accordance with California Government Code Section 65852.2 an accessory dwelling unit is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary dwelling. See also, “Junior Accessory Dwelling Unit”.

**ACCESSORY STRUCTURE:** A building or structure which is subordinate to, and the use of which is customarily incidental to that of the main building, structure or use on the same site, including patio covers. Except in the case of garden structures, if any accessory building is attached to the main building by a common wall or a connecting roof, such accessory building shall be deemed to be a part of the main building.

**ACCESSORY USE:** A use incidental, related, appropriate and clearly subordinate to the main use of the site or building, which accessory use does not alter the principle use of the site.

**ACRE:** A measure of land area containing 43,560 square feet unencumbered by any public or private street right of way or roadway easement except as provided for herein. The term gross acre means all land within a given boundary. The term net acres means all land measured to remove certain features such as roads, utilities, and open space.

**ADDITION:** Any construction which increases the size of a building such as a porch, attached garage or carport or new room or wing. An addition is a form of alteration.

**AFFORDABLE HOUSING DEVELOPMENT:** Any development project that results in adding residential dwellings or mixed use projects consisting of at least 2/3rds of the square footage of the buildings devoted to residential uses which are restricted to lower income families as defined as streamlined review in California Health and Safety Codes Sections 5-1-6 and 50106. Affordable housing development may also include supportive and transitional housing.

**AGRICULTURAL EMPLOYEE:** A person who works full- or part-time (24 hours or more per week) in the service of a commercial agricultural operation.

**AGRICULTURAL EMPLOYEE HOUSING:** Any living quarters or accommodations of any type specifically for agricultural employees and which comply with Cal. Health & Safety Code Sections 17008 and 17021.6 and other applicable provisions of the Employee Housing Act.

**ALLEYS:** Alleys are intended to provide secondary access to abutting properties and to accommodate certain utility lines and refuse disposal services. They are most often located to the rear of properties and occasionally provide side access to parcels. The only alleys within town are those located between Second and Third Street in the two block area between Jackson Boulevard and "B" Street.

**ALTER:** To make any change in the supporting or load-bearing members of a building, such as bearing walls, columns, beams girders or floor joists.

**ANIMAL HOSPITAL:** A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short time boarding and shall be only incidental to such hospital use, and within an enclosed soundproof structure.

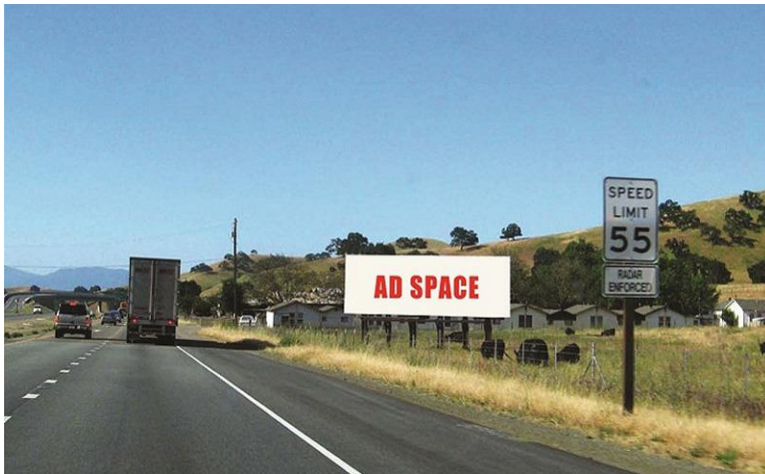
**ARCADE:** Any establishment operating or exhibiting more than five (5) amusement devices. An amusement device is a machine operated for the purpose of gaming as a contest of skill, or for amusement of any description, for which a fee is charged.

**ARTERIAL STREETS:** Arterial streets provide the principal network for traffic flow within the community. They connect areas of major traffic generation within the urban area, and with State Route 160 and important County Roads. Within the City limits, State Route 160 is designated as an Arterial. Arterial streets function primarily as carriers of cross-town traffic. They also provide for the collection and distribution of traffic to and from collector streets which serve residential, commercial and industrial areas. Arterial streets also provide indirect as well as direct access to abutting properties. Indirect access may be preferred in newly developing areas by backing parcels onto the arterial street with ornamental wall construction and landscaping and by broad spacing between intersecting streets.

**AUTHORIZED GROWER:** means a person 21 years and older who is authorized by, and in compliance with, federal or state law to cultivate cannabis indoors for personal or medical use. Authorized grower also means a person 18 years and older who is a qualified patient, as that term is described in § 11362.77 of the Health and Safety Code.

**AUTOMOBILE WRECKING YARD:** A site or portions of a site on which the dismantling or wrecking of used vehicles or the storage, sale or dumping of dismantled or wrecked vehicles or their parts is conducted. The presence on a site of three (3) or more motor vehicles which have not been capable of operating under their own power for fifteen (15) days or more, or, in the case of vehicles not self-propelled, which have not been towable or from which parts have been removed for reuse or sales, shall constitute prima facie evidence of a motor vehicle wrecking yard.

**BILLBOARD:** Shall mean the same as “outdoor advertising structure.”



*A billboard.*

**BLOCK:** The properties abutting on one (1) side of a street and lying between two (2) nearest intersecting or intercepting street, unsubdivided land or watercourse.

**BOARDING HOUSE:** A building where lodging and meals are provided for compensation for five (5) but not more than fifteen (15) persons, not including rest homes.

**BREEZEWAY:** A roofed passageway, open on at least two (2) sides, connecting the main structure on a site with another main structure or accessory use on the same site.

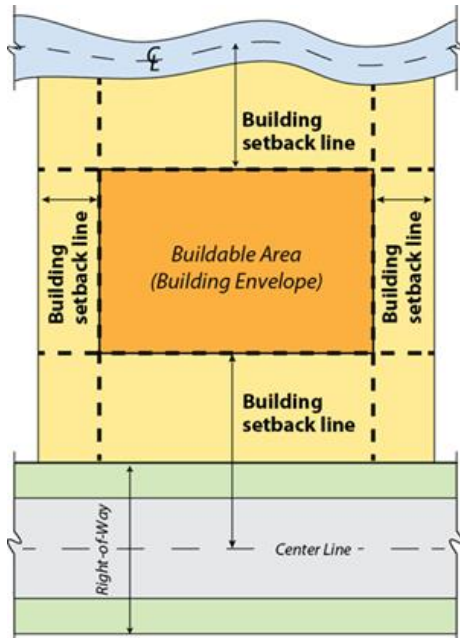


*A typical breezeway.*

**BUILDING:** A permanently located structure, having a roof, for the housing or enclosure of persons, chattels or property of any kind. Mobile homes, travel trailers and other vehicles, even though permanently immobilized, shall not be deemed to be buildings.

**BUILDABLE AREA:** The net lot area minus any required minimum yard provided the maximum lot coverage is not exceeded.

**BUILDING ENVELOPE:** The area on a lot that is bounded by setback lines, on which development of a principal building is permitted.



*Building envelope.*

**BUILDING, MAIN:** A building within which is conducted the principle use permitted on the lot or site as provided by this ordinance.

**BUILDING SETBACK LINE:** The minimum distance as prescribed by this ordinance between any property line and the closest point on the foundation or any supporting post or pillar of any building or structure related thereto.

**CANNABIS:** shall mean any or all parts of the plant *Cannabis sativa linnaeus*, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not, the seeds thereof, the resin or separated resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including cannabis infused in foodstuff or other ingestible or consumable product containing cannabis. The term "cannabis" shall also include "medical cannabis" as defined in California Health and Safety Code § 11362.5, "medicinal cannabis" and "medicinal cannabis product" as defined in California Business and Professions Code § 26001(ai), and "cannabis product" as defined in § 11018.1 of the Health and Safety Code. The term "cannabis" shall not include "industrial hemp" as that term is defined in § 11018.5(a) of the Health and Safety Code, including industrial hemp-derived cannabidiol, or any substance described in § 11150.2 of the Health and Safety Code.

**CANNABIS DISPENSARY:** means any business, office, store, facility, location, retail storefront, or wholesale component of any establishment, cooperative or collective that delivers, dispenses, distributes, exchanges, transmits, transports, sells or provides cannabis to any person for any reason, including members of any medical cannabis cooperative or collective consistent with the purposes set forth in California Health and Safety Code § 11362.5, or as may be amended.

**CANNABIS BUSINESS:** The businesses of commercial cannabis cultivation, cannabis manufacturer, cannabis testing laboratory, micro-business and cannabis distributor.

**CANNABIS CULTIVATION SITE:** The premise(s), leased area(s), property, location or facility where Cannabis is planted, grown, harvested, dried, cured, graded, or trimmed or that does all or any combination of those activities.

**CANNABIS DELIVERY:** The commercial transfer of cannabis or cannabis products from a licensed or permitted dispensary to a customer. "Delivery" also includes the use by a licensed or permitted dispensary of any technology platform owned or accessed via software license that enables the consumer to arrange for or facilitate the commercial transfer of cannabis by a licensed dispensary or retailer of cannabis or cannabis products.

**CANNABIS DISTRIBUTOR:** A Cannabis Operator permitted pursuant to this Chapter to operate a location or a facility where a Person conducts the business of procuring Cannabis from permitted Cannabis Cultivation Sites or Cannabis Manufacturers for sale to permitted Cannabis Dispensaries, and the inspection, quality assurance, batch testing by a Type 8 licensee, storage, labeling, packaging and other processes prior to transport to permitted Medical Cannabis Dispensaries.

**CANNABIS LICENSE:** A State license issued pursuant to MAUCRSA, as may be amended from time to time.

**CANNABIS LICENSEE:** A Person issued a Cannabis License under MAUCRSA to engage in commercial Cannabis activity.

**CANNABIS MANUFACTURER:** A Person that produces, prepares, or compounds manufactured Cannabis or Cannabis Products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages Cannabis or Cannabis Products or labels or relabels its container, that holds a valid Cannabis License and that holds a valid City zoning clearance or use permit.

**CANNABIS MANUFACTURING SITE:** A location that produces, prepares, or compounds manufactured Cannabis or Cannabis Products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and is owned and operated by a permittee for these activities.

**CANNABIS MICRO-BUSINESS:** A location operating as a microbusiness as defined in the State regulations issued by the Bureau of Cannabis Control for cannabis microbusinesses, but must include a dispensary component and cannabis cultivation activities are limited to nursery-only cultivation as defined by State regulations for a Type 4 nursery license.

