Chapter 17.30

PD - PLANNED DEVELOPMENT ZONE

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17.30.010 Established.

The PD zone (Planned Development zone) is established in the City. This zone is established and designed to accommodate various types of developments such as neighborhood and district shopping centers, professional and administrative areas, multiple-housing developments, single-family residential developments, commercial service centers and industrial parks or any other use or combinations of uses which can be made appropriately a part of a planned development. [Ord. 455 § 1 (part), 1973; Ord. 376 § 10-5-13(A), 1967.]

17.30.020 Applicability of provisions.

The specific regulations set forth in this chapter and the general rules set forth in Chapters 17.08 and 17.12 through 17.34 shall apply in all PD zones, except that where conflict in regulations occurs, the regulations specified in this chapter shall apply. [Ord. 455 § 1 (part), 1973; Ord. 376 § 10-5-13(B), 1967.]

17.30.030 Permitted uses.

In a PD zone, any and all uses are permitted, provided such use or uses are shown on the development plan for the particular PD zone as approved in conformance with this chapter. [Ord. 537 (part), 2980: Ord. 455 § 1 (part), 1973; Ord. 376 § 10-5-13(C), 1967.]

17.30.040 Approval of building plans.

Prior to the issuance of the building permit for construction of buildings in a PD zone, the working plans and specifications shall be checked and approved by the ~~building department~~Community Development Department to assure compliance with the terms and conditions of approval by the Council. No construction permits shall be issued unless the PD zone has been finally adopted and a development plan has been approved for such PD zone. [Ord. 537 (part), 1980: Ord. 455 § 1 (part), 1973; Ord. 376 § 10-5-13(D), 1967.]

17.30.050 Height and space requirements.

Maximum height and bulk, and minimum lot size, density, setback, yard, parking and loading requirements shall be established for each PD zone by the development plan approved by the Council. [Ord. 455 § 1 (part), 1973; Ord. 376 § 10-5-13(E), 1967.]

17.30.060 Area requirements.

No Planned Development zones shall be approved for an area of less than one acre. [Ord. 455 § 1 (part), 1973; Ord. 376 § 10-5-13(F), 1967.]

17.30.070 Establishment - Removal.

PD zones may be established or removed from the zoning map upon the application of a property owner or owners or upon the initiative of the Council or Planning Commission in accordance with the procedures set forth in Chapter 17.68 for amendments. An application to establish a PD zone shall require submission by the applicant of a development plan and schedule in conformity with this chapter along with fees as adopted by resolution. When initiated by the City, such PD zone proposal shall include a policy statement, prepared in accordance with this chapter, in lieu of a development plan and schedule. No development plan shall be adopted pursuant to a City-initiated PD zone unless it is in conformity with the adopted policy statement. Any development in a PD zone shall be subject to the requirements of this chapter and shall be in conformity with the requirements of the development plan adopted for such PD zone. [Ord. 537 (part), 1980: Ord. 455 § 1 (part), 1973; Ord. 376 § 10-5-13(G), 1967.]

17.30.080 Development plan.

A. An application for a PD zone shall be made to the Commission and shall include and be accompanied by a development plan. The PD zone, when adopted, shall become a part of the zoning map of the City as provided for in Chapter 17.10 and the development plan for such PD zone shall be adopted by resolution of the Planning Commission.

B. Any changes in the development plan which involve uses shall be made in accordance with the procedures set forth in Chapters 17.62 through 17.66, and 17.70.

C. If changes are proposed to the development plans which do not involve new uses, the ~~building department~~Community Development Department shall have the power to approve such changes, provided that they conform in principle to the approved development plan. If, in the opinion of the ~~building department~~Community Development Department, the changes do not conform in principle to the approved development plan, such changes shall be referred to the Planning Commission for decision.

D. The development plan shall include:

1. A map showing any street system and lot design proposed within the zone. Any areas proposed to be dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and other uses must be shown. Compliance with this requirement shall not be construed to relieve the applicant from compliance with the subdivision regulations or any other applicable regulations of the City.

2. A plot plan for each building site or sites in the proposed PD zone or any portion thereof as required by the Planning Commission. A plot plan shall show the approximate location of all proposed buildings, indicating maximum and minimum distances between buildings, and between buildings and property or building site

lines.

3. Elevations and/or perspective drawings of all proposed structures except single-family residences and their accessory buildings. Such drawings need not be the result of final architectural decisions and need not be in detail. The purpose of such drawings is to indicate, within stated limits, the height of proposed buildings and the general appearance of the proposed structures to the end that the entire development will have architectural unity and be in harmony with surrounding developments.
4. Any or all of the following plans, studies and diagrams may also be required, as determined by the City Engineer, to be included on the plot plan or appended thereto:
    a) Off-street parking and loading plan;
    b) A circulation diagram indicating the proposed movement of vehicles, goods and pedestrians within the PD zone and to and from adjacent public thoroughfares. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern shall be shown;
    c) Landscaping and tree planting plan;
    d) A map showing the topography of the proposed zone to engineering standards of scale, contour intervals and detail;
    e) An economic feasibility report or market analysis;
    f) A preliminary grading plan prepared by a registered civil engineer on projects anticipating appreciable amounts of grading.

[Ord. 537 (part), 1980; Ord. 455 § 1 (part), 1973; Ord. 376 § 19-5-13(H), 1967.]

17.30.081 Development schedule.

A. An application for a PD zone shall be accompanied by a development schedule indicating to the best of the applicant's knowledge the approximate date when construction of the project can be expected to begin, the anticipated rate of development, and the completion date. The development schedule for an application to prezone a PD zone shall indicate the approximate time period, after the property is annexed to the City and the PD zone becomes effective, when construction of the project can be expected to begin, the anticipated rate of development, and the anticipated time to completion. The development schedule, if approved by the Council, shall become part of the development plan and shall be adhered to by the owner of the property in the PD zone and his successors in interest. The City shall require posting of cash, a savings and loan certificate, or a performance bond issued by a corporate surety company in an amount to be determined by the City Engineer to cover the cost of public improvements adjacent to the proposed development prior to the issuance of the building permit for the first phase of construction.

