

PLANNING COMMISSION REGULAR MEETING Monday, December 13, 2021 at 5:30 PM

94 N. Washington Street, Sonora, CA 95370 (209) 532-3508

AGENDA

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH EXECUTIVE ORDER N-25-20, ISSUED BY CALIFORNIA GOVERNOR GAVIN NEWSOM ON MARCH 12, 2020, THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT.

THIS MEETING WILL BE OPEN TO THE PUBLIC. IT <u>WILL NOT</u> BE AVAILABLE VIA ZOOM, HOWEVER WILL BE LIVESTREAMED ON THE CITY'S WEBSIE AT WWW.SONORACA.COM.

ALL WHO ATTEND THIS MEETING IN PERSON, MUST WEAR A MASK REGARDLESS OF VACCINATION STATUS.

CALL TO ORDER

FLAG SALUTE

ROLL CALL

MINUTES

1. Approval of the September 13, 2021 Planning Commission Minutes

PUBLIC APPEARANCES

Per California State Law, matters raised by the public will be automatically referred to Staff or placed on the next meeting's Agenda. Anyone wishing to address the Commission at this time will be limited to three (3) minutes.

PUBLIC HEARING

City of Sonora initiated project for a Use Permit to allow an emergency shelter to house up to 15 individuals, at one time, within the existing, after renovation, residential structure. This location is for 290 S. Stewart Street, in a Commercial (C) zone; APN 002-151-003.

DESIGN REVIEW

3. Application from Sonora Lumber, for a Design Review Permit for the installation of new metal lumber storage racking in a Commercial (C) zone, located at 644 S. Washington Street; APN 056-650-019.

DISCUSSION ITEMS

CORRESPONDENCE

ADJOURNMENT

In compliance with the Americans With Disabilities Act, if you need assistance to participate in this meeting, contact the Community Development Director at (209) 532-3508; rkellogg@sonoraca.com. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to insure accessibility to this meeting (28CFR 35.102-35.104 ADA Title II.)

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department at 94 N. Washington Street, Sonora, CA 95370, during the normal business hours of 8:00 a.m. and 4:00 p.m. weekdays.

PLANNING COMMISSION CITY OF SONORA

September 13, 2021 5:30 P.M.

A regular meeting of the Planning Commission of the City of Sonora was scheduled on this date at 5:30 p.m. in the Sonora City Hall Council Chambers.

The following members were present: Chairman, Kevin Anderson, Vice-Chairman, Peter Ghiorso and Commissioners Bess Levine and James Grinnell. Absent was Commissioner Stephen Opie.

MINUTES:

MOTION: Motion by Jim Grinnell, seconded by Bess Levine, to approve the minutes of the meeting of August 9, 2021 Planning Commission, as mailed.

MOTION: Grinnell **SECOND:** Levine

VOTE: AYES: Grinnell, Levine and Ghiorso (3)

NOES: None (0)
ABSTAIN: Anderson (1)
ABSENT: Opie (1)

PUBLIC APPEARANCES: None

PUBLIC HEARING:

1) Application from Ken Keagy, for a revised Site Plan and Variance for a 360 sq. ft. office/storage building in a General Commercial (CG) zone, located at 852 Mono Way; APN: 056-140-036.

Community Development Director, Rachelle Kellogg, presented the staff report. She discussed the revisions requested to the Site Plan and the reasons cited for the Variance. She discussed the findings necessary in approving a Variance. She advised that staff only received one comment on the project from the City Engineer and his concerns were addressed under the project conditions. She advised that staff was recommending approval of the project, subject to the proposed conditions.

Applicant representative, Galen Gritz, stated that the applicant was in agreement with all of the project conditions except for the additional landscaping requirements.

Commissioner Grinnell asked for clarification from Galen Gritz regarding concerns over the landscaping requirements.

Galen Gritz explained that the applicant and the City did not come to terms over certain issues during the Mono Way and Greenley Road intersection project and thus the applicant did not feel it was right to require the additional landscaping as part of this project.

Chairman Anderson asked whether or not there was a barricade along Greenley Road, adjacent to the subject property. Applicant's representative, Galen Gritz, stated that there was not.

Community Development Director, Rachelle Kellogg, explained the difference in landscaping previously required under the approved Site Plan versus what is proposed under this project. She described the requirements related to landscaping and parking areas within the Municipal Code.

Commissioner Grinnell expressed concerns over planting trees in the landscape area and how that would affect site distance.

Community Development Director, Rachelle Kellogg, stated that any issues would be identified during review of the landscape plan.