**CANNABIS OPERATOR:** Person or entity that is engaged in the conduct of any commercial cannabis use.

Cannabis processor: A location that dries, cures, grades, trims and packages cannabis products.

**CANNABIS PRODUCT:** Any product containing Cannabis, including but not limited to flowers, buds, oils, tinctures, concentrates, extractions, and edibles intended to be sold for use according to MAUCRSA. For the purposes of this chapter, Cannabis does not include industrial hemp, as defined by Section 81000 of the Food and Agricultural Code or Section 11018.5 of the Health and Safety Code.

**CANNABIS TESTING LABORATORY:** A facility, entity, or site in the State that offers or performs tests of Cannabis or Cannabis Products and is both of the following:

1. Accredited by an accrediting body that is independent from all other Persons involved in the Cannabis Testing Laboratory.
2. Registered with the California Department of Public Health.

**CANNABIS OPERATOR:** The Person or entity that is engaged in the conduct of any commercial Cannabis use.

**CANOPY:** A permanent roofed structure supported in part by wall of the building on posts or stanchions.

**CARGO CONTAINER:** A container that was originally designed as an intermodal freight container that could be transported by ships, trains, cargo planes and trucks.

**CARPORT:** An accessory structure or portion of a main structure open on two (2) or more sides designed for the storage of motor vehicles, without full enclosure.

**CAR SHARE:** A program that allows customers hourly access to shared vehicles from a dedicated home location, with the vehicles required to be returned to that same location at the end of the trip.



**CAR WASH:** The use of a site for washing and cleaning of passenger vehicles, recreational vehicles or other light duty equipment.

**CEQA:** California Environmental Quality Act. Guidelines established to identify and prevent potentially significant environmental impacts as well to identify ways that environmental damage can be avoided or significantly reduce by the use of alternatives or mitigation measures.

**CEMETERY:** Land used or intended to be used for the burial of the dead, and dedicated for such purposes, including columbarium's, crematoriums, mausoleums and mortuaries, when operated in conjunction with and within the boundaries of such premises.

**CHILDCARE, COMMERCIAL:** A facility, by whatever name known, that is commercially run and maintained for the whole or part of a day for the care of children who are 18-years of age or younger whether the facility is operated with or without compensation for such care and with or without stated educational purposes. The phrase "child care center" includes, but is not limited to, facilities commonly known as:

- Day care centers;
- School-age child care centers;
- Before and after school programs;
- Nursery schools;
- Kindergartens;
- Preschools;
- Day camps;
- Summer camps;
- Centers for developmentally disabled children; and
- Facilities that give twenty-four-hour care for children.

The term does not include any facility licensed as a family child care home nor a foster care home.

**CHILDCARE, IN-HOME, SMALL:** A private residence where a total of eight or fewer persons under the age of 18 attend for the purposes of custody, care or instruction and which persons are not a part of the resident family.

**CHILDCARE, IN-HOME, LARGE:** A private residence where a total of between nine and fourteen persons under the age of 18 attend for the purposes of custody, care or instruction and which persons are not a part of the resident family.

**CHRISTMAS TREE SALES:** A site where evergreen trees are sold for the use of Christmas decoration and ornamentation.

**CITY ENGINEER:** The City Engineer for the City of Clearlake or designee.

**CLAIMING:** Through legal manner establishing rights to resources for extraction.

**CLINIC:** A place for the provision of group medical services.

**CLUB:** An association of persons for some common non-profit purposes, but not including groups organized primarily to render a service which is customarily carried on as a business.

**COBBLE:** Rounded rock, variable in size, with no fine material and not material exceeding 6 inches in diameter.

**COCKTAIL LOUNGE:** An area or room within or connected to a restaurant where alcoholic beverages are sold for consumption on the premises, structurally separated from the dining area.

**COFFEE SHOP (COFFEE HOUSE):** An informal restaurant primarily offering coffee, tea and other beverages and where light refreshments and limited menu meals may also be sold.

**COHOUSING:** A group of 7 to 70 residential units (cottages, single-family detached, lot lines or duplex types) that are organized according to a site plan that encourages interaction among residents and which includes a common house and other common facilities (e.g., open space, playground equipment, gardens, etc.). The residential units typically face each other across a pedestrian street or courtyard, with cars parked on the periphery. The common house typically includes a common kitchen, dining area, sitting area, children's playroom and laundry and also may contain a workshop, library, exercise room, crafts room and/or one or two guest rooms. Transitional or supportive housing that complies with State of California program requirements and that meets the City of Clearlake' cohousing standards, is also included in this term.

**COLLECTOR STREETS:** Collector streets provide for traffic movement between Arterial and minor streets and for traffic movement within major activity centers. They also provide direct access to abutting properties.

**COLLEGE:** An education institution offering advanced instruction in any academic field beyond the secondary level, but not including trade schools or business colleges.

**COLLEGE, TRADE:** Shall mean the same as "school, trade".

**COMMERCIAL CANNABIS ACTIVITY:** includes the commercial cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, wholesale of cannabis and cannabis products, retail sale of cannabis and cannabis products, or delivery of cannabis or cannabis products.

**COMMERCIAL CANNABIS CULTIVATION:** Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis that is intended to be transported, processed, distributed, dispensed, delivered, or sold in accordance with MAUCRSA for use by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 ("Proposition 215"), found at Section 11362.5 of the Health and Safety Code or for adult use. Commercial cannabis cultivation is allowed only within a fully enclosed, permanent and secure structure, and outdoor commercial cannabis cultivation is prohibited in the City. Any cannabis cultivation which does not strictly comply with the provisions for personal cannabis cultivation set forth in Chapter 18-43 shall be considered commercial cannabis cultivation.

**COMMERCIAL CANNABIS FACILITY:** means a building, or portion thereof, used for commercial cannabis activity in compliance with the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA," Business and Professions Code § 26000, et seq.)

**COMMERCIAL OFFICE:** Any administrative or clerical office maintained as a business and any office established by a public service over which this ordinance has jurisdiction.

**COMMERCIAL RETAIL:** Commercial and retail uses that do not include regular outside storage or sales. This phrase includes uses that are comparable to the following:

- Furniture and home furnishings stores;
- Electronics and appliance stores;
- Paint and wallpaper stores;
- Hardware stores;
- Food and beverage stores;
- Health and personal care stores;
- Clothing and clothing accessory stores;
- Sporting goods, hobby, book and music stores;
- General merchandise stores; and
- Miscellaneous store retailers.

**COMMERCIAL PARKING LOT:** A parcel of land or portion thereof used for the parking or storage of motor vehicles as a commercial enterprise for which any fee is charged independently of any other use of the premises.

**COMMERCIAL VEHICLE:** Any vehicle that has a capacity of 1.5 tons or larger and/or is consistent with California Vehicle Code Section 15210. Commercial motor vehicle does not include recreational vehicles or agricultural vehicles or implements used for agricultural purposes on the same property on which it is stored

**COMMON AREA:** A parcel or parcels of land or an area of water or a combination of land and water within a site designated for a planned development and designed and intended for the use or enjoyment of residents of a planned development. These areas may include green open spaces and pedestrian walkways. Common areas may contain such complementary structures and improvements as are necessary and appropriate for the benefit and enjoyment of residents of the planned development. Maintenance of such areas shall be set forth by the development association in the form of restrictive covenants, which shall guarantee the maintenance of these areas.

**COMMUNICATIONS EQUIPMENT BUILDING:** A building housing electrical and mechanical equipment necessary for the conduct of a public communication business, with or without personnel.

**CONDOMINIUM:** The joint ownership of certain common property along with private, separate ownership of living space, including stock cooperatives and timeshare developments

**CONFORMING:** A use, structure or site complied with all applicable development regulations at the time the use was established, the building permit for the structure was issued or the site work was begun.

**CONTRACTOR’S EQUIPMENT STORAGE YARD:** Storage of large equipment, vehicles or other materials commonly used in the contractor’s type of business; storage of scrap materials used for repair and maintenance of contractor’s own equipment; and buildings or structures for uses such as offices and repair facilities.

**CONVERSION:** A change in the use of land or a structure from one use to another.

**COVERAGE:** See “Maximum lot coverage”.

**COVERED SPACE:** See “Parking, covered”

**CONVALESCENT HOME:** Shall mean the same as “rest home”.

**CULTIVATION:** means the planting, growing, harvesting, drying, or processing of cannabis plants or any part thereof as provided for in Business and Professions Code § 26001(1).

**DAY CARE CENTER:** shall have the same meaning as § 1596.76 of the Health and Safety Code.

**DECK:** An exterior floor supported on at least two opposing sides by an adjacent structure, and/or posts, piers or other independent supports.

**DELIVERY:** means the commercial transfer of cannabis or cannabis products up to an amount determined by the Bureau of Cannabis Control, as defined in § 26001(p) of the Business and Professions Code. "Delivery" also means the commercial transfer of cannabis or cannabis products to a primary caregiver or qualified patient as defined in § 11362.7 of the California Health and Safety Code. "Delivery" also includes the use by a dispensary, or any technology platform owned and controlled by the dispensary or independently licensed that enables qualified patients or primary caregivers to arrange for or facilitate the commercial transfer by a licensed dispensary of medical cannabis or medical cannabis products.

**DEMOLITION:** The process of razing or removing all or a substantial portion of a building, structure or appurtenance without the intent to restore or rehabilitate the original structure.

**DENSITY:** The total number of dwelling units permitted per acre of land. Accessory dwelling units are not counted in the total number of dwelling units when calculating density.

**DENSITY BONUS:** A density increase over the otherwise maximum permitted density for residential dwelling units as specified by the zoning district.

**DETACHED:** Not sharing a common wall or roof.

**DEVELOPMENT:** On land, in or under land or water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid or thermal waste; grading, removing, dredging, mining or extraction of any materials; change in the density of intensity of use of land, including, but not limited to, subdivision pursuant to the

Subdivision Map Act (commencing with Section 66410 of the Government Code) and any other division of land except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water or of access thereto; construction, reconstruction, demolition or alteration of the size of any structure, including any facility of any private, public or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes and timber harvesting operations.

**DEVELOPER:** Any person, firm, partnership, joint venture, limited liability company, association or corporation who participates as owner, promoter, developer or agent in the planning or development of a subdivision or development.

**DEVELOPMENT STANDARDS:** A set of regulations contained within each zoning district of this Chapter setting forth minimum requirements or specifications which must be met by all applicants for permits; including but not limited to: lot dimensions, setbacks and height limits; lot coverage; animal densities; parking and signs.