B. From time to time, the Planning Commission shall compare the actual development accomplished in the various PD zones with the approved development schedules.

C. If the owner or owners of property in PD zones have failed to meet the approved development schedule, the Commission shall initiate proceedings under Chapter 17.68 to repeal the PD zone and rezone the property to the zone classification it held immediately prior to being zoned PD.

D. Upon request of the property owner and for good cause shown, the Planning Commission may extend the time limits of the development schedule; provided that any requests for an extension of these limits shall be on file in the office of the Planning Commission at least thirty days prior to the expiration of any time limit required by the development schedule.

Any person dissatisfied with the decision of the Planning Commission may appeal to the Council in accordance with the procedures set forth in Chapter 17.62.

[Ord. 537 (part), 1980; Ord. 455 § 1 (part), 1973; Ord. 376 §10-5-13(I), 1967.]

17.30.082 Preliminary development plan – Advisory opinion.

A. A preliminary development plan may be submitted by an owner, at his option, to the Planning Commission for the purposes of receiving an advisory opinion on the land use, density and other items being proposed. Such preliminary development plan shall be clearly labeled preliminary and shall include a location plan, plot plan showing the approximate location of buildings, building sizes and use, parking areas, circulation and may include any special features being proposed. Such plan shall be of sufficient scale and accuracy to clearly show the intentions of the owner.

B. A preliminary development plan shall be accompanied by an application and fees equivalent to one-half the fees normally required for planned developments. Such application and fees shall entitle the applicant to one hearing before the Planning Commission and one advisory opinion of the land use and density proposed.

C. An advisory opinion of the Planning Commission issued on a preliminary development plan shall not be construed as approval or disapproval of the project. The purpose of the advisory opinion shall be to provide assistance and advice to the owner in the preparation of a formal proposal.

[Ord. 537 (part), 1980.)]

17.30.090 Policy statement.

A. When a PD zone is initiated by the City, the PD zone proposed shall be accompanied by a policy statement. The PD zone, when adopted, shall become a part of the zoning map of the City as provided for in Chapter 17.10 and the policy statement for such PD zone shall be adopted by resolution of the Council.

B. Any changes in the policy statement shall be made in accordance with procedures set forth in Chapter 17.68 for amendments.

C. The policy statement shall include:

1. A description of the area to be zoned PD with sufficient accuracy to be located on the City Zoning Map;
2. A general description of the location, terrain and characteristics of the area;
3. A statement of any particular or unusual characteristics, features, problems or circumstances which make the PD zone the appropriate zone;
4. A statement of the goals or reasons why the PD zone is established;
5. A resolution of the permitted land use, density, restrictions and standards under which any projects proposed within the zone shall conform.

[Ord. 537 (part), 1980.]

17.30.100 Designation on zoning map.

Each PD zone shall be numbered, the first adopted being shown on the zoning map as PD (1), and each zone subsequently adopted being numbered successively. Each PD zone adopted with a policy statement shall be indicated on the zoning map as a PD zone with the resolution number of the adopted policy statement. [Ord. 537 (part), 1980: Ord. 455 § 1 (part), 1973; Ord. 376 § 10-5-13(J), 1967.]

17.30.110 Excluded areas.

The areas excluded from PD zoning are those designated "D," Design Review zones, established by procedures set forth in Chapters 17.32 and 17.68. [Ord. 600 § 3, 1985: Ord. 455 § 1 (part), 1973: Ord. 376 § 10-5-13(K), 1967.]

Chapter 17.31

:PD PLANNED DEVELOPMENT COMBINING ZONE

Sections:

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17.31.020 Uses allowed by right.
17.31.021 Uses allowed by planned development permit.
17.31.022 Conditions and requirements.
17.31.030 Land and structures regulations.
17.31.031 Other regulations.
17.31.032 Establishments-Removal.
17.31.033 Planned development permit.

17.31.010 Purpose.

The Planned Development Combining zone is created in order to provide for the efficient and economical usage of existing buildings, structures and land within developed areas of the City, while substantially preserving the character of the primary zoning district in which such building, structure or land is located. It is intended that the :PD zone be combined with other primary zoning districts in order to allow for minor flexibility in the enforcement of land use, land and structure regulations of the primary zoning district for projects which have special features beneficial to the City or its residents and property owners. It is further intended that the :PD zone be utilized for developed properties of less than one acre, and for properties fully or partially developed in accordance with an overall development plan under Chapter 17.30 of this title. [Ord. 572 (part), 1972.]

17.31.020 Uses allowed by right.

Uses allowed by right are all of those uses which are allowed by right in the underlying zone (primary zone) with which the Planned Development Combining zone is combined. Where properties are partially or fully developed under Chapter 17.30 of this title, they shall first be zoned to the primary zoning district they most nearly resemble, and be subject to the permitted uses, conditions, and requirements of its adopted development plan pursuant to Chapter 17.30 of this title. [Ord. 572 (part), 1982.]

17.31.021 Uses allowed by planned development permit.

Notwithstanding other provisions of this code to the contrary, the following uses may be permitted subject to conditions and requirements as determined by the Planning Commission and City Council in issuance of a planned development permit:

A. Condominiums, stock cooperatives, community apartments, and other undivided-interest projects with exclusive-occupancy provisions;
B. Condominium conversions of residential and commercial properties;
C. Mixed land-use projects where more than fifty percent of the building, structure, or land is devoted to a use permitted by the primary zoning district;

D. Projects of similar burden of use than uses which would be permitted in the primary zoning district, as determined by the Planning Commission;
E. Projects of substantial public improvement or substantial economic or cultural benefit to the City, its residents, business community and property owners in the opinion of the Planning Commission and City Council.