Chairman Anderson did not support the additional landscaping because he was concerned with maintenance issues. He questioned the need for extending the landscaping.

Community Development Director, Rachelle Kellogg, explained that there were two reasons for requiring it, the first being it would serve as a barricade and the second for beautification.

Commissioner Levine supported the landscaping condition.

The Public Hearing was opened and closed, as no public was in attendance and there were no comments.

MOTION: To approve the revised Site Plan and Variance for a 360 sq. ft. office/storage building, located at 852 Mono Way, subject to the following conditions and findings:

MOTION: Ghiorso **SECOND:** Levine

VOTE: AYES: Ghiorso, Levine and Anderson (3)

NOES: Grinnell (1)
ABSTAIN: None (0)
ABSENT: Opie (1)

Conditions of Approval for revised Site Plan and Variance 852 Mono Way

GENERAL:

- 1. This Revised Site Plan and Variance approval is issued for constructing a new office/storage building. All exterior alterations shall be in accordance with plans approved by the Sonora Planning Commission on September 13, 2021. The Community Development Director may approve minor changes to the design that are in substantial compliance with the plans approved by the Planning Commission.
- 2. The existing storage container is to be removed from the property prior to issuance of Certificate of Occupancy.

- 3. Provide a landing and accessible entry into the building.
- 4. The proposed building site is to be graded to the City wall along Greenley Rd. with all of the remnants of the old building foundation removed.
- 5. Prior to issuance of a building permit, the application shall coordinate with TUD regarding the water and sewer connections for the building.
- 6. The proposed 3 ft. landscape area is to be extended northerly along the westerly property line adjacent to Greenley Rd., to the extent that it can be accommodated based on existing structures, and southerly around the corner to Mono Way. The landscape area is to include a variety of plants including trees, bushes and ground cover. The landscape plan is to be submitted for review and approval by the Parks, Beautification and Recreation Committee. Landscaping to be installed prior to occupancy.
- 7. The property owner or authorized applicant, their successors and assigns, will defend, indemnify, and hold harmless the city and its agents, officers, attorneys and employees from any claim, action, or proceedings brought against the city or its agents, officers, attorneys or employees within the applicable statute of limitations to:
 - a. Attack, set aside, void, or annul any action approving an application (including any action to provide environmental clearance in compliance with the California Environmental Quality Act (CEQA), by city staff any city planning or advisory agency, any city appeal board, or the city council; or
 - b. Seek damages for property damage or personal injuries resulting from development authorized by the city pursuant to the application. [SMC Section 17.69.010 (Ordinance 776)]
- 8. Applicant shall comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

Findings for Revised Site Plan and Variance – 852 Mono Way

- The use is consistent with the City of Sonora General Plan;
- The use is consistent with Title 17 of the Sonora Municipal Code and with the purposes of the zone in which it is located;
- Is consistent with the objectives, policies, general land uses and programs specified in the General Plan;

- Is in conformity with public convenience, general welfare and good land use practice;
- Will not be detrimental to the health, safety and general welfare;
- Will not adversely affect the orderly development of property or the preservation of property values; and
- The project has been reviewed in compliance with CEQA and is exempt from further review pursuant to the California Environmental Quality Act.
- **2**) Application from Jonathan Hailey, for a Design Review Permit to install a large roll up storefront window in a Commercial (C) zone, located at 123 S. Washington Street; APN: 001-195-011.

Community Development Director, Rachelle Kellogg, presented the staff report and stated that a comment was received from the Tuolumne Heritage Committee requesting the framing to be dark in color. She stated that staff supported the applicant's project as submitted with a bare aluminum frame.

Applicant, Jonathan Hailey, stated he was available for any questions.

Chairman Ghiorso asked if the design was similar to the one currently at The Rock in Twain Harte. Applicant, Jonathan Hailey, stated that it was.

Commissioner Levine asked if the glass would be clear. Applicant, Jonathan Hailey, confirmed that the glass would be clear.

Commissioner Grinnell questioned the design of the frame.

Applicant, Jonathan Hailey, explained how the door would be structurally designed.

Commissioner Levine asked if the existing exterior wall would remain as it is. Applicant, Jonathan Hailey, stated it would.

Chairman Anderson and Commissioner Levine stated that they liked the bare aluminum frame.