**DISABLED PERSON:** A person who has a medical, physical or mental condition that limits a major life activity, as those terms are defined in California Government Code Section 12926, anyone who is regarded as having such a condition or anyone who has a record of having such a condition. It includes a person or persons or an authorized representative of a disabled person. The term “disabled person” does not include a person who is currently using illegal substances, unless he or she has a separate disability.

**DISPOSAL:** Facilities used for the disposal of non-nuclear waste or fill or the composting of organic wastes. The term includes landfill and composting facility.

**DISTRICT:** The zoning classification with associated use and bulk regulations that apply to all parcels within the zoning classification.

**DRIVE-THRU RESTAURANT:** An establishment that has a devoted window(s) and driving lane that is designed and intended to be used to provide for sales to and / or service to patrons who remain in their vehicles.

**DRIVE-IN RESTAURANT:** An establishment which serves food or beverages to persons while seated in or on a motor vehicle, and/or which serves food or beverages for consumption off the premises.

**DRIVEWAY:** Private access for vehicles located on a single parcel, excepting that “Driveway” also includes shared, reciprocal access along both sides of a common property boundary serving no more than two (2) adjoining parcels.

**DUMP:** A place used for the disposal, abandonment or discarding by burial, incineration or by any other means of any garbage, sewage, trash, refuse, rubble, waste material, offal or dead animals.

**DWELLING:** A building or portion thereof, designed exclusively for residential purposes, including one-family, two-family, three-family and multiple dwellings; including mobile homes; not including hotels, apartment hotels, boarding and lodging houses, fraternity and sorority houses,

rest homes, convalescent homes, nursing homes, child care nurseries, or house trailers even though permanently immobilized.

**DWELLING, SINGLE-FAMILY:** A dwelling unit designed exclusively for occupancy by one family for residential purposes, this includes mobile homes.

**DWELLING, TWO-FAMILY:** A building designed exclusively for occupancy for two families living independently of each other (e.g., duplex, half plex).



*A duplex. A half plex is physically the same but is split by a property line to place each unit on its own lot.*

**DWELLING, THREE-FAMILY:** A building designed exclusively for occupancy by three families living independently of each other (e.g., triplex).



*Examples of multi-family dwellings include triplexes (above) and apartments (below).*



**DWELLING, MULTI-FAMILY:** A building designed exclusively for occupancy by four or more families living independently of each other (e.g., fourplex or apartment).

**DWELLING UNIT:** One (1) or more rooms and a kitchen designed for occupancy by one family for living and sleeping purposes.

**EDUCATIONAL INSTITUTIONS:** Public or other non-profit institutions conducting regular academic instruction at pre-school, kindergarten, elementary, secondary and collegiate levels, and including graduate schools, universities, non-profit research institutions and religious institutions. Such institutions must either: 1) offer general academic instruction equivalent to the standards prescribed by the State Board of Education, 2) confer degrees as a college or university of undergraduate or graduate standing, 3) conduct research or 4) give religious instruction. This definition does not include schools, academies or institutes, incorporated or otherwise, which operate for a profit, nor does it include commercial or trade schools.

**EFFICIENCY KITCHEN.** For the purposes of implement the Junior Accessory Dwelling Unit regulations of this Code, an efficiency kitchen includes both of the following:

1. An appliance for cooking or heating food.
2. A food preparation counter and storage cabinets of reasonable size in relation to the size of the Junior ADU in which they are located.



*Typical efficiency kitchen, shown with an optional sink and refrigerator.*

**EFFICIENCY UNIT:** As defined in the Building Code

**EGRESS:** A point of vehicle, bicycle or pedestrian exit from a parking area, lot, garage, driveway or building.

**ELECTRICAL DISTRIBUTION SUBSTATION:** An assemblage of equipment which is part of a system for the distribution of electric power where electric energy is received at a sub transmission voltage and transformed to a lower voltage for distribution for general consumer use.

**ELECTRICAL TRANSMISSION SUBSTATION:** An assemblage of equipment which is part of a system for the transmission of electric power where electric energy is received at a very high voltage from its source of generation by means of a network of high voltage lines and where, by means of transformers, said high voltage is transformed to a low sub transmission voltage for purposes of supplying electric power to large individual consumers, interchange connections with other power producing agencies or electric distribution substations for transformation to still lower voltages for distribution to smaller individual users.

**EMERGENCY SHELTER:** Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less as defined in Section 50801 of the California Health and Safety Code. Medical assistance, counseling, and meals may be provided.

**EMPLOYEE HOUSING:** Housing for at least five employees as defined in Section 17008 of the Employee Housing Act.

**EMPLOYER-PROVIDED FARMWORKER HOUSING:** Housing accommodations described in Section 17008(a) of the Employee Housing Act for five or more farmworkers by their employer and maintained in connection with any work or place where work is being performed, whether or not rent is involved.

**ENCROACHMENT:**



- A building or structure or part thereof, that is located:
- Between a lot line and the nearest required setback line for the building or structure; or
- In an easement which does not allow for the building or structure; or
- A part of a building or structure that crosses a lot line:
- Into another lot under separate ownership; or
- Onto a right-of-way.

**ELEVATION:** The vertical plane of a building façade. An elevation drawing is a view of such vertical plane

**ENVIRONMENT:** The physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, mineral, flora, fauna, noise and objects of historic or aesthetic significance.

**FAMILY:** One or more persons occupying a dwelling and living together as a single housekeeping unit in which each resident has access to all parts of the dwelling and there is a sharing of household activities, expenses, experiences and responsibilities.

**FAMILY DAY CARE:** A day care facility in a residential home where residents of the dwelling provide care and supervision for children under the age of 18 for periods of less than 24 hours a day.

*Small.* Generally, a facility that provides care for eight or fewer children, as defined in California Health and Safety Code section 1597.44.

*Large.* Generally, a facility that provides care for up to 14 children, as defined in California Health and Safety Code section 1597.465.

**FACADE:** The front exterior surface of a building.

**FASCIA:** A flat band, usually a horizontal member of a building that covers the open end of a projecting eave.

**FACTORY-BUILT HOUSING:** A residential building, dwelling unit or an individual dwelling room or combination of rooms thereof or building component, assembly or system manufactured in such a manner that all concealed parts or processes of manufacture cannot be inspected before installation at the building site without disassembly, damage or destruction of the part, including units designed for use as part of an institution for resident or patient care, that is either wholly manufactured or is in substantial part manufactured at an offsite location to be wholly or partially assembled onsite in accordance with building standards published in the California Building Standards Code and other regulations adopted pursuant to California Health and Safety Code Section 19990. Factory-built housing does not include a mobile home, a recreational vehicle or a commercial modular.

**FAIR HOUSING LAWS:** (1) the Federal Fair Housing Act (42 U.S.C. § 3601 and following) and (2) the California Fair Employment and Housing Act (Govt. Code § 12955 and following), including amendments to them.

**FARMWORKER HOUSING:** Housing up to 36 beds in group quarters or up to 12 individual units designed for use by a single household that complies with the State of California program standards for farmworker housing. The term also includes employee housing.

**FARM LABOR CAMP:** Living accommodations, including structures, tents, trailers and mobile homes, manufactured homes, mess halls, garages and accessory buildings and uses, for any number of persons, maintained in connection with any work or place where work is being performed and including the premises on which said buildings and uses are situated or the area set aside for them. Labor camp and labor quarters shall also include any such living accommodations and the premises which they occupy, which are owned, operated or maintained by any person engaged in the business of supplying lodging or meals for five (5) or more persons who are or may be employed by him or by others.

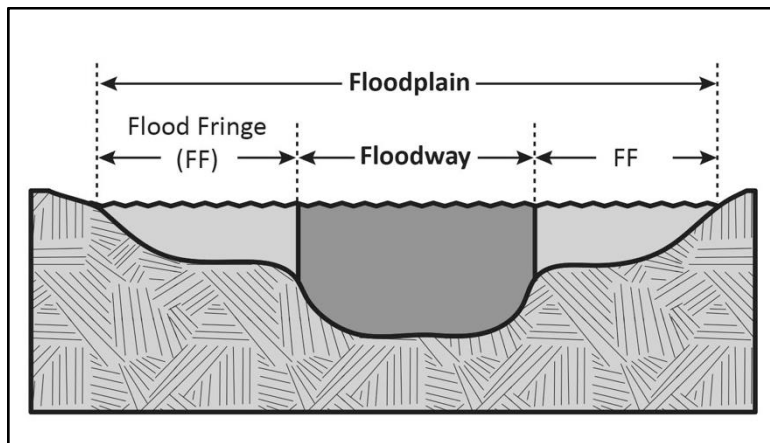
**FARM LABOR QUARTERS:** Rooming and boarding houses, mobile homes, manufactured homes, single-family dwellings and mess halls for any number of farm help customarily employed principally on land owned by the owner of the building site occupied by said structures.

**FENCE, OPEN:** A fence, fifty percent (50%) or more of the vertical surface of which is open to the transmission of light, air and vision.

**FENCE, SCREENED:** A fence, ninety percent (90%) or more of the vertical surface of which is closed to the transmission of light, air and vision.

**FLOODPLAIN:** Level land which is subject to flooding, usually from a nearby or adjacent stream or river, but across which water is not actively flowing. See also “Floodway”

**FLOODWAY:** An area of land which during a flooding event carries flowing water. See also “Floodplain”



*Floodplain and floodway.*

**FLOODWAY:** As determined by the Federal Insurance Administration’s Flood Insurance Study (FIS).

**FLOODWAY FRINGE:** As determined by the Federal Insurance Administration’s Flood Insurance Study (FIS), the portion of the 100-year floodplain that is not within the floodway and

in which development and other forms of encroachment may be permitted under certain circumstances.

**FOSTER FAMILY HOME:** Any residential facility providing 24-hour care for 6 or fewer children which is owned, leased or rented and is the residence of the foster parent or parents, including their family, in whose care the foster children have been placed.

**FRONTAGE:** The property line of a site abutting on a street, other than the side line of a corner lot.

**GARAGE, PRIVATE:** A detached accessory building or a portion of a main building on the same lot as a dwelling for the housing of vehicles of the occupants of the dwelling, including carports.

**GARAGE, REPAIR:** A structure or part thereof, other than a private garage, where motor vehicles are repaired or painted.

**GARAGE SALE:** The temporary use of a dwelling unit or residential property to display tangible personal property for sale to the public, where the property that is offered for sale was obtained for the personal use of a resident of the premises. Garage sales are also commonly known as estate sales, yard sales, basement sales, attic sales and rummage sales.