[Ord. 572 (part), 1982.]

17.31.022 Conditions and requirements.

Terms, conditions, provisions, limitations, restrictions and requirements normally imposed on a planned development permit may be more or less restrictive than those required in the underlying zone. Such conditions and requirements shall be designed to protect and maintain property values and community amenities in the subject area, and foster and maintain the health, safety and general welfare of the City, its property owners and residents. [(Ord. 512 (part), 1982.]

17.31.030 Land and structure regulations.

A. When combined with a primary zone, all land and structure regulations of the underlying primary zone shall apply, unless specifically modified by the approved planned development permit. Such modifications may only include modifications to the following items:
    Minimum parcel area;
    Maximum building coverage;
    Minimum parcel width;
    Minimum yards and setbacks;
    Maximum building height;
    Parking requirements.
B. Maximum residential density shall remain as permitted in the underlying zone.

[Ord. 572 (part), 1982.]

17.31.031 Other regulations.

The provisions of this chapter do not supersede other regulations of this code unless specifically indicated, nor other federal, state or local regulations and ordinances. [Ord. 572 (part), 1982.]

17.31.032 Establishment - Removal.

Planned Development Combining zones may be established upon application of a property owner or upon the initiative of the Planning Commission or City Council in accordance with procedures set forth in Chapter 17.68 for amendment of zoning. An application to combine a Planned Development zone with an underlying zone shall require submission by the applicant of a development plan in accordance with Section 17.30.080 and other appurtenant data, along with fees as adopted by resolution of the City Council. Where the project is combined with applications for a tentative subdivision map or Design-review Historic zone, consideration of these matters may be processed concurrently. [Ord. 572 (part), 1982.]

17.31.033 Planned development permit.

A. Upon completion of a final determination of the Planned Development Combining zone by

the City Council, a planned development permit specifying the terms, conditions, provisions, limitations, restrictions and requirements of the project will be issued for the project by the building official upon application. No building permit may be issued for the project unless such building permit plans are in accordance with all elements of the planned development permit.

B. Where specific terms, conditions, provisions, limitations, restrictions and requirements have not been specified in the rezoning process, or where modifications or changes are requested to the project or conditions and requirements, the planned development permit shall be considered by the Planning Commission under the procedures specified under Chapter 17.62 of this title.

C. Minor changes not involving specific terms, conditions, provisions, limitations, restrictions and requirements of the planned development permit and not involving new uses may be made upon written approval of the ~~building official~~Community Development Director.

[Ord. 572 (part), 1982.]

Chapter 17.32

DESIGN REVIEW/HISTORIC ZONE

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17.32.030 Designation of Design review zone boundaries/Historic area boundaries.
17.32.040 Planning Commission shall serve as the Design Review/Historic Committee
17.32.050 Building permits, business license-Approval of plans or use.
17.32.060 Considerations-Gold Rush or Mother Lode architecture-Inventory of historical structures.
17.32.065 Additional activities requiring design review.
17.32.070 Considerations-structures outside historic area.
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17.32.110 Appeals-Placed on City Council's agenda.
17.32.120 Appeals-Determination by City Council.
17.32.130 Secretary-Community Development Director.

17.32.010 Purpose.

The purpose of the design review/historic zone is to preserve the buildings and character of those areas of the City which are either historic in nature or are close to historic structures. It is also the purpose of the zone to promote the harmonious appearance of structures in other parts of the town which are not of a historic character. The design review/historic zone is intended for combining with other underlying zones. More particularly, it is established to protect and enhance the historic gold rush period architecture, 1849 to 1880, which is economically important to the tourist industry and to the people of the City, and to establish zones of design and uses which are compatible with those and other areas of the City having special aesthetic interest and value, so as to maintain and enlarge the precincts offering outstanding appearance to public view, and establish a method for determining compliance with this title and to promote the orderly development of the City, the stability of land values and investments and the general welfare, by preventing the impairment of land values through the erection of structures or alterations or additions or uses of property without proper attention to siting, compatibility of design or compatibility of use. [Ord. 808 §2 (part), 2012; Ord. 569 § 1, 1989: Ord. 569 § 2, 1982; Ord. 525 § 4, 1979.]

1-7.32.020 Uses allowed by right.

The uses allowed by right are all of the uses allowed in the underlying zone with which

the design review/historic zone is combined. [(Ord. 808 §2 (part) 2012; Ord. 525 § 3, 1979.]

17.32.030 Designation of Design review zone boundaries/Historic area boundaries.

A. Design review boundaries.

The requirements of this chapter, as it relates to siting, compatibility of design or appearances, shall apply to:

- All commercial zone property, or
- To any other design review zone adopted by ordinance of the City Council.

B. Historic area boundaries.

The requirements of this chapter, as it relates to compatibility of use, shall apply to:

- All property within an area bounded on the north by Elkin Street, on the south by Church Street, on the east by the centerline of Stewart Street and on the west by the centerline of Green Street. For the purposes of this chapter, the above described compatibility of use area shall also be known as the "historic area."

[Ord. 808 §2 (part), 2012; Ord. 647 § 1, 1989: Ord. 569 § 2, 1982: Ord. 5 *25* § 4, 1979.]

17.32.040 Planning Commission shall serve as the Design Review/Historic Committee.

A Design Review/Historic Committee is established to review and consider all plans or applications for license for use submitted under this Chapter. The Planning Commission of the City shall serve as the Design Review/Historic Committee. Three members of the Planning Commission shall serve as a quorum for the Design Review/Historic Committee. [Ord. 808 §2 (part), 2012; Ord. 569 § 3, 1982: Ord. 525 § 5, 1979.]

1 7.32.050 Building permits, business license-Approval of plans or use.