Motion to approve a Design Review Permit, as presented for Jonathan Hailey, located at 123 S. Washington Street, subject to the following conditions and findings:

MOTION: Grinnell **SECOND:** Ghiorso

VOTE: AYES: Grinnell, Ghiorso, Levine and Anderson (4)

NOES: None (1)
ABSTAIN: None (0)
ABSENT: Opie (1)

Conditions of Approval for a Design Review Permit – 123 S. Washington Street

GENERAL:

- 1. This Design Review Permit is issued for the exterior changes. All exterior alterations shall be in accordance with the design approved by the Sonora Planning Commission on September 13, 2021. The Community Development Director may approve minor changes to the design that are in substantial compliance with the plans approved by the Planning Commission.
- 2. Storefront and window glass shall be clear
- 3. The property owner or authorized applicant, their successors and assigns, will defend, indemnify, and hold harmless the city and its agents, officers, attorneys and employees from any claim, action, or proceedings brought against the city or its agents, officers, attorneys or employees within the applicable statute of limitations to:
 - a. Attack, set aside, void, or annul any action approving an application (including any action to provide environmental clearance in compliance with the California Environmental Quality Act (CEQA), by city staff any city planning or advisory agency, any city appeal board, or the city council; or
 - b. Seek damages for property damage or personal injuries resulting from development authorized by the city pursuant to the application. [SMC Section 17.69.010 (Ordinance 776)]
- 4. Applicant shall comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

Findings for Design Review Permit – 123 S. Washington Street

- 1. The use is consistent with the City of Sonora General Plan;
- 2. The use is consistent with Title 17 of the Sonora Municipal Code and with the purposes of the zone in which it is located;
- 3. The proposed architectural modifications conform with features found on the original building and surrounding commercial properties;
- 4. The proposed exterior architectural features reflect the traditional architectural characteristics of the community, blends with the adjacent neighborhood, and is consistent with the applicable design standards in the General Plan and Sonora Municipal Code.

DISCUSSION ITEM:

Community Development Director, Rachelle Kellogg, asked for a volunteer from the Sonora Planning Commission to serve on the City's Parking & Traffic Commission. Commissioner Grinnell was approved by consensus and Commissioner Ghiroso stated he could serve as an alternate if for some reason Commissioner Grinnell was not able to do it. She also provided information about the Stewart Street Shelter project and upcoming Community Conversation.

There being no further business to come before the Commission, the meeting was adjourned at 6:13 p.m. to the next Planning Commission Meeting on Tuesday, October 12, 2021, as Monday is Columbus Day Holiday.

Respectfully submitted,

Rachelle Kellogg, Community Development Director



Community Development Department PLANNING COMMISSION Staff Report

MEETING DATE: December 13, 2021 GENERAL PLAN: Historic Mixed Use (HMU)

TO: Planning Commissioners **ZONING**: Commercial (C)

APPLICANT / OWNER: City of Sonora

PROJECT: Use Permit – Stewart Street Shelter Project

PROJECT DESCRIPTION: City of Sonora initiated project for a Use Permit to allow an emergency

shelter to house up to 15 individuals, at one time, within the existing, after renovation, residential structure. This location is for 290 S. Stewart Street,

in a Commercial (C) zone; APN 002-151-003.

BACKGROUND

The City of Sonora purchased the property located at 290 S. Stewart Street for the Stewart Street Shelter Project. The project will include renovating the existing blighted residential structure to house up to 15 homeless individuals. The City will retain ownership of the property and the shelter will be managed/operated by the Amador Tuolumne Community Action Agency (ATCAA). This will be the second homeless shelter within the City and the existing shelter is also operated by ATCAA.

Both the City of Sonora and Tuolumne County continue to experience an increase in the number of homeless individuals within their jurisdictions and the ongoing issues associated with this. In 2019, a Point-in-Time Count (PIT) was conducted in Tuolumne County. This count stated that the number of sheltered and unsheltered people experiencing homelessness was 261. In early 2022, another (PIT) will be conducted and officials anticipate that the new count will be much higher. Due to the 2018 ruling in the case of Martin v. City of Boise, cities and counties are prohibited from restricting homeless people from camping in public places unless they have adequate shelter space available. This prohibits enforcement of the City's "No Camping" ordinance unless adequate shelter space is available within the City. Therefore, additional shelter space must be created.

CONSISTENCY WITH ZONING

Section 17.60.040(M) of the Sonora Municipal Code states that a Use Permit is required for an emergency shelter and transitional housing in the Commercial zone. This section also prohibits the facility from being located within 300 feet from any other emergency shelter, school, youth center, or daycare. The proposed location is not within 300 feet from any of the listed uses. Therefore, with the approval by the Planning Commission of a Use Permit, the proposed project would be consistent with the Sonora Municipal Code.