**GAS STATION:** A retail business that sells gasoline to the public and typically also sells a variety of food and drinks.

**GARDEN STRUCTURE:** An arbor, deck, fountain, lath house, pergola, raised planting bed, trellis or other similar structure intended specifically to enhance the appearance of the garden or which has a function relating to the use of outdoor space, but not including a house, garage, carport or storage building.

**GREENHOUSE:** means a structure designed and constructed primarily for raising and protecting vegetation.

**GROSS FLOOR AREA:** The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

**GUEST HOUSE:** Living or sleeping quarters within an accessory building for the sole use of occupants of the premises, guests of such occupants or persons employed on the premises. Such quarters shall not have kitchen facilities and shall not be rented.

**HAZARDOUS WASTE:** Any waste, or combination of wastes as specified in Title 22 of the California Code of Regulations, which because of its quantity, concentration, physical, chemical or infectious characteristics may either cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating irreversible illness, or pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed.

**HEAVY INDUSTRY:** Industrial uses which take place entirely within an enclosed building, and which are generally characterized by one or more exterior indications (visible emissions, noise, dust, odors, etc.) of the activity taking place inside. See also, "Light Industry"

**HOME OCCUPATION:** The conduct of an art or profession, the offering of a service or the conduct of a business, or the handcraft manufacture of products within a dwelling in a residential district, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which does not change the character thereof, in accordance with the regulations prescribed in Article 14.

**HOMEOWNER’S ASSOCIATION:** A community association composed of individual owners of a development which is created for the purpose of holding title to, managing and maintaining the common property, and enforcing certain covenants and restrictions for the overall benefit of its members.

**HOTEL:** A building in which there are six (6) or more guest rooms where lodging with or without meals is provided for compensation, usually on a transient basis. “Hotel” shall not be construed to include motel, trailer court, sanitarium, hospital or other institutional building, or jail or other building where persons are housed under restraint.

**HOUSING DEVELOPMENT:** Any development project that results in adding residential dwellings or mixed-use projects consisting of at least 2/3rds of the square footage of the buildings devoted to residential uses. Housing development shall also include supportive and transitional housing (also see “Affordable housing development”).

**IDENTIFICATION CARD:** shall have the same meaning as in § 11362.7(g) of the Health and Safety Code.

**IMMATURE CANNABIS PLANT:** means a cannabis plant that has no flowers and that is a seedling or start shorter than 18 inches.

**INDEPENDENT LIVING FACILITY.** A residential dwelling unit having permanent provisions for living, sleeping, eating, cooking, and sanitation.

**INDOOR CULTIVATION:** means cultivation within an enclosed structure that can be secured from access by means of a lock.

**INGRESS AND EGRESS:** The ability to enter a site from a roadway (ingress) and exit a site onto a roadway (egress) by motorized vehicle.

**INGRESS:** The ability to enter a site from by motorized vehicle.

**IN-HOME CHILD CARE:** A State licensed family day care home serving children where care, protection and supervision are regularly provided in the caregiver’s own home for periods of less than 24 hours per day, while the parents or guardians are away. The permitted number of children shall include children under the age of 10 years who reside at the home

**JUNIOR ACCESSORY DWELLING UNIT:** In accordance with California Government Code Section 65852.22, a junior accessory dwelling unit is a residential unit less than 500 square feet in size contained entirely within the walls of single-unit primary dwelling, with a separate entrance. See Article 4, Section 405 of this Code. See also, “Accessory Dwelling Unit”.

**JUNKYARD:** A site or portion of a site on which waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including used

furniture and household equipment yards, house wrecking yards, used lumber yards and similar storage yards, excepting a site on which uses are conducted within a completely enclosed structure and excepting motor vehicle wrecking yards as defined in this section. An establishment for the sale, purchase or storage of used cars, farm equipment or salvaged machinery in operable condition and the processing of used or salvaged materials as part of a manufacturing operation shall not be deemed a junkyard.

**KENNEL, COMMERCIAL:** Any lot, building, structure, enclosure or premises whereupon five (5) or more dogs or cats over the age of 4 months are kept and/or maintained, regardless of their housing arrangements.

**Kennel, Large:** Any premises where more than 7 dogs, cats or similar animals over 4 months of age are kept or maintained for non-commercial purposes. Dogs used in herding farm animals, incidental to an agricultural use, are excluded from this definition.

**Kennel, Small:** An accessory use of a principal residential or agricultural use where five (5) to seven (7) dogs over 4 months of age are sheltered, bred or trained.

**KITCHEN:** Any room used or intended or designed to be used for cooking or the preparation of food.

**LEGAL PARCEL:** means any parcel of real property that may be separately sold in compliance with the Subdivision Map Act (Gov. Code § 66410, et seq.).

**LIGHT INDUSTRY:** Industrial uses which take place entirely within an enclosed building, with no indication (visible emissions, noise, dust, odors, etc.) of the activity taking place inside. See also, “Heavy Industry”

**LIVING AREA:** The interior habitable area of a dwelling unit. Equivalent to “conditioned space” as defined in the Building Code.

**LODGE:** An order or society of persons organized for some common non-profit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

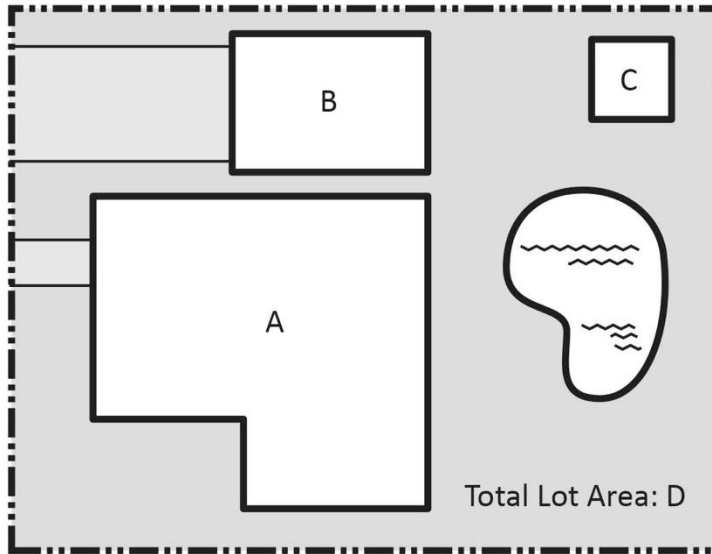
**LODGING HOUSE:** A dwelling in which lodging or lodging and meals are provided for compensation for more than five (5) but not more than fifteen (15) persons other than members of the resident family, excepting a nursing home as defined in this Section.

**LOT:** A single parcel of land for which a legal description is filed of record, or the boundaries of which are shown on a subdivision map, or record of survey map filed in the office of the Sacramento County Recorder.

**LOT AREA:** The total horizontal area within the lot lines of a lot.

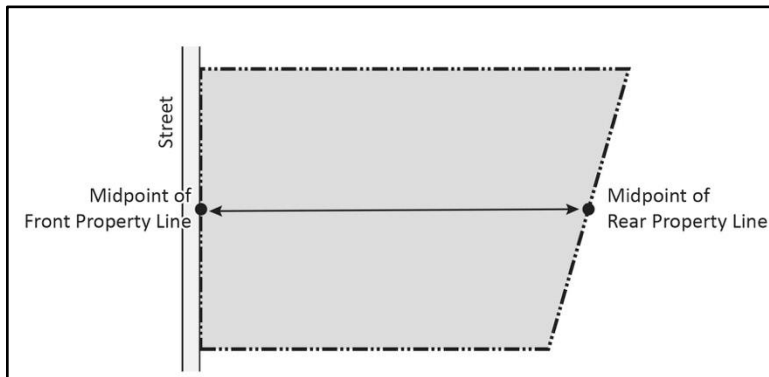
**LOT, CORNER:** A lot situated at the intersection of two (2) or more streets which have an angle of intersection or not more than one hundred thirty five degrees (135°). See also “Lot Types”.

**LOT, COVERAGE:** That portion of a lot or building site which is occupied by any building or structure, excepting paved areas, walks and swimming pools, regardless of whether said building or structure is intended for human occupancy.



*Lot coverage is the sum of the area of all buildings (A + B + C) divided by the total area of the lot or parcel (D).*

**LOT DEPTH:** The depth of a lot shall be the horizontal length of a straight line connecting the midpoints of the front and rear lot lines.



*Measuring lot depth.*

**LOT, DOUBLE FRONTAGE:** An interior lot having frontage on and with access on two (2) parallel or approximately parallel streets.

**LOT, INTERIOR:** A lot other than a corner lot or reverse corner lot. See also “Lot Types”.

**LOT, KEY:** The first lot to the rear of a reversed corner lot, whether or not separated by an alley. See also “Lot Types”.

**LOT LINE, FRONT:** In the case of an interior lot, a line separating the lot from the street. In the case of a corner lot, the line separating the narrowest street frontage of the lot from the street.

**LOT LINE, REAR:** A lot line which is opposite and most distant from the front lot line, or, in the case of an irregular triangular or gore-shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.

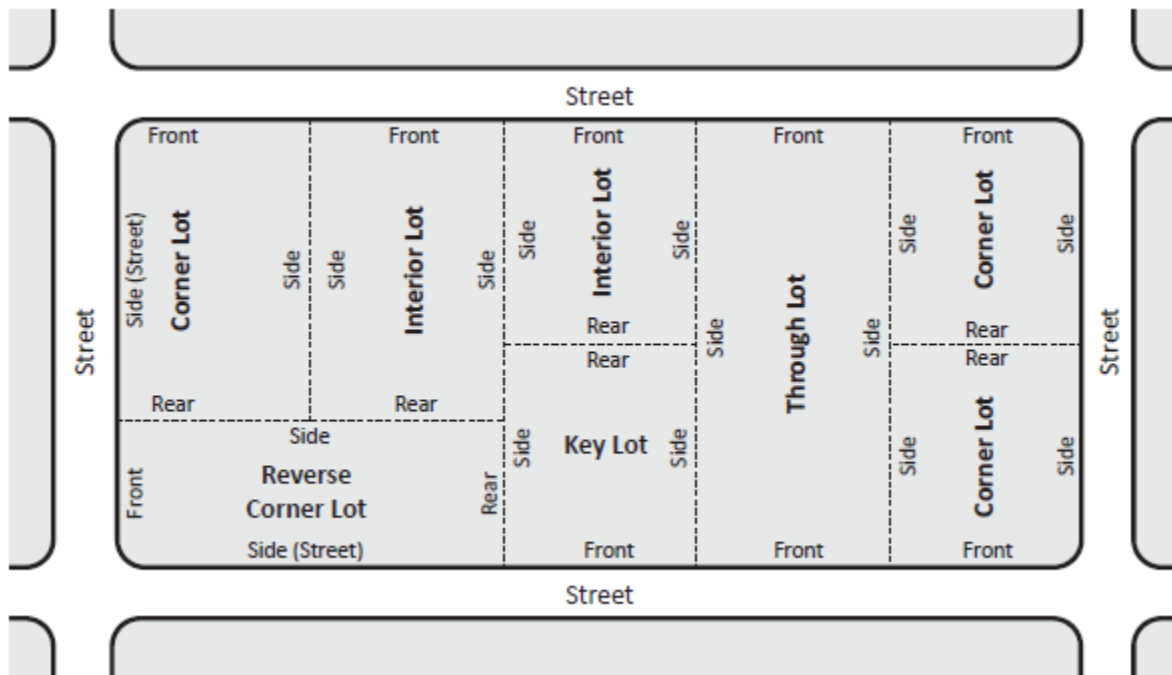
**LOT LINE, SIDE:** Any lot boundary line not a front lot line or a rear lot line.