A. Each applicant for a building permit which would authorize new construction, or exterior alterations, additions or modifications of any building or structure, or part thereof within the zone shall first obtain approval of the plans and specifications thereof from the Planning Commission. An applicant for new construction or exterior alterations, additions or modifications shall furnish complete elevation details (i.e., drawings of the building exterior) and specifications, plot plan, and such other information as the Planning Commission may require. Each applicant for a demolition permit of any building, structure or part thereof within the zone shall comply with the provisions of Chapter 17.75. Each applicant for a business license wherein the existing use is sought to be changed shall first obtain approval for such intended use from the Planning Commission. The Planning Commission shall review any such applications and shall report its approval, conditional approval or denial to the applicant and to the building department within thirty days.

B. Nothing in this section shall be construed to require approval by the Planning Commission, in the following situations, unless otherwise provided in Chapter 17.75:

1. Ordinary maintenance or repairs of any such structure which does not involve a change in

design, exterior material or original appearance of a structure within the historic zone;

2. Any construction, reconstruction, alteration, or removal of any feature, or appurtenance which has been determined by the City Building Official to be necessary to protect health or safety;
3. Any commercial use which is currently conducted within the area bounded on the north by Elkin Street, on the south by Church Street, on the east by the centerline of Stewart Street and on the west by the centerline of Green Street.

[Ord. 808 §2 (part), 2012; Ord. 569 § 4, 1982: Ord. 558, 1981: Ord. 549, 1981: Ord. 525 § 6, 1979.]

17.32.060 Considerations-Gold Rush or Mother Lode architecture-Inventory of historical structures.

A. When considering the approval of plans for a building which is itself a historic structure, or is adjacent to a historic structure, the Planning Commission shall consider its conformity with the features found either on the original building or on those typical of the period in which the structure was constructed. The following structures are deemed to have historical significance and are typical, in design features, of buildings which exemplify "Gold Rush or Mother Lode" architecture of the 1849-1880 period:

1. 77 N. Washington Street;
2. First level, 132 N. Washington Street;
3. 84 N. Washington Street;
4. Upper level, northwest corner of N. Washington and Dodge;
5. 51 N. Washington Street;
6. 23 N. Washington Street;
7. 21 N. Washington Street;
8. 38 N. Washington Street:
9. 24 N. Washington Street:
10. 139 S. Washington Street;
11. 258 S. Washington Street;
12. 286 S. Washington Street;
13. 64 S. Washington Street.

B. In any review of the exterior features of a proposed new structure or remodeling, the Planning Commission shall be guided by the features found in the above listing, and by design guidelines as may be adopted by resolution of the City Council. The design and exterior materials of construction shall reflect the traditional architectural characteristics of the community, blend with the adjacent neighborhood, or be consistent with any applicable design standards in the general plan or as provided in this title. Any structure may be restored to its original design regardless of period. Any new structure which is adjacent to historic buildings shall be designed to be compatible with its neighboring buildings.

[Ord. 808 §2 (part), 2012; Ord. 767, 2004]

C. When considering an application for a new use within the area bounded on the north by Elkin Street, on the south by Church Street, on the east by the centerline of Stewart Street and on

the west by the centerline of Green Street, the Planning Commission shall be guided by the historic flavor of the area so as to insure compatibility of the intended use with the uses traditionally conducted within the area. Compatibility of use is defined as being capable of coexisting in harmony with other uses within the area so as to insure the continuance of the historical significance of the area.

[Ord. 808 §2 (part), 2012; Ord. 767 § 4, 2004; Ord. 569 § 5, 1982; Ord. 553, 1981: Ord. 525 § 7 (part), 1979.]

17.32.065 Additional activities requiring design review.

In addition to the provisions of Section 17.32.060, the following activities within the zone shall first obtain approval from the Planning Commission:

A. Sandblasting of all masonry surfaces on buildings or structures;
B. The placement or use of manufactured or modular buildings, storage or cargo containers, or accessory storage buildings in the zone;
C. Murals, defined as the temporary or permanent application of a picture, illustration, scene, depiction, or graphic representation, either painted or applied through other media or materials, directly on a wall or on panels attached to walls. Murals are considered an integral part of the architectural theme, are not intended to direct attention to products, goods, services, events or entertainment, and are therefore considered to be public art, and not signs. Review considerations to include, but not be limited to, location of the mural; qualifications of the mural artist; paint and/or other media or materials to be utilized; subject matter having an historic/cultural theme reflecting the history and background of the Sonora and Tuolumne County area; care and maintenance;
D. Any building not otherwise required to have a building permit to construct except those buildings that are accessory to the primary use of the property, other than accessory storage buildings.

[Ord. 808 §2 (part), 2012; Ord. 744 § 1, 2000; Ord. 736, 1998: Ord. 693 § 1, 1994; Ord. 676 § 1, 1992.]

17.32.070 Considerations-Structures outside historic area.

When considering the plans for a structure which is outside the historic area of the town, the following shall be considered by the Planning Commission:

A. The siting of any structure upon the property as compared to the siting of other structures in the immediate neighborhood.

B. All structures shall be in good proportions; have simplicity of mass and detail and shall not be inharmonious with the other buildings in the City of like class and type; there shall be an appropriate and fitting use of materials; colors shall be in good taste and never harsh or garish, but in harmony with themselves and their environment.

C. The size, location, design, color, number, lighting and materials of all signs and outdoor advertising structures shall be reviewed by the Community Development Department. Signs within the historic area shall be reviewed by the Community Development Department in accordance with the requirements of Section 15.28.165. No signs shall be approved in excess of the limits or requirements of any ordinance of the City.

D. Landscaping shall be required on the site in keeping with the character or design of adjacent buildings, and existing trees shall be preserved whenever possible.

E. The size, location and arrangements of on-site parking and paved areas and their lighting.

F. Ingress, egress and internal traffic circulation.

G. All of the above factors shall be related to the setting or established character of the surroundings.

H. No development shall be arbitrarily or capriciously restricted if it is otherwise legitimate and generally acceptable to the people of the City.