CONSISTENCY WITH GENERAL PLAN

The site is designated Historic Mixed Use (HMU) per the Sonora General Plan 2020. The proposed project is consistent with the General Plan as the Historic Mixed Use Land Use Designation provides for this residential use. Therefore, the proposed project is consistent with the general plan.

ANALYSIS

In 2014 the Sonora Planning Commission approved a mixed-use project at the 290 S. Stewart St. location. The applicant, Jack Montgomery, proposed a project that would have included a professional

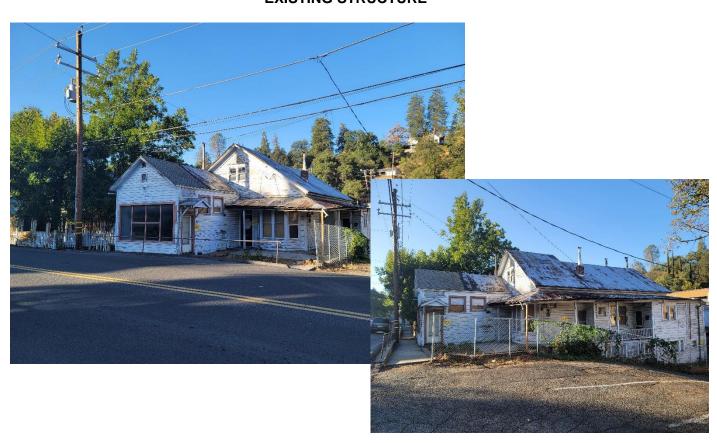
office space and two residential units. The project never moved forward and the building remained vacant. It continued to deteriorate due to lack of maintenance and became a blight to the neighborhood as vagrants regularly occupied the structure.

The City Council 2021 Goals and Objectives directed staff to explore all opportunities to provide best practice and dignified solutions to the City's growing homeless population, low-income and affordable housing needs. In May of 2021 the City Council gave staff direction regarding negotiations in the purchase of the property. The property was purchased for \$150,000 using the City's restricted low-income housing funds. The City will use both low-income housing funds and CDBG Program Income to renovate/reconstruct the building. No General Funds will be used for this project. Once purchased the City cleaned up the property and secured the building. The building is also monitored regularly by City staff to address any vagrancy issues. A Community Conversation for the project was held on October 12th to inform the neighboring property owners and the general public about the project.

As stated above, an emergency shelter is allowed within the Commercial Zoning District under a Use Permit. The intent of the City is to retain the building character during the renovation but if substantial changes are required to reconstruct the building's exterior the project will be brought back to the Planning Commission under Design Review. Due to the existing state of the building it will be a major reconstruction project and therefore costly. The interior will be remodeled to meet the needs of the shelter. Once constructed ATCAA will provide an on-site manager who will oversee the day-to-day operations and address any issues that arise.

The Stewart Street Shelter Project provides an opportunity to clean up a blighted property in the downtown area and provide much needed housing. Ultimately, it will also allow the City to move homeless individuals from public spaces.

EXISTING STRUCTURE



PROJECT LOCATION



PUBLIC NOTIFICATION

A Public Hearing Notice was placed in the Union Democrat and posted at City Hall. All property owners within 300 feet of the project also received a Public Notice. A response was received from the Tuolumne Heritage Committee and is included. If additional comments are received they will be presented to the Planning Commission at the meeting.

CEQA DETERMINATION

The project is exempt under the California Environmental Quality Act ("<u>CEQA</u>") pursuant to 15301, Existing Facilities, Class 1 which states that repair and minor alterations of an existing structure is exempt under CEQA.

RECOMMENDATION

Based on the preceding, it is recommended that the City Planning Commission approve Use Permit with the following findings and subject to the attached conditions:

- 1. The use is not located within 300 feet of another emergency shelter, school, youth center, or daycare.
- 2. The use is desirable at the specific location;
- 3. Features found on the original building will be preserved;
- 4. The use is consistent with the City of Sonora General Plan:
- 5. The use is consistent with the intent of Title 17 of the Sonora Municipal Code and with the purposes of the zone in which it is located.