**LOT OF RECORD:** A single parcel of land, the boundaries of which are delineated in the latest recorded parcel map, subdivision map, certificate of compliance or deed provided that such recorded deed does not create or attempt to create a lot in violation of the provisions of any applicable California law or City/County Ordinance.

**LOT, REVERSED CORNER:** A corner lot, the street side of which is substantially a continuation of the front lot line of the lot upon which it rears. See also “Lot Types”.

**LOT, THROUGH:** A lot having frontage on two parallel or approximately parallel streets.

**LOT TYPES:** Lot types are defined by the placement of a parcel in relation to the surrounding parcels on a block as illustrated below. See also, “Lot, Corner; Lot, Flag; Lot, Interior; Lot, Key; Lot, Reversed Corner; and Lot, Through”.



*Illustration of Lot Types*

**LOT, WIDTH:** The average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

**LOW BARRIER NAVIGATION CENTER.** A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

**MANUFACTURE:** shall have the same meaning as in § 26001(ag) of the Business and Professions Code.

**MANUFACTURED HOUSING:** A structure constructed on or after June 15, 1976, is transportable in one or more sections, is eight body feet or more in width or 40 body feet or more in length, in the traveling mode or when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a dwelling unit when connected to the required utilities and includes the plumbing, heating, air conditioning and electrical systems contained therein and which is placed on a permanent perimeter foundation. “Manufactured home” also includes any structure that meets all the requirements of this paragraph for which the manufacturer voluntarily files a certification and complies with the standards established under the National Manufactured Housing Construction and Safety Act of 1974 (42 U.S.C., Sec. 5401 and following). If not placed on a permanent foundation the manufactured home is defined as a mobile home as set forth in Section 17.02.365.

**MAUCRSA:** The state Medicinal and Adult Use of Cannabis Regulation and Safety Act, as may be amended. Mass and scale: Size and shape of a building and its relationship to the surrounding structures and spaces.

**MASSING:** Composition of a building’s volumes and surfaces that contribute to its appearance.

**MATURE CANNABIS PLANT:** means a cannabis plant that has flowers or that is taller than 18 inches.

**MEDICAL BUILDING:** Clinics or offices for doctors, dentists, oculists, chiropractors, osteopaths, chiropractists or similar practitioners of the healing arts; including accessory laboratories and a prescription pharmacy, but not including offices for veterinarians.

**MEDICAL CANNABIS:** means cannabis used for medical purposes in accordance with the Compassionate Use Act (Health and Safety Code § 11362.5) and the Medical Cannabis Program Act (Health and Safety Code § 11362.7, et seq.)

**MINISTERIAL:** A governmental decision involving little or no personal judgment by the public official as to the wisdom or manner of carrying out the project.

**MINOR STREETS:** Minor streets provide for direct access to abutting properties and for very localized traffic movements within residential, commercial and industrial areas.

**MIXED-USE DEVELOPMENT:** Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building (vertical) or on a single site (horizontal) in an integrated development project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties.

**MOBILE CANNABIS DISPENSARY:** means any clinic, cooperative, club, business, group, or person which transports or delivers, or arranges the transportation or delivery, of cannabis or cannabis products to a person or entity.

**MOBILE HOME:** A structure that was constructed prior to June 15, 1976, is transportable in one or more sections, is eight body feet or more in width or 40 body feet or more in length, in the traveling mode or when erected on site, is 320 or more square feet, is built on a permanent chassis and designed to be used as a dwelling with or without a foundation when connected to required utilities and includes plumbing, heating, air conditioning and electrical systems contained therein



as set forth in Health and Safety Code Section 18008. Mobile home includes any structure that meets all the requirements of this paragraph and is either certified under the National Mobile Home Construction and Safety Act of 1974 (42 U.S.C. Section 85401 and following) or complies with state standards for mobile homes in effect at the time of construction. Mobile home does not include any automobile, trailer, camp trailer, camper, house car, motor vehicle, recreational vehicle or other vehicle defined in the California Vehicle Code, a commercial coach or a manufactured home as defined by state law.

**MOBILE HOME PARK:** An area of land where two or more mobile home spaces are used, rented, leased or held out for use, rent or lease, to accommodate mobile homes for human habitation. For purposes of this Chapter, “mobile home park” shall not include a mobile home subdivision, stock cooperative or any park where there is any combination of common ownership of the entire park or individual mobile home spaces. This shall not include recreational vehicle parks or portions of parks that include recreational vehicle spaces.

**MODEL HOMES / ON-SITE REAL ESTATE OFFICES:** A dwelling unit that is temporarily used as a model to display the layout and finishes of other dwelling units that are or will be available for sale within a subdivision or condominium development. Sales Office means: a dwelling unit within a subdivision; a dwelling unit within a condominium; or a modular unit that is temporarily used as a sales office for a subdivision or condominium.

**MODULAR HOME:** See “Factory-built housing”. Monopole: A structure erected on the ground to support wireless communication antennas and connecting appurtenances and consisting of one (1) pole.

**MOTEL:** A building or group of buildings containing individual sleeping or living units, designed primarily for use by automobile tourists or transients, where a majority of such units open individually and directly to the outside. An establishment shall be considered a motel, in any case, when required by the Health and Safety Code of the State of California, to obtain the name and address of the guests and a description of their vehicle and its license. The term “motel” shall include tourist court, auto court and motor lodge.

**MOTORHOME:** A “housecar” as defined by the California Department of Motor Vehicles, which is any vehicle designed for human habitation.

**MOTOR VEHICLE WRECKING YARD:** See “automobile wrecking yard”.

**NON-CONFORMING BUILDING:** A building or portion thereof lawfully existing at the time of the adoption of this ordinance, or amendments thereto, and which does not conform to the applicable regulations of such amendments or a subsequent amendment.

**NON-CONFORMING LOT.** A legal lot of record having less area, dimensions and/or frontage than required in the regulations of the district in which it is situated.

**NON-CONFORMING USE:** A use that does not conform to the regulations for the district in which it is situated but which complied with the applicable regulations at the time it was established.

**NOISE:** Sound that is loud or unpleasant or that causes disturbance.

**NURSING SCHOOL:** A school or the use of a site or a portion of a site for an organized program devoted to the education or day care of five (5) or more pre-elementary school age children, including those residents on the site.

**NURSING HOME:** A residential facility that is maintained primarily for the care and treatment of inpatients under the direction of a physician. The patients in such a facility require supportive, therapeutic or compensating services and the availability of a licensed nurse for observation or treatment on a twenty-four-hour basis. Nursing care may include but is not limited to terminal care; extensive assistance or therapy in the activities of daily living; continual direction, supervision or therapy; extensive assistance or therapy for loss of mobility; nursing assessment and services which involve assessment of the total needs of the patient, planning of patient care and observing, monitoring and recording the patient's response to treatment; and monitoring, observing and evaluating the drug regimen. "Nursing home" includes intermediate nursing facilities for the mentally retarded or developmentally disabled.

**OFFICE:** Buildings that house both offices and supporting activities including, medical, dental, legal, architectural, engineering, contractors and banks as permitted in the Zoning Code.

**OFF-STREET LOADING FACILITIES:** A site or a portion of a site devoted to the loading or unloading of motor vehicles or trailers, including loading berths, aisles, access drives and landscaped areas.

**OFF-STREET PARKING FACILITIES:** A site or a portion of a site devoted to the off-street parking of motor vehicles including parking spaces, aisles, access drives and landscaped areas.

**OPEN SPACE:** Land and water areas retained for use as active or passive recreation areas or for resource protection in an essentially undeveloped state.

**OUTDOOR ADVERTISING STRUCTURE:** Any structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any outdoor advertising sign may be placed, located on a site other than the site on which the advertised use is located or on which the advertised product is produced.

**OUTDOOR CULTIVATION:** means any cultivation not within an enclosed structure.

**PARKING DISTRICT:** A government parking district maintained by the federal, state, county or city government, or special district.

**PARKING, COVERED:** An accessible and usable parking space of not less than ten (10) by twenty (20) feet in dimension located within a structure of columns and roof or enclosed by walls and roof. Includes "carport" or "garage."

**PARKING LOT:** An area of land, a yard or other open space on a lot used for or designed for use by standing motor vehicles.

**PARKING MANAGEMENT PLAN:** A document that outlines how site parking will be regulated and includes provisions to reduce parking demand, including but not limited to, availability of transit in close proximity, access to a car share program and access to information regarding alternative transportation programs.

**PARKING SPACE:** An accessible and usable space on the lot for the parking of automobiles.

**PASSAGEWAY:** A pathway that extends from a street or alley to one entrance of the accessory dwelling unit.

**PERSON WITH AN IDENTIFICATION CARD:** shall have the same meaning as in § 11362.7(c) of the Health and Safety Code.

**PLACES OF WORSHIP:** Any facility specifically designed and used to accommodate the gathering of persons for the purposes of fellowship, worship, or similar conduct of religious practices and activities. This definition includes functionally related internal facilities (i.e., kitchens, multi-purpose rooms, storage, etc.) and residences for clergy. Associated uses (i.e., day care centers or full-time or part-time schools) may be allowed as incidental uses to the primary use. See also “Assembly Uses”.