[Ord. 808 §2 (part), 2012; Ord. 525 § 7 (part), 1979.]

1 7.32.080 Design approval-Application.

Applications for design approval shall be submitted to the Community Development Department on forms provided by the City for that purpose. Such applications shall be accompanied by a fee as adopted by resolution by the City Council.

[Ord. 808 §2 (part), 2012; Ord. 600 § 4 (part), 1985: Ord. 525 § 8, 1979.]

1 7.32.090 Design approval-Plans-Decision of ~~Committee~~ Planning Commission.

The Planning Commission may approve or disapprove all or any part of plans or intended use or may approve subject to specified changes, additions or conditions. Disapproved plans or intended use may be resubmitted, after revision or correction, without payment of additional fee by applicant.

[Ord. 808 §2 (part), 2012; Ord. 569 § 6, 1982; Ord. 525 § 9, 1979.]

17.32.100 Appeals.

Any appeal from a decision of the Planning Commission shall be filed as follows: by filing a notice of appeal in writing in the office of the City Clerk prior to the close of the tenth day following the day of action of the Planning Commission. Any notice of appeal shall set forth specific grounds upon which the appeal is taken and shall be signed by the person or persons appealing. Either the applicant or proponent or any interested person may appeal a decision of the Planning Commission.

[Ord. 808 §2 (part), 2012; Ord. 600 § 4 (part), 1985: Ord. 525 § 10, 1979.]

17.32.110 Appeals-Placed on City Council's agenda.

Upon the filing of such appeal, the City Clerk shall place the appeal on the agenda of the next regular meeting of the City Council, unless the mayor authorizes placing the matter on the agenda of an earlier meeting.

[Ord. 808 §2 (part), 2012; Ord. 525 § 11, 1979.]

17.32.120 Appeals-Determination by City Council.

At the time set for hearing the appeal, the City Council shall proceed to hear and determine the same. The hearing may be continued, at the discretion of the City Council, in order

to obtain further facts or hear further witnesses. After the initial hearing, the City Council may set a public hearing prior to making a determination, on notice to be given in the manner provided by subsection B of Section 17.62.100. Any determination by the City Council shall be final and conclusive and not subject to further appeal.
[Ord. 808 §2 (part), 2012; Ord. 525 § 12, 1979.]

17.32.130 Secretary-Community Development Director.

The Community Development Director of the City shall serve as and perform the duties of secretary to the Planning Commission. [Ord. 808 §2 (part), 2012; Ord. 525 § 13, 1979.]

Chapter 17.33

SONORA COMMERCIAL SPECIFIC PLAN AREA

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17.33.010 Introduction.

A. Specific Plan Area.

The Sonora Commercial Specific Plan Area is an approximately 12.91 acre site located in the City of Sonora in Tuolumne County, California on the southeast corner of Old Wards Ferry Road and Sanguinetti Road (Figures 1 and 2). Regional access to the Specific Plan area is provided from State Routes (SR) 108 and 49. The Specific Plan area is bounded by Sanguinetti Road, the Crossroads Plaza, and freestanding stores associated with the Sonora Crossroads to the north; SR-108 and undeveloped land to the south; stores and parking areas in the Sonora Crossroads to the east; and Old Wards Ferry Road, the Crossroads Plaza and undeveloped land to the west. The undeveloped land to the south of the Specific Plan area is located in unincorporated Tuolumne County, is zoned Exclusive Agricultural, 37-acre minimum (AE37)/Open Space (O-1) and is entitled to be developed as a law and justice center. The undeveloped land to the west of the Specific Plan area is within the City limits, is zoned General Commercial (GC) and is entitled to be developed as a Lowe's Home Improvement Warehouse. [Ord. 796 § 2 (part), 2010]

B. Purpose of the Specific Plan.

A Specific Plan is a combination policy statement and implementation tool that can be used to address the unique needs of a particular area of a city or county. As a result, emphasis is on concrete standards and development criteria for use in the submission and review of subsequent development plans and permits. The *California Government Code* permits the use of Specific Plans to regulate site development, including permitted uses such as density, building size, and placement. Specific Plans also govern the landscaping and roadways, as well as the provision of infrastructure and utilities. Since the development guidelines established in a Specific Plan focus on the unique needs of a specific area, Specific Plans allow for greater flexibility than is possible with conventional zoning.

The purpose of the Sonora Commercial Specific Plan is to assist in the development of the site in a manner that will benefit local shoppers, the general public, and the City of Sonora. The Specific Plan accomplishes these purposes by providing for the efficient use of land, ensuring compatibility between existing and proposed land uses, and establishing environmental and development standards and procedures to be met in development of the Specific Plan area. The customized development regulations contained in the Specific Plan address the unique characteristics of the site and surrounding properties, as well as the needs of the commercial land uses proposed for the site. These efforts area intended to foster greater economic development and design opportunities than could be achieved through the use of conventional zoning and development standards.

As used herein, the term "developer" shall mean the current fee title holder of the Sonora Commercial Specific Plan area.
[Ord. 796 § 2 (part), 2010]

C. Project Objectives.

The objectives of the Sonora Commercial Specific Plan are as follows:

- Promote economic growth and development that is consistent with the policies of the City of Sonora General Plan.
- Provide development that maximizes the Specific Plan area's use potential in a manner consistent with the City of Sonora General Plan.

- Generate sales tax and property tax revenues to accrue to the various agencies within the Specific Plan area.
- Solidify Sonora's position as the regional shopping destination for Tuolumne and Calaveras counties.
- Provide regional commercial retail activities that would complement existing local retail activities.
- Create additional employment opportunities for local area residents.
- Expand and upgrade an existing retail facility to provide a modern and energy efficient facility to serve local residents and visitors with essential goods and services and daytime and nighttime shopping opportunities in a safe and secure environment.
- Minimize travel lengths and utilize existing infrastructure to the maximum extent possible by expanding and revitalizing an existing retail store located within a larger regional retail node.