Conditions of Approval
Use Permit Amendment – Emergency Shelter
290 S. Stewart Street

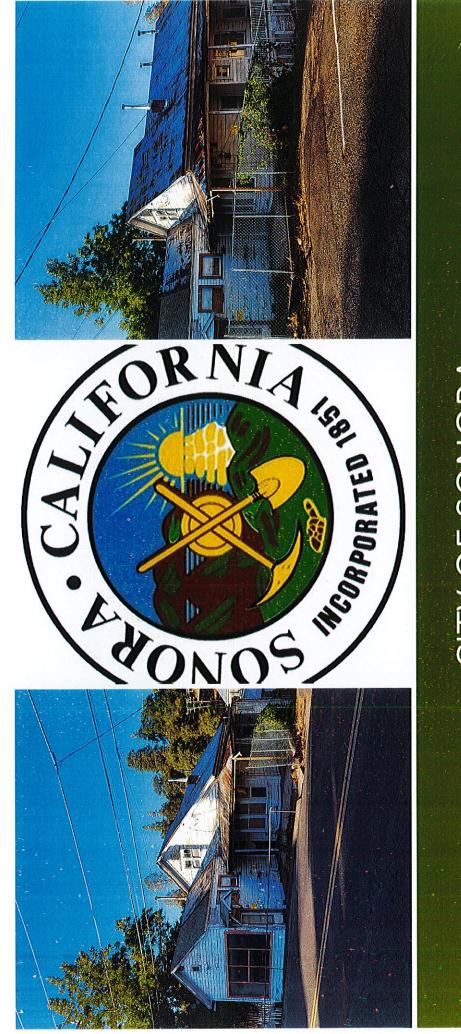
General:

- 1. The Use Permit is issued for an emergency shelter to house up to 15 individuals at one time. All activities shall be maintained and operated in accordance with the plans approved by the Sonora Planning Commission on December 13, 2021. [Project Description, SMC Section 17.32.090] The Community Development Director may approve minor changes that are in substantial compliance with the plans approved by the Planning Commission.
- 2. This Use Permit shall become effective and be issued ten days after the date the Commission granted the permit, unless an appeal has been filed, in which case the permit shall not be issued until the granting the permit is affirmed on appeal. The Use Permit shall expire and become null and void one year after the date of granting such permit, unless the authorized use is carried on or a building permit has been obtained for the structure requiring the use permit.
- 3. The emergency shelter shall not house more than 15 individuals at one time.
- 4. Any substantial change to the exterior of the building will require a Design Review Permit.
- 5. On-site 24 hr. management of the shelter is required.
- 6. The facility shall be uses an emergency shelter only and shall not be used as a homeless dropin center.
- 7. The property owner or authorized applicant, their successors and assigns, will defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees from any claim, action, or proceedings brought against the city or its agents, officers, attorneys, or employees with the applicable statute of limitations to:
 - Attack, set aside, void, or annul any action approving an application (including any action to provide environmental clearance in compliance with the California Environmental Quality Act (CEQA)), by City staff, any City planning or advisory agency, any City appeal board, or the City Council; or
 - b. Seek damages for property damage or personal injuries resulting from development authorized by the City pursuant to the application. [SMC Section 17.69.010 (Ordinance 776)].
- 8. Applicant shall obtain any required permits and comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

ATTACHMENTS:

- 1) Community Conversation Handout
- 2) Tuolumne Heritage Committee Comments

PREPARED BY: Rachelle Kellogg, Community Development Director



CITY OF SONORA STEWART STREET SHELTER PROJECT

COMMUNITY CONVERSATION: OCTOBER 12, 2021

2019 TUOLUMNE COUNTY HOMELESSNESS DATA

Point in Time (PIT) numbers from 2019 due to COVID-19

 Homeless numbers have only increased since 2019 due to COVID-19 and other housing factors City is working with the Continuum of Care and Tuolumne County to conduct a 2021 PIT Count.

Tuolumne County	2015	2016	2017	2019
Households of Adults Only	130	94	06	249
Households with Children	2	က	2	9
Households with only Children	0	0	0	0
Age 0-5	2	4	1	2
Age 6-17	5	2	2	5
Age 18-24	20	13	11	29
Age 25-59	123	110	80	212
Age 60+	14	13	12	47
Age Unknown	0	9	1	9