**PLANNED DEVELOPMENT:** An area of land controlled by an owner to be developed with a number or mix of dwelling units or mixed-use development the plan for which may not correspond to lot size, bulk or type of dwelling, density, lot coverage, street widths, setbacks, and/or required open space to the regulations established in any district created under the provisions of this title.

**PLANNING COMMISSION:** The Planning as established and defined under Chapter 2-9 of the City of Isleton Municipal Code.

**PLANNING DIRECTOR:** The Planning Director for the City of Isleton or the person given the authority by the City Manager to carry out the responsibilities of the Planning Director in the Isleton General Plan and Municipal Code.

**PORCH, ENCLOSED:** A covered entrance to a building or structure which is enclosed by walls or windows. Porches generally project out from the main wall of the building and may have a separate roof or a roof that is integrated with the building to which it is attached. This definition includes porches that are enclosed by solid walls that are at least 30 inches in height, used in conjunction with or instead of balustrades or railings.

**PORCH, OPEN:** A covered entrance to a building or structure which is not enclosed by walls or windows but may have columns that support the porch roof and railing. Porches generally project out from the main wall of the building and may have a separate roof or a roof that is integrated with the building to which it is attached.

**PREMISES:** means a single, legal parcel of property. Where contiguous legal parcels are under common ownership or control, such contiguous legal parcels shall constitute a single “premises” for purposes of this chapter.

**PRIMARY CAREGIVER:** shall have the same meaning as in § 11362.5(e) of the Health and Safety Code.

**PRIMARY OR PRIMARY USE:** The principal or predominant use of land or a structure, generally based on the area of land or building devoted to the use.

**PRIMARY DWELLING:** An existing or proposed single family home on a lot with an accessory dwelling unit.

**PRINCIPAL USE:** The primary or dominant use of the land, whether it be to farm, to ranch, to reside within a dwelling or to operate a business.

**PUBLIC IMPROVEMENTS STANDARDS:** City of Isleton Public Improvements Standards as most recently adopted by the City Council.

**PUBLIC TRANSIT:** A location, including but not limited to a bus stop or train station, where the public may access buses, trains, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

**PUBLIC UTILITY SERVICE YARD:** A site or portion of a site or structure in which a public utility company may store, house and/or service equipment such as service trucks and other trucks and trailers, pumps, spools of wire, pipe, conduit, transformers, cross-arms, utility poles, or any other material, tool or supply necessary for the normal maintenance of the utility facilities.

**QUALIFIED PATIENT:** shall have the same meaning as in § 11362.7(f) of the Health and Safety Code.

**REASONABLE ACCOMMODATION:** Provision of disabled persons flexibility in the application of land use and zoning regulations and procedures or even waiving certain requirements, when necessary to eliminate barriers to housing opportunities. It may include adjustments to standards such as yard area modifications for ramps, handrails or other such accessibility improvements; hardscape additions, such as widened driveways, parking area or walkways; building additions for accessibility; tree removal; or reduced off-street parking where the disability clearly limits the number of people operating vehicles. Reasonable accommodation does not include an accommodation which would (1) impose an undue financial or administrative burden on the City or (2) require a fundamental alteration in the nature of the City's land use and zoning program.

**RECREATION VEHICLE:** A motorhome, travel trailer, park trailer, truck camper or camping trailer, with or without motor power, designed for human habitation for recreational or emergency occupancy, with an area of less than four hundred eighty (480) square feet and consistent with California Health and Safety Code Section 1810. Recreational vehicle shall also include trailered boats.

**RECREATIONAL VEHICLE PARK:** Any area or tract of land where one or more lots are rented or leased or held out for rent or lease to owners or users of recreational vehicles or tents and which is occupied for temporary purposes.

**REHABILITATION:** The means, the act or the process of returning a building, object, site or structure to a state of utility through repair, remodeling or alteration that enables an efficient contemporary use while preserving those portions or features of the building, object, site or structure that are significant to its historical, architectural and cultural values.

**REPLACEMENT VALUE:** A building evaluation by the Chief Building Official not including the value of land. Retail sales of new and used automobiles (automobile dealership): Any business establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats or motorcycles or other similar motorized transportation vehicles. An automobile dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby

location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership

**RESIDENCE:** A structure containing a dwelling unit designed for occupancy or occupied by one family or more.

**RESIDENTIAL CARE FACILITIES:** A facility licensed by the state of California to provide living accommodations, 24-hour care for persons requiring personal services, supervision, protection, or assistance with daily tasks. Amenities may include shared living quarters, with or without a private bathroom or kitchen facilities. This classification includes those both for and not-for-profit institutions but excludes Supportive Housing and Transitional Housing.

*Small.* A facility that is licensed by the state of California to provide care for six or fewer persons.

*Large.* A facility that is licensed by the state of California to provide care for more than six persons.

**RESIDENTIAL FACILITY, ASSISTED LIVING:** A facility that provides a combination of housing and supportive services for the elderly or functionally impaired, including personalized assistance, congregate dining, recreational, and social activities. These facilities may include medical services. Examples include assisted living facilities, retirement homes, and retirement communities. These facilities typically consist of individual units or apartments, with or without kitchen facility, and common areas and facilities. The residents in these facilities require varying levels of assistance.

**RESIDENTIAL STRUCTURE:** means any building or portion thereof legally existing which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation on a premises or legal parcel located within a residential zoning district.

**RESTAURANT:** An establishment which serves food or beverages primarily to persons seated within the building. This includes cafes and tea rooms and outdoor cafes.

**REST HOMES OR HOMES FOR THE AGED:** An establishment or home intended primarily for the care and nursing of invalids and aged persons; excluding cases of communicable diseases and surgical or obstetrical operations. The term shall not include nursing home.

**REVIEW AUTHORITY:** The officer, committee, commission, board or employee responsible for the approval or disapproval of any permit or entitlement or responsible for the administration, interpretation or enforcement of the provisions of the Zoning Ordinance.

**REVITALIZATION:** The imparting of a new economic and community life in an existing neighborhood, area or business district, while at the same time preserving the original building stock and historic character.

**RIGHT-OF-WAY:** The strip of land over which certain transportation and public use facilities are built, such as roadways, railroads and utility lines.

**ROAD:** See "Street".

**ROOMING HOUSE:** Same as Boarding except no meals.

**RURAL FARM WORKER HOUSING :** Housing accommodations as described in Section 17008(b) of the Employee Housing Act which includes housing located in an agricultural zone, and in a rural area as defined in California Health and Safety Code Section 50101; provided by someone other than an agricultural employer; and provided for five or more farmworkers of any agricultural employer(s).

**SEASONAL OCCUPANCY OR SEASONAL EMPLOYEE HOUSING:** Farmworker housing which is operated annually on the same site and which is occupied for not more than 180 days in any calendar year, as further defined in Section 17010(b) of the Act.

**SECONDARY DWELLING UNIT:** An attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the single-family dwelling is situated. Secondary dwelling units established prior to adoption of this ordinance may be considered legal. Secondary units established after adoption of this ordinance shall be considered accessory dwelling units that shall comply with applicable standards of this ordinance (refer to Section 405).

**SECONDHAND GOODS:** Any goods, objects, clothes, furniture, art, appliances or wares that have been previously purchased and/or used and which are not antiques.

**SECONDHAND STORE:** A store or shop that primarily sells goods, objects, clothes, furniture, art, appliances or wares that have been previously purchased and/or used and which are not antiques.

**SELF-STORAGE:** An establishment that offers for rental, lease or ownership of individual bays that are intended for the storage, warehousing or safe-keeping of personal goods or possessions, regardless of the duration of such storage, warehousing or safe-keeping.

**SENIOR INDEPENDENT LIVING CENTER (SILC):** A multiple residential structure(s) that provides housing for occupants who are 55 years or older. In the case of double occupancy of a unit, only one resident is required to be at least 55 years of age. Such a center shall consist of, but not be limited to, individual units, community dining centers and common recreation areas. The facilities are physically accessible to elderly citizens. The individual units may be in the form of multiplexes, cottages, townhouses, patio homes or single-family homes. Generally, senior independent living centers will provide two meals per day, provide transportation for residents and offer indoor and outdoor recreational areas.

**SETBACK OR SETBACK LINE:** A line defined in this Code to govern the placement of buildings or structures with respect to property lines, streets, access easements, rights-of-way, or alleys.

**SCHOOL, ELEMENTARY, JUNIOR HIGH OR HIGH:** Public and other non-profit institutions conducting regular academic instruction at kindergarten, elementary and secondary levels. Such institutions shall offer general academic instructions equivalent to the standards prescribed by the State Board of Education.

**SCHOOL, PRIVATE OR PAROCHIAL:** An institution conducting regular academic instruction at kindergarten, elementary or secondary levels, operated by a non-governmental organization.

**SCHOOL, TRADE:** Schools offering preponderant instruction in the technical, commercial or trade skills, such as real estate schools, business colleges, electronics schools, automotive and aircraft technician schools and similar commercial establishments operated by a non-governmental organization.

**SERVICE STATION:** An occupancy engaged in the retail sales of gasoline, diesel or liquefied petroleum gas fuels, oil, tires, batteries and new accessories and which provides for the servicing of motor vehicles and operations, incidental thereto, including: automobile washing, incidental waxing and polishing, tire changing and repairing (but not including recapping), battery service, charging and replacement (but not including repair or rebuilding), radiator cleaning, flushing and repair, installation of minor accessories, lubrication of motor vehicles, rental of utility trailers, the testing, adjustment and replacement of motor parts and accessories.

**SHALL:** “Shall” as used herein, shall is not intended to diminish the flexible application of the stated guidelines, but to reinforce the requirement to meet, at a minimum, the intent of the particular section, standard, guideline or design principle.

**SHOULD:** “Should” signifies a directive to be honored if at all possible.

**SIDING:** The exterior wall covering of a structure.

**SLOPE:** Land gradient described as a percentage equal to 100 times the vertical rise divided by the horizontal run.

**SMOKING:** means inhaling, exhaling, burning or carrying any lighted combustible substance containing cannabis in any manner or in any form and use of electronic devices with electrical ignition or vaporization (e-cigarettes/cigars or similar devices) with cannabis or its byproducts in the device.

**SIGN:** Any letter or symbol made of cloth, metal, paint, paper, wood or other material of any kind whatsoever, placed for advertising, identification or other similar purposes, on the ground or on any wall, post, fence, building, structure, vehicle or any place whatsoever. The term “placed” shall include constructing, erecting, posting, painting, printing, tacking, nailing, bluing, sticking, carving or otherwise fastening, affixing or making visible in any manner whatsoever.