[Ord. 796 § 2 (part), 2010]

D. Authority.

The Sonora Commercial Specific Plan has been prepared in accordance with *Government Code* Sections 65450 *et seq.* and 66450 *et seq.* and will constitute the zoning for the Specific Plan area. Land use standards and regulations contained within this document shall govern future development within the boundaries of this Specific Plan.

The Sonora Commercial Specific Plan provides a framework for development of the Specific Plan area. The Specific Plan provides guidance for the review of specific development proposals and is the City's reference document for determining permitted uses, intensity of use, and development standards and requirements. The Specific Plan defines objectives, as well as regulations and requirements for development of the Sonora Commercial Specific Plan area. [Ord. 796 § 2 (part), 2010]

E. General Requirements.

1. General Plan Consistency

Implementation of the Sonora Commercial Specific Plan is intended to carry out the goals and policies contained in the City of Sonora General Plan, as amended, in an orderly and attractive fashion. Development within the Sonora Commercial Specific Plan area shall, therefore, be consistent with the provisions of the City of Sonora General Plan.

The Sonora Commercial Specific Plan implements the General Plan by:

- Expanding shopping opportunities within a well-established retail node in the City of Sonora in an area that supports urban development and is currently served by urban infrastructure and services.
- Promoting a functional development pattern and land use compatibility by providing additional retail opportunities that would be consistent with the land use designations of the Specific Plan area and surrounding commercial areas.
- Creating a commercial area that is designed to protect the public, existing and planned land uses, and the environment from natural and development hazards.
- Enhancing the quality of life by offering expanded retail opportunities, creating new jobs and increasing the tax base while incorporating measures to mitigate impacts on the environment.
- Providing retail shopping opportunities outside a strip commercial development and within a planned, group concentration to promote integrated, rather than scattered, visitor-serving commercial developments.

- Minimizing the visual impact of parking areas from public transportation routes in the Specific Plan area, including Sanguinetti Road and Wards Ferry Road.
- Contributing to an integrated transportation system and upgraded street and highway network that will provide for the safe, efficient, and economic movement of goods and people to meet current and projected community needs.
- Establishing and encouraging an integrated system of bicycle, pedestrian and other non-motorized transportation routes in a commercial area.
- Conserving the City's natural, scenic and cultural resources along SR-108, a potential scenic gateway corridor.
- Conserving energy resources in a manner which maintains or enhances air quality, water quality, scenic value and other natural resources.
- Reducing the consumption of energy, products and resources through increased recycling, reuse and alternative use of products.
- Conserving the quality and quantity of water resources in the City and County.
- Providing securing personnel and surveillance systems within the Specific Plan area to reduce the likelihood of criminal activity.
- Controlling development so as to promote the maintenance of adequate City-provided police, fire, administrative and public works services and infrastructure.
- Implementing construction and operational air quality control measures.
- Enhancing the City's economic vitality while conserving the City's social, cultural, environmental and aesthetic resources.
- Encouraging development that complements, blends in with and is aesthetically compatible with its surroundings and existing landscape and streetscape.
- Avoiding degeneration of the City's commercial districts resulting from vacant large, non-historic retail facilities.

[Ord. 796 § 2 (part), 2010]

2. Redevelopment Plan Consistency.

Implementation of the Sonora Commercial Specific Plan is intended to carry out the goals and policies contained in the City of Sonora Redevelopment Plan and does not modify or amend the Sonora Redevelopment Plan. Development within the Sonora Commercial Specific Plan area shall, therefore, be consistent with the City of Sonora Redevelopment Plan.

The Sonora Commercial Specific Plan implements the Redevelopment Plan by contributing to:

- The expansion and diversification of the community's economic and employment base, through facilitation of year-round employment opportunities.
- The strengthening of the general retail and service commercial sectors of the local economy through diversification and enhancement of population-generated and income-generated retail demand.
- The recapture of general retail sales leakage from Sonora to other, larger trade centers.
- The increase of capture potential from commercial trade originating through traffic on SR-49 and SR-108.
- The improvement to infrastructure supporting the Specific Plan area and the removal of existing impediments to the economic development of the community.

[Ord. 796 § 2 (part), 2010]

3. Relationship between Specific Plan Development Standards/Criteria and the City of Sonora Municipal Code.

Development regulations and requirements contained in this document will supplement or replace those of the City of Sonora Municipal Code as they might otherwise apply to lands within the Sonora Commercial Specific Plan area. Any regulations or requirements not specifically covered herein shall be subject to the regulations and requirements of the City of Sonora Municipal Code, design guidelines and engineering standards and other applicable regulations, in addition to all applicable local, state and federal ordinances, laws or regulations.

If any provision of this document conflicts with the regulations or requirements of the City of Sonora Municipal Code, the provisions of this document shall take precedence. The process for approving development under the Sonora Commercial Specific Plan shall be set forth in Section 17.33.050.

[Ord. 796 § 2 (part), 2010]

4. Conformance with Uniform Building and Fire Codes.

All construction within the Sonora Commercial Specific Plan shall be in compliance with Title 15 "Buildings and Construction" of the Sonora Municipal Code.

[Ord. 796 § 2 (part), 2010]

5. Provision of Infrastructure.

Unless otherwise specifically approved as part of this Specific Plan, all off-site improvements under the control of the City shall be subject to the City of Sonora regulations and requirements in effect at the time improvement plans are submitted. Other improvements not under the control of the City (e.g., electricity, natural gas, telephone) shall be subject to the regulations and requirements of the responsible agency.

Specific requirements for infrastructure are set forth in Table 17.33.060-1. To ensure the cost-effective availability of current and adequate infrastructure and services during the development of the Specific Plan area, infrastructure plans may be modified upon approval of the City of Sonora Public Works Supervisor, which pursuant to Section 17.33.050 shall be ministerial, final and not subject to appeal and without the need to amend this Specific Plan.