*PIT Worksheet Tuolumne 2019 Print Date 4/29/2019

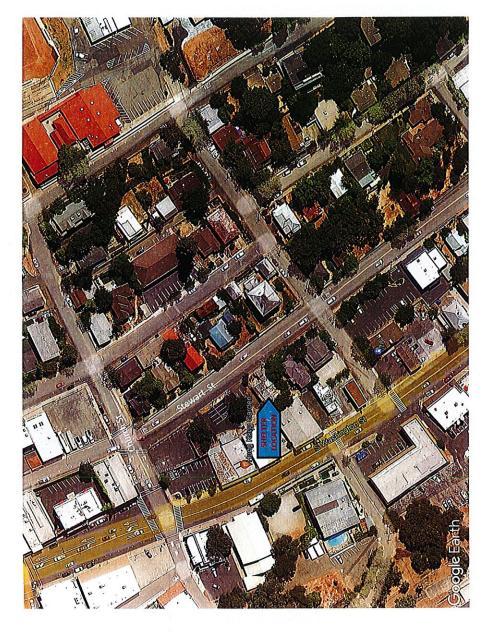
9TH CIRCUIT COURT OPINION ON HOMELESSNESS

- of Boise that cities could not prohibit homeless people from camping in public places On Sept. 4, 2018, the 9th U.S. Circuit Court of Appeals ruled in the case Martin v. City unless they had adequate shelter available.
- That means states across the 9th Circuit can no longer enforce similar statutes if they homeless people from camping in public places when they have no place else to go. The court said it was "cruel and unusual punishment" to enforce rules that stop don't have enough shelter beds for homeless people sleeping outside.
- This rule applies to the City of Sonora and does not allow the City to enforce "nocamping" ordinances unless there is adequate shelter space available.
- Requires that both the City and the County take measures to increase its shelter

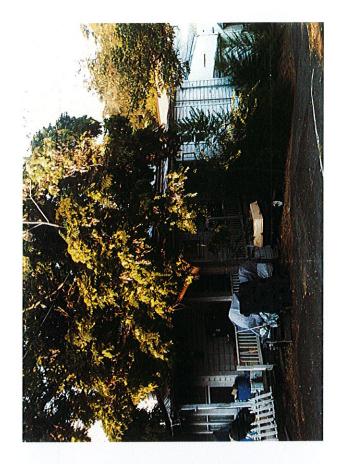
DIRECTION FROM CITY COUNCIL FOR 290 SOUTH STEWART STREET

- included to "Explore all opportunities to provide best practice and dignified solutions to On February 22, 2021, the City Council approved the 2021 Goals and Objectives which our growing homeless population and low-income and affordable housing needs."
- direction regarding real property negotiations located at 290 South Stewart Street Sonora, On May 19, 2021 during a Special, Closed Session Meeting, the City Council gave staff California. Based on the direction given to staff an offer was made regarding the real property and accepted
- Purchasing this piece of property serves two purposes for the City of Sonora:
- Allows the City to clean up a blighted property in the downtown, historic section of Sonora; and
- Allows the City to establish an affordable housing program in a time when housing demand and affordability substantially exceeds supply.
- Approved Sale Agreement for the purchase of the property on June 7, 2021 in the amount of \$150,000.

290 SOUTH STEWART STREET

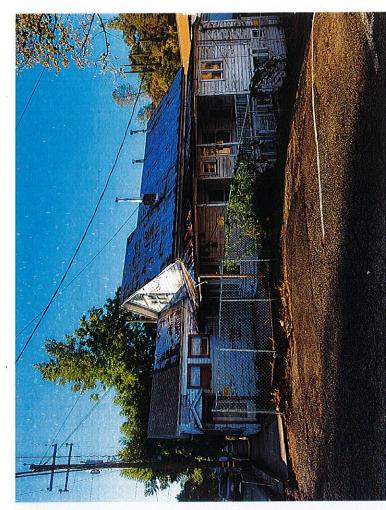


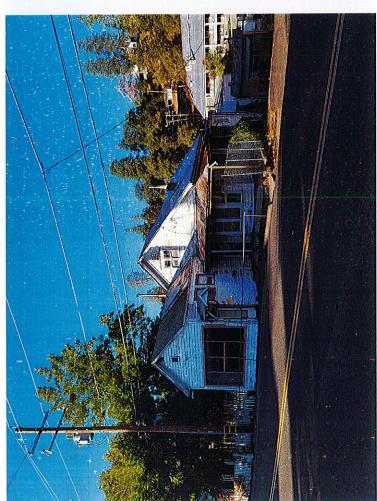
CLEANING UP A BLIGHTED PROPERTY





CLEANING UP A BLIGHTED PROPERTY







August 27, 2021

To Whom it May Concern Subject: Proposed Shelter on Stewart Street in Sonora

I am the Executive Director of Sonora Area Foundation located at 362 South Stewart Street, Sonora, CA 95370. Our office is located in the immediate vicinity of the ATCAA Shelter in downtown Sonora and we have known them to be an exemplary neighbor and they've always handled any issues promptly and efficiently.

We are in full support of the second shelter proposed for downtown, again, near our office.

You are welcome to contact me with any questions.