**SINGLE-FAMILY RESIDENTIAL NEIGHBORHOOD:** A neighborhood consisting of existing development primarily consisting of single-family house development.

**SINGLE-ROOM OCCUPANCY:** A facility providing six or more dwelling units where each unit has a minimum floor area of one hundred fifty (150) square feet and a maximum floor area of four hundred (400) square feet. These dwelling units may have kitchen or bathroom facilities and shall be offered on a monthly basis or longer.

**SITE:** A parcel of land, subdivided or unsubdivided, occupied or to be occupied by a use or structure.

**SITE AREA:** The total horizontal area included within the property lines of a site.

**STABLE:** A detached accessory structure including, but not limited to, a corral or paddock for the keeping of one (1) or more horses owned by the occupants of the premises, and which are not kept for remuneration, hire or sale.

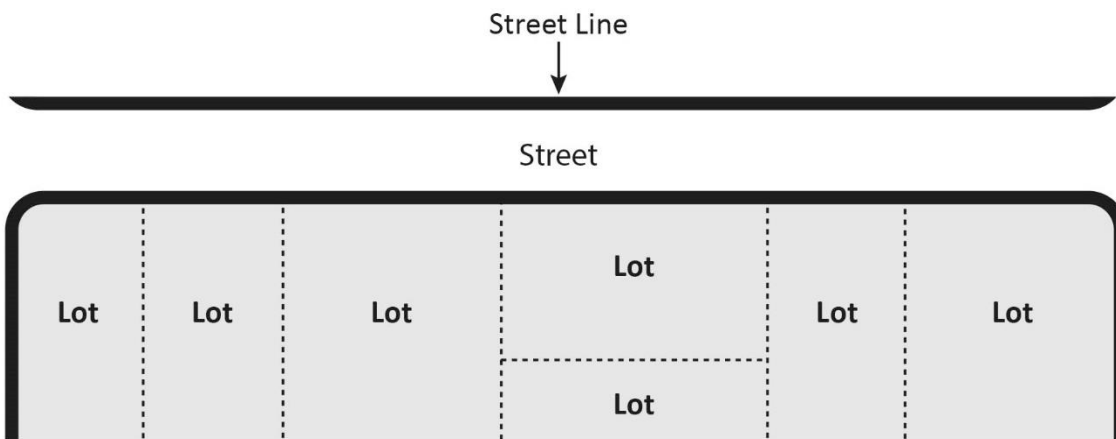
**STABLE, COMMERCIAL:** A structure including, but not limited to, a corral or paddock for the keeping of horses for remuneration, hire or sale.

**STATE HIGHWAY:** State Route 160

**STREET:** A public or private way permanently dedicated or reserved as a primary means of access to abutting property.

**STREET FRONTAGE:** The property line of a parcel abutting the right-of-way to which such parcel has a legal right of access.

**STREET LINE:** The boundary line between street rights-of-way and abutting property.



*Street line illustrated*

**STREETSCAPE:** The distinguishing and pictorial character of a particular street as created by its width, degree of curvature, paving materials, design of the street furniture, landscaping and forms of surrounding buildings.

**STREET TREES:** Trees strategically planted, usually in parkway strips or medians, to enhance the visual quality of a street.

**STRUCTURE:** Anything constructed or erected, the use of which requires location on or above the ground or the attachment to something having location on or above the ground including swimming pools and patio covers.

**STRUCTURAL ALTERATION:** Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

**STORAGE YARD:** Any site or portion of a site, that is used for to store new equipment and/or construction materials for the purpose of future use or sale. If a storage yard is located on the same



site as another established use, the storage yard area shall be considered a separate freestanding primary use, even if it serves all or a portion of the other established use.

**STREAMLINED HOUSING:** A housing development project that meets the qualifications of Government Code Section 65913.4 and therefore is eligible for a ministerial and streamlined approval process.

**STRUCTURE:** Anything constructed or erected which requires a fixed location on the ground, including a building or sign pole or standard, but not including a fence or wall used as a fence, a patio, walk, driveway or raised planting bed.

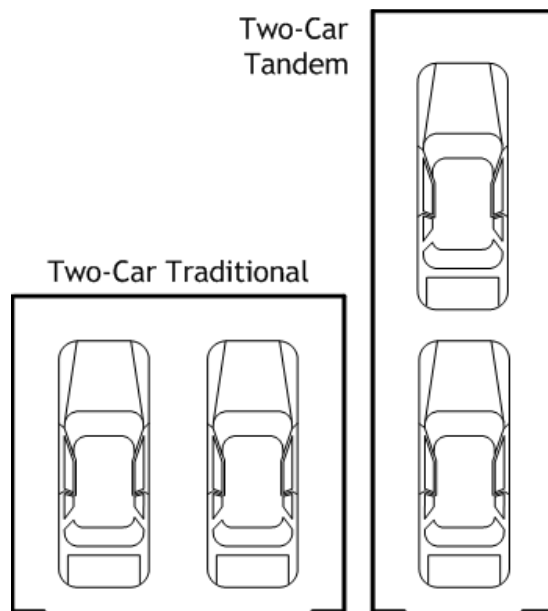
**STRUCTURE, MAIN:** A structure housing the principle use of a site or functioning as the principle use.

**STUCTURAL ALTERATION:** Any change in the supporting members of a building, such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or any change in the exterior dimensions of a building, excepting those changes which may result from providing minor repairs and building maintenance.

**SUBSTANCE RECOVERY FACILITY:** Any facility, building or group of buildings which maintained and operated to provide 24-hour residential nonmedical alcoholism or drug abuse recovery or treatment services.

**SUPPORTIVE HOUSING.** Dwelling units with no limit on length of stay, that are occupied by the target population as defined in subdivision (d) of Section 53260 of the California Health and Safety Code, and that are linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, where possible, work in the community.

**TANDEM PARKING.** Two or more automobiles parked on a driveway or in any other location on a parcel, lined up behind one another.



*Tandem parking (right) and standard parking (left)*

**TARGET POPULATION:** Persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse or other chronic health condition or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 3.5 (commencing with Section 4500 of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans and homeless people. This definition is intended to remain consistent with California Government Code Section 65582(i) as may be revised from time to time

**TATTOO PARLOR:** A commercial land use where the marking or coloring of the skin is performed by pricking in coloring matter or by producing scars, and which is conducted in exchange for financial or other valuable consideration. It does not include the application of permanent cosmetics or tattooing when applied by a licensed dermatologist on premises licensed as a dermatological office.

**TEMPORARY DWELLING:** A travel trailer or motorhome which serves as a temporary residence for the owner or builder until the principal dwelling unit is built or occupied. An existing permitted or legal nonconforming dwelling may be permitted to be used as a temporary dwelling, upon condition that it be removed or converted to an allowed use prior to final inspection of the new dwelling.

**TEMPORARY OFFICE:** A commercial coach which serves as a temporary office until the principal commercial structure is built or occupied.

**TEMPORARY SALES OFFICE:** A real estate sales office located in a subdivision.

**TEMPORARY CONSTRUCTION STORAGE CONTAINER:** Storage structures or cargo boxes designed or once serving as commercial shipping or cargo containers equipped with a mechanical latch or other similar mechanism to hold the door in the open position when the structure is occupied or equipped with a mechanism to unlock the door from the inside when the structure is occupied for the use of storing of construction equipment and materials. The temporary construction storage container shall be limited to occupy the construction site from the issuance of the building permit to final inspection.

**TRAILER SALES LOT:** An open area where trailers are sold leased or rented and where no repairs, repainting or remodeling are done.

**TRAILER, UTILITY:** A vehicle without motive power designed and constructed to travel on the public thoroughfares in accordance with the provisions of the State Vehicle Code, and to be used only for carrying property.

**TRANSIENT OCCUPANCY:** Occupancy of a motel, hotel or other temporary lodging for less than 30 consecutive days in any 12-month period.

**TRANSITIONAL HOUSING.** Housing that has a predetermined end point in time and operated under a program that requires the termination of assistance, in order to provide another eligible

program recipient to the service (per Govt. Code Section 1954.12). The program length is typically no less than six months.

**TRASH/RECYCLING CONTAINER:** A can, cart, dumpster, or barrel for the purposes of containing trash and recycling material.

**TRASH AND RECYCLING ENCLOSURE:** A walled structure for trash and recycling containers, with one or more gates for access.

**TRUCK STOP:** A place of business primarily engaged in providing gas station facilities for commercial vehicles and trailer trucks. Truck stops may include accessory food and lodging services.

**URBAN LOT SPLIT:** A subdivision of one lot into two lots in a single-family residential zone pursuant to regulations established by the California Housing Opportunity and More Efficiency [HOME] Act) (SB-9) of 2021.

**USE:** The purpose for which a site or structure is arranged, designed, intended, constructed, moved, erected, altered or enlarged or for which either a site or structure is or may be occupied or maintained.

**USE, ACCESSORY:** A use accessory to and customarily a part of the permitted use, which use is clearly incidental and secondary to the permitted use and which does not change the character thereof.

**USE, CONDITIONAL:** A use which is listed as a conditional use in any given district in this ordinance. Conditional uses may be required to meet certain requirements as a condition precedent to the granting of a use permit which will allow the establishing of a conditional use in any given district.

**USE, PERMITTED:** A use which is listed as a permitted use in any given district in this ordinance. Permitted uses need not meet special requirements as a condition precedent to be allowed to establish in a given district, except as required by the provisions of Articles 14 and 16.

**USE, PRINCIPAL:** The main use of land and buildings and the main purpose for which land and buildings exist. The principle use of property may occupy less than a majority of either the land area, the area of structures, or both.

**VARIANCE:** The procedure whereby the strict application of the provisions of this title relating to height, area, yard requirements or other requirements of this title may be modified in a particular instance. See Article 5.

**VEHICLE, MOTOR:** A device by which any person or property may be propelled, moved or drawn upon a highway, street, alley or road except as a device moved by human power or used exclusively upon stationary rails or tracks.

**VEHICLE, INOPERABLE:** A motor vehicle that cannot be moved under its own power due to lack of a motor, transmission or wheels and in the case of trailers is incapable of being towed.

**VETERINARIAN, LARGE ANIMAL:** An animal hospital or clinic that provides services for horses and other livestock.

**VETERINARIAN, SMALL ANIMAL:** Veterinary clinics and hospitals that provide care for small domestic animals such as dogs, cats and birds. The term does not include large animal and livestock veterinarians.

**VIEWSHED:** The area that can be seen from a given vantage point and viewing direction. A viewshed is composed of foreground items (items close to the viewer) that are seen in detail and background items (items at some distance from the viewer) that frame the view. If a person is moving, as when traveling along a roadway (a view corridor), the viewshed changes as the person moves, with the foreground items changing rapidly and the background items remaining fairly consistent for a long period of time.

**WETLAND:** The federal government defines wetlands in Section 404 of the Clean Water Act as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support (and do support, under normal circumstances) a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3[b] and 40 CFR 230.3). The definition of wetlands requires three wetland identification parameters are present: wetland hydrology, hydric soils and hydrophytic vegetation. The U.S. Army Corps of Engineers (ACOE) is the responsible agency for regulating wetlands under Section 404 of the Clean Water Act, while the Environmental Protection Agency (EPA) has overall responsibility for the Act (ACOE, 2002).

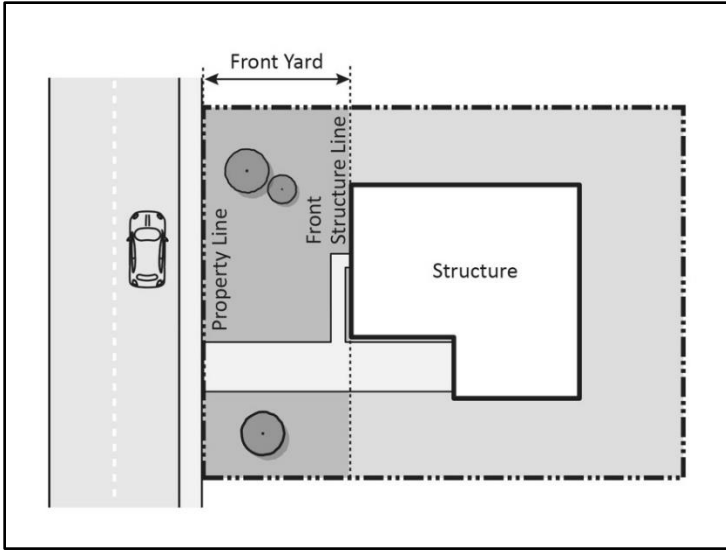
**WHOLESALE:** The sale of goods or commodities in quantity for resale; including incidental retail sales.

**WHOLESALE SALES:** An establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional or professional business users or to other wholesalers; or acting as agents or brokers and buying merchandise for or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

**WHOLESALE STORAGE AND DISTRIBUTION CENTERS (WHOLESALE ESTABLISHMENT WITH WAREHOUSE):** The display, storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment, including truck terminal or bus servicing facilities, motor freight transportation, moving and storage facilities, warehousing and storage activities.

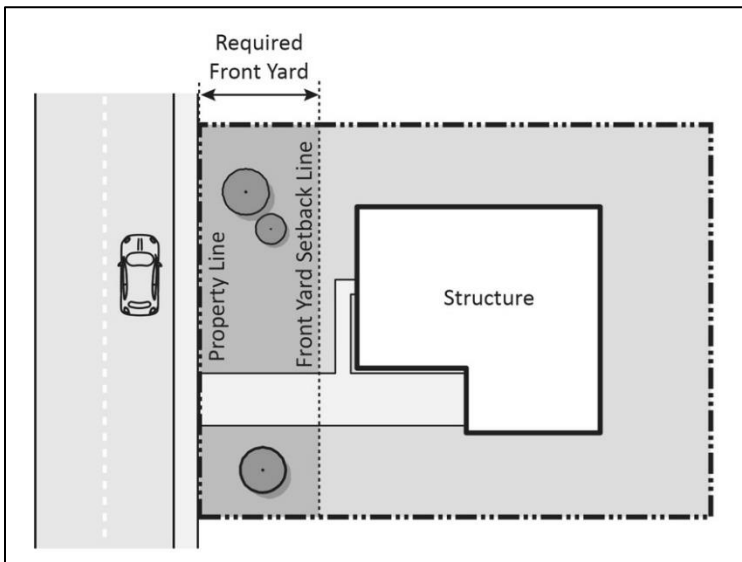
**YARD:** Open and unoccupied space on a lot.

**YARD, FRONT:** The area between the primary structure and the front lot line.



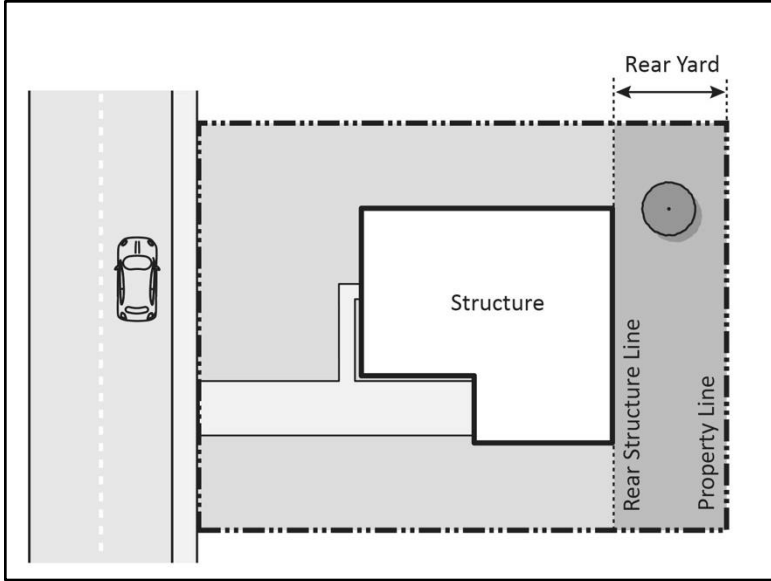
*Front yard is the area between the primary structure and the front lot line.*

**YARD, REQUIRED FRONT:** The area between the front lot line and the front setback line.



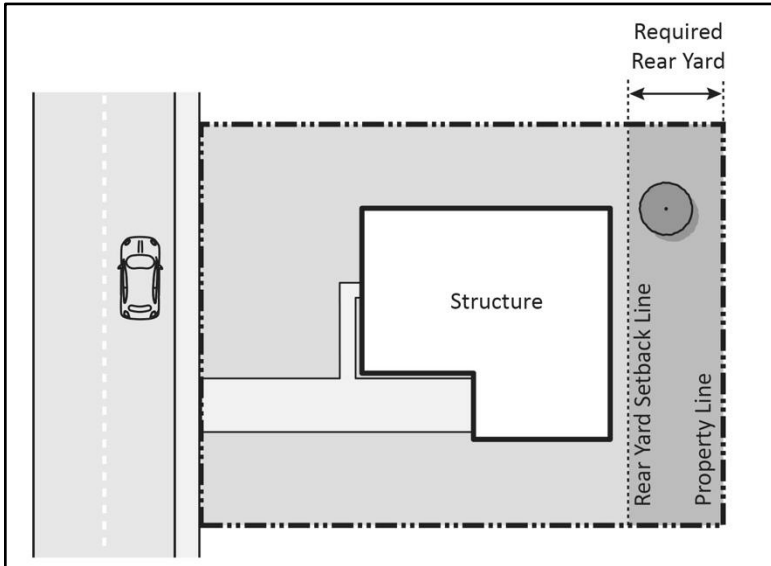
*Required front yard is established by the front setback line.*

**YARD, REAR:** The area between the rear of the primary building on a lot and the rear property line.



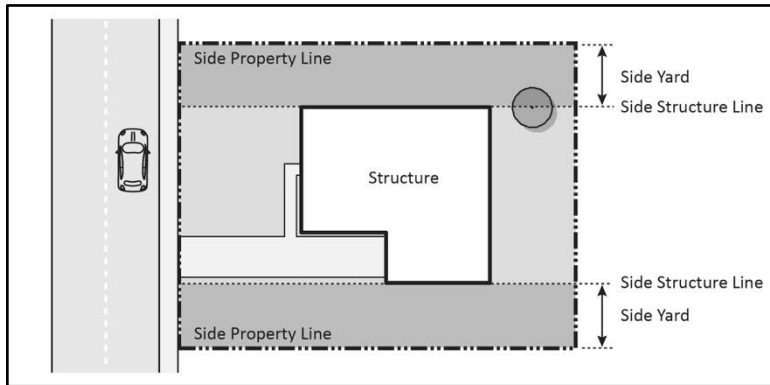
*Rear yard is the area between the primary structure and the rear property line.*

**YARD, REAR, REQUIRED:** The area between the rear lot line and the rear property line.



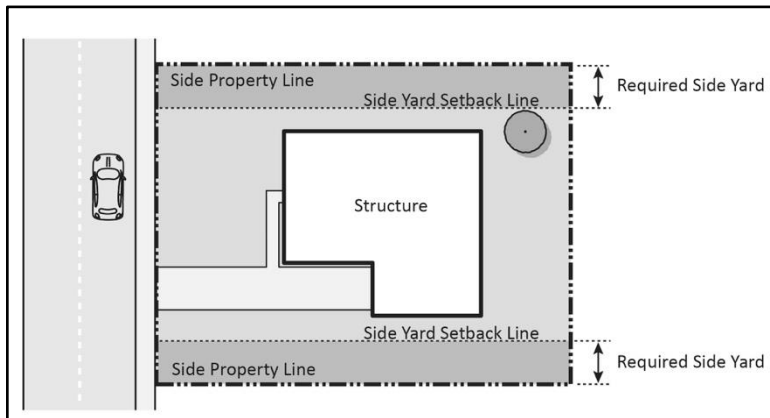
*Required rear yard is defined by the rear setback line.*

**YARD, SIDE:** The area between the primary structure and each side lot line.



*Side yard is the area between the primary structure and the side lot line.*

**YARD, SIDE, REQUIRED:** A yard along each sideline of the lot to a width required by the district in which the lot is situated and extending from the front yard setback line to the rear yard setback line.



*Required side yard is established by the side setback line.*

**YOUTH ORIENTED FACILITY:** A public or private school (K-12), licensed daycare facilities, public parks, or a “youth center” as defined by state law as any public or private facility that is primarily used to host recreational or social activities for minors, including, but not limited to, private youth membership organizations or clubs, social service teenage club facilities, video arcades, or similar amusement park facilities.

**ZONING INTERPRETATION AND PROCEDURES MANUAL:** Manual maintained by the Planning Director, which provides interpretations and procedures for administering the Zoning Code.