[Ord. 796 § 2 (part), 2010]

6. Severability.

If any term, provision, condition, requirement, or portion thereof of this Specific Plan is for any reason held invalid, unenforceable, or unconstitutional, the remainder of this Specific Plan or the application of such term, provision, condition, requirement, or portion thereof to circumstances other than those in which it is held to be invalid, unenforceable, or unconstitutional, shall not be affected thereby; and each other term, provision, condition, requirement, or portion thereof shall be held valid and enforceable to the fullest extent permitted by law.

[Ord. 796 § 2 (part), 2010]

7. Costs.

The developer shall pay the costs of any code enforcement activities, including attorney's fees, resulting in the violation of any provisions of the Sonora Municipal Code, including the

Sonora Commercial Specific Plan. The developer shall be responsible for the entire cost to implement the environmental standards in accordance with Section 17.33.060 of this Specific Plan.
[Ord. 796 § 2 (part), 2010]

8. Consent to Hold Harmless.

The developer shall, as a requirement of any development within the Sonora Commercial Specific Plan, agree to:

a) Defend, indemnify and hold harmless the City and agents, officers, attorneys and employees from any claim, action, or proceeding (collectively referred to as proceeding) brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul any action by the City related to or in furtherance of this Specific Plan, but excluding any subdivision approval governed by Government Code Section 66474.9. This indemnification shall include damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, the City, and/or the parties initiating or bringing the proceeding;
b) Defend, indemnify and hold harmless the City, its agents, officers, employees and attorneys for all costs incurred in additional investigation and/or study of, or for supplementing, preparing, redrafting, revising, or amending any document associated with the Specific Plan if made necessary by the proceeding and if applicant desires to pursue securing these approvals, after initiation of such proceeding, which are conditioned on approval of such documents; and
c) Indemnify the City for all of the City's costs, fees and damages which the City incurs in enforcing the indemnification provisions set forth in this section.

In the event the developer is required to defend, indemnify, and hold harmless the City pursuant to this section, the City reserves the right to approve the counsel to defend the City; all significant decisions concerning the manner in which the defense is conducted; and any and all settlements, which approval shall not be unreasonably withheld.

The City shall also have the right not to participate in the defense, except that the City agrees to cooperate with the developer in the defense of the proceeding. If the City chooses to have counsel of its own defend any proceeding where the developer has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City. Notwithstanding this, if the City Attorney's office participates in the defense, all City Attorney fees and costs shall be paid by the developer.
[Ord. 796 § 2 (part), 2010]

17.33.020 Existing Setting.

A. Site Conditions and Existing Land Uses

1. Historical and Existing Land Uses

Previous Land Use

The Specific Plan area is currently developed with a 130,166 square foot retail store and associated parking. A rough-graded pad is located to the east of the retail store. [Ord. 796 § 2 (part), 2010]

Existing On-Site General Plan Land Use and Zoning

The Specific Plan area is currently designated Heavy Commercial by the City of Sonora General Plan. The Heavy Commercial land use designation is intended for a broad range of commercial land uses for both residents and visitors. Typical uses include shopping centers located within urban areas and along major thoroughfares.

The Specific Plan area is currently designated General Commercial (GC) by the City of Sonora Zoning Code. The GC zoning district is intended to provide land necessary for heavy commercial service facilities in well planned areas to serve the community and provide employment and income for its residents. The zone permits retail sales as of right. The General Plan and Zoning Designations are illustrated in Figures 3 and 4.
[Ord. 796 § 2 (part), 2010]

Surrounding Land Uses

Land uses surrounding the Sonora Commercial Specific Plan area are characterized by commercial uses immediately north, east and west of the site and undeveloped but entitled land to the south and also to the west. The surrounding commercial uses include Blockbuster Video and Big 5 Sporting Goods to the north, Safeway, Staples and vacant spaces formerly occupied by Mervyn's to the east and Regal Sonora Stadium 10 Cinemas, a 16,000 square foot office/retail building and an Applebee's restaurant to the west in Crossroad Plaza. To the south, the undeveloped land in Tuolumne County south of SR-108 is approved for development as a law and justice center. To the west, west of Old Wards Ferry Road, the undeveloped land is approved for development of a Lowe's Home Improvement Warehouse.

The Specific Plan area is bounded by the Sierra Railroad and Sanguinetti Road to the north, SR-108 to the south and Old Wards Ferry Road to the west. Sanguinetti Road is a two-lane undivided road with two grade crossings of the Sierra Railroad. SR-108 is an undivided three-lane facility (two eastbound, one westbound) and is located approximately 12 to 15 feet below the Specific Plan area. Old Wards Ferry Road is a two-lane undivided roadway with a grade crossing of the Sierra Railroad. The surrounding land uses are illustrated in Figure 5.
[Ord. 796 § 2 (part), 2010]

B. Existing Circulation

1. Regional Circulation

Excellent regional access to the Specific Plan area is provided by SR-108 and SR49.

SR-108 is an east-west highway that provides regional access throughout Tuolumne County and neighboring counties of Stanislaus and Mono. It originates in Modesto to the west and terminates at US 395, near the California-Nevada border. It is generally a two-lane undivided highway, with some sections providing two lanes in each direction. In the vicinity of the Specific Plan area, SR-108 accommodates approximately 18,600 vehicles per day. Access to and from the Specific Plan area is provided at the two signalized intersections at the Mono Way interchange.

SR-49, which is designated as Washington Street in Sonora, is a north-south highway that provides regional access throughout Tuolumne County and surrounding areas. In the vicinity of the Specific Plan area, Washington Street is a two-lane roadway that primarily serves commercial uses throughout Downtown Sonora.
[Ord. 796 § 2 (part), 2010]

2. Local Circulation

Major roadways in and around the Specific Plan area are Mono Way, Greenley Road, Sanguinetti Road and Old Wards Ferry Road.