Sincerely,

Darrell Slocum Sonora Area Foundation 209.533.2596 Simply Delish 365 S Washington St Sonora, CA 95370 209 533 1177

August 27, 2021

To whom it may concern,

The shelter on Washington St and my bakery, Simply Delish, have been neighbors for 10 years. I've been impressed with the way the shelter is run and how quiet they've been over the years. There have only been a couple of parking issues, but once I brought it to the coordinator's attention, it was resolved immediately (within the hour) to my satisfaction.

It is my 10 year long observation that ATCAA runs a very tight ship with the shelter(s) and wants nothing to do with problems involving neighbors. If all neighbors were as quiet and respectful as they are, this would be a wonderful world.

Sweet regards,

Yvonne Hilton Simply Delish



8/23/2021

To Whom it may concern,

I have been managing the hotel across the street from the ATCAA homeless shelter. I have not had any issues with them or the people they help. The shelter runs very smoothly and quietly. I have seen the shelter management have the clients keep the yard and area around the shelter. I see someone cleaning every day. I have had some of the ATCAA clients stay with me then go across the street after meeting the shelters requirements.

I am pleased to see that ATCAA is trying to expand to accommodate those that are wanting help. We need more organizations and people to help with the communities' issues. I believe that the community and the people of Tuolumne would benefit by having this additional shelter for those in need.

Kindest Regards

Ginger C McKinsey

General Manager Heritage Inn Yosemite/Sonora 350 S Washington St Sonora, CA 95370 209-532-3633

PROJECT: Design Review – 290 S Street

Date: 12/1/2021
Agency Responding: Tuolumne Heritage Committee
Contact Person: Sharon Marovich, Chair
Contact Phone/E-mail: 532-1733
COMMENTS:
The city is to be commended for realizing the potential of the historic home at 290 S. Stewart St. and deciding to purchase the property for conversion to a shelter, thus retaining its over
100 years as a residential property. The home is eligible for the National Register of Historic Places as part of a district of historic homes in the area. Please ask the city's building
inspector how best to implement the State Historic Building Code during renovation as it generally saves money and preserves
many interior features such as trim, door widths, ceiling height and so forth. If federal funds are involved in this project, the city will need to comply with Section 106 of the National Historic Preservation Act which was written to protect the historicity
of projects from harm while using federal funds. It will be a joy, indeed, to see this building come back to life
and brighten the streetscape of South Stewart St. The barber shop addition is historic as it is over 50 years old. If the
city proposes to remove it and restore that part of the facade that has been hidden so long, there would be need for some mitigation.
If you do not already receive agenda notices from the City of Sonora; please indicated below if you wish to be notified of public hearings scheduled for this project. If you do not indicate your preference, we will assume you do not want notification or copies of the environmental documents.
Public Hearing Notification Yes No
Signed by: Shurn Marvic Date: 12/1/2021
Please submit your comments on or before Wednesday, December 8, 2021 to the following:
Rachelle Kellogg, Community Development Director
City of Sonora 94 N. Washington Street
Sonora, CA 95370
Phone (209)532-3508



Community Development Department PLANNING COMMISSION Staff Report

MEETING DATE: December 13, 2021 GENERAL PLAN: Commercial (C)

TO: Planning Commissioners **ZONING**: Commercial (C)

APPLICANT / OWNER: Sonora Lumber/Symons Properties II, LLC

PROJECT: Design Review – 644 S. Washington Street

PROJECT DESCRIPTION: Application from Sonora Lumber, for a Design Review Permit for the

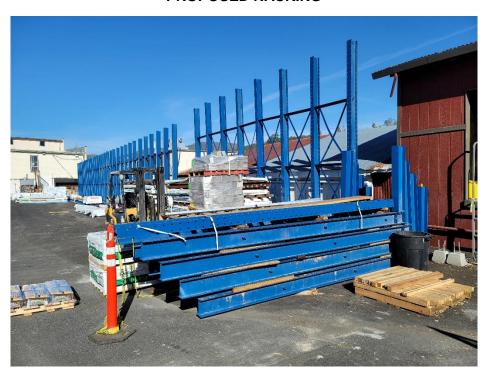
installation of new metal lumber storage racking in a Commercial (C) zone,

located at 644 S. Washington Street; APN 056-650-019.

PROJECT DESCRIPTION:

The Applicant is requesting a Design Review Permit to install new metal lumber storage racking in association with their existing business operations. The Applicant became aware of building permit and Design Review requirements during the installation of the racking and so some of the racking has already been installed. The racking areas will be located, as shown below, within Sonora Lumber's existing material storage areas (lumberyard) behind the buildings located at 644 (Symons Properties Office), 694 (Wrights Tires), & 730 (Sonora Trading Post) S. Washington Street.