Mono Way is an east-west arterial roadway that parallels SR-108 in the vicinity of the Specific Plan area. Mono Way stretches from Washington Street to the west and becomes the Sonora Bypass Highway/SR-108 to the east. Between Washington Street and Greenley Road, Mono Way has one lane in each direction. East of Greenley Road, it has two eastbound lanes, one westbound lane, and a center two-way left-turn lane to serve the commercial uses on both sides of the street. The posted speed limit along Mono Way is 30 miles per hour (mph).

Greenley Road is a north-south collector roadway connecting Lyons Street/Lyons Bald Mountain Road to the north and Sanguinetti Road to the south. Between Sanguinetti Road and Sonora Hills Drive, there are two southbound lanes, one northbound lane, and a center two-way left-turn lane. North of Sonora Hills Drive, Greenley Road has one lane in each direction with a center two-way left-turn lane. North of Sonora Hills Drive, Greenley Road has one lane in each direction with a center two-way left-turn lane and primarily serves residential neighborhoods. The posted speed limit along Greenley Road is 25 mph.

Sanguinetti Road is an east-west minor collector roadway that also provides direct access to the Specific Plan area. Sanguinetti Road stretches from Mono Way to the west to Loop Road to the east. Between Mono Way and Greenley Road, it is a one-way street providing two lanes in the eastbound direction. East of Greenley Road, there are two lanes in the eastbound direction and one lane in the westbound direction, with a center two-way left-turn lane serving the adjacent commercial driveways. The posted speed limit along Sanguinetti Road is 25 mph west of Old Wards Ferry Road and 30 mph to the east.

Old Wards Ferry Road is a north-south minor collector roadway that provides direct access to the Specific Plan area. Old Wards Ferry Road stretches from Sanguinetti Road to the north to rural areas of Tuolumne County to the south. In the vicinity of the Specific Plan area, it is a two-lane roadway. In May 2009, the Sonora City Council approved the realignment of Old Wards Ferry Road. The road would be realigned to the west to create a four-legged intersection with the existing Greenley Road/Sanguinetti Road intersection. The road would be realigned in concert with the development of the approved Lowe's Home Improvement Warehouse, located to the west of the Specific Plan area.
[Ord. 796 § 2 (part), 2010]

3. Public Transit

Tuolumne County Transit provides transit service to Sonora, Jamestown, Columbia, Tuolumne, Twain Harte, Sierra Village, and Groveland. The agency provides fixed-route bus service, flex-route bus service, and dial-a-ride service.

The Specific Plan area is served by Routes 1, 2, and 3. All three routes provide fixed-route service and serve the Sonora Crossroads and the Sonora Regional Medical Center, the nearest stops to the Specific Plan area. All fixed-route buses are equipped with bicycle racks.

Route 1 provides looped service within the Sonora area with 17 bus trips a day, Monday through Friday. Route 2 provides endpoint-to-endpoint service between Sierra Village and Columbia via Sonora. Five bus trips per day are provided in each direction, Monday through Friday. Route 3 provides endpoint-to-endpoint service between Jamestown and Columbia via Sonora. Four bus trips per day are provided in each direction, Monday through Friday.

Dial-A-Ride service offers curbside pickup and drop-off service to disabled persons with

and without Americans with Disabilities Act (ADA) certification and persons who are 55 years of age and older. Dial-A-Ride services also are available to the general public within specific service areas.
[Ord. 796 § 2 (part), 2010]

C. Existing Physical Conditions

1. Topography

The Specific Plan area is located in the City of Sonora, which is the north-central portion of Tuolumne County and is ringed by several ridgelines of approximately 2,000 to 2,500 feet above mean sea level. Most of the slopes of the surrounding hills are covered by oak woodland vegetation. Bald Mountain, elevation 3,342 feet above mean sea level, is the most prominent topographical feature in the Sonora area. [Ord. 796 § 2 (part), 2010]

2. Hydrology

The Specific Plan area is located in the Woods Creek Watershed and is drained by Woods Creek, Sonora Creek, Sullivan Creek, and Dragoon Gulch. The Woods Creek Watershed encompasses about 18,588 acres (29.0 square miles), and eventually empties into Don Pedro Reservoir. While there are 45 dams in Tuolumne County, none of the inundation area maps shows the City of Sonora within a potential area of inundation.

The Specific Plan area has an existing stormwater collection system. Stormwater is collected via inlets located around the Specific Plan area and is then piped and discharged offsite into a culvert located in the SR-108 right-of-way. Pipe sizes range from 12 to 24 inches in diameter. The City of Sonora operates the stormwater drainage facility within the City limits. [Ord. 796 § 2 (part), 2010]

3. Soils

The Specific Plan area is a developed, urban area. The soils that underlay the Specific Plan area were graded and engineered in the early 1990s with the development of the existing retail building. The soils were conditioned to support urban development and are considered stable soils and geologic units. As such, the majority of subsurface soils in the Specific Plan area consist of silty sands with various amounts of fine to coarse gravel, cobbles, and boulders of up to 36 inches in diameter. The native soils predominantly consist of silty sands, underlain by completely weathered to fresh granite rock with some inclusions of fresh diorite rock. [Ord. 796 § 2 (part), 2010]

4. Seismicity

The Specific Plan area is located east of the Foothills Fault System, which includes the Melones Fault Zone along the eastern edge of the fault system and the Bear Mountain Fault Zone along the western side of the fault system. The Melones Fault Zone is classified as active (i.e., it has demonstrated displacement within the last 100,000 years), and the Bear Mountain Fault Zone is classified as indeterminable active (i.e., definitive evidence has not been established). Four faults are located within Tuolumne County capable of producing an earthquake including the Negro Jack Point, Bowie Flat, Rawhide Flat West, and Rawhide Flat East faults. The Rawhide Flat