PROPOSED RACKING



RACKING AREAS



BACKGROUND:

Pursuant to Sonora Municipal Code (SMC) Section 17.32.050, any new construction, modification or addition of a structure that requires a building permit and is located within the City's design review area boundaries is subject to design review by the Sonora Planning Commission. Therefore, a design review permit is required for this project.

CONSISTENCY WITH ZONING:

The site is occupied by an existing hardware/lumber business that includes outdoor storage and sales. Under Section 17.24.020, retail sales within a building is a use allowed by right under the Commercial Zoning District. New projects requesting outdoor sales and storage would require a Use Permit however this is an existing use that predates the City's Zoning Ordinance and is considered legal non-conforming. Therefore, with design review approval, the proposed project is consistent with the Sonora Municipal Code.

CONSISTENCY WITH GENERAL PLAN:

The site is designated Commercial (C) per the Sonora General Plan 2020. The existing Commercial (C) zoning district is consistent with the General Plan Land Use Designation and Compatible Title 17

Zoning Classification Table in the Land Use Element of General Plan 2020, therefore, the proposed project is consistent with the General Plan.

DESIGN CONSIDERATION/ANALYSIS:

As stated above, the project includes the installation of new metal lumber storage racking within the existing lumber storage areas. Some of the racking has been installed but additional racking is proposed within the racking areas shown above. All of the racking is to be placed behind the existing buildings and will be subject to the additional project conditions.

ADVISORY/PUBLIC COMMENTS

Advisory agencies were notified of the proposed project. Staff received comments from the Sonora Fire Department and they have been incorporated within the project conditions. If additional comments are received, they will be presented to the Planning Commission at the meeting.

CEQA DETERMINATION

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 – Existing Facilities, Class 1 of the State and City Guidelines for implementation of CEQA which states that minor alterations of an existing private structure involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination is exempt from CEQA.

RECOMMENDATION:

Based on the preceding, it is recommended that the City Planning Commission approve the Design Review Permit with the following findings and subject to the attached conditions:

- 1. The use is consistent with the City of Sonora General Plan;
- 2. The use is consistent with Title 17 of the Sonora Municipal Code and with the purposes of the zone in which it is located;
- 3. The proposed structures are consistent with the existing use and normal business operations;
- 4. The proposed structures are to be located at the rear of the property and behind the existing buildings thereby reducing their visual impact to the surrounding properties, and are consistent with the applicable design standards in the General Plan and Sonora Municipal Code.

Conditions of Approval Design Review Permit 644 S. Washington Street

GENERAL:

- 1. This Design Review Permit is issued for the exterior changes. All exterior alterations shall be in accordance with the design approved by the Sonora Planning Commission on December 13, 2021. The Community Development Director may approve minor changes to the design that are in substantial compliance with the plans approved by the Planning Commission.
- 2. All new metal racking is to be placed behind the existing buildings.
- 3. The fire access road must be maintained to drive around the entire lumberyard. It must be a minimum of 20 feet wide with a minimum 13.6' overhead clearance.
- 4. Lumber rack exterior storage shall be arranged to form stable piles with a maximum height of 20'. Piles shall not exceed 150,000 cubic feet in volume.

- 5. Permanent storage areas shall be surrounded with an approved fence.
- 6. An approved hydrant and hose system or portable fire-extinguishing equipment suitable for the fire hazard involved shall be provided for open storage yards. Including,
 - a) Minimum extinguisher size 4A-40B.
 - b) Maximum distance of travel to extinguisher is 30'
 - c) Existing hose systems must be tested, approved and brought into compliance for use.
- 7. No smoking signs shall be posted to state "No Smoking within 25 feet" of the storage ares
- 8. All storage racking must be a minimum of 10' from all combustibles.
- 9. The property owner or authorized applicant, their successors and assigns, will defend, indemnify, and hold harmless the city and its agents, officers, attorneys and employees from any claim, action, or proceedings brought against the city or its agents, officers, attorneys or employees within the applicable statute of limitations to:
 - Attack, set aside, void, or annul any action approving an application (including any action to provide environmental clearance in compliance with the California Environmental Quality Act (CEQA), by city staff any city planning or advisory agency, any city appeal board, or the city council; or
 - b. Seek damages for property damage or personal injuries resulting from development authorized by the city pursuant to the application. [SMC Section 17.69.010 (Ordinance 776)]
- 10. Applicant shall comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

PREPARED BY: Rachelle Kellogg, Community Development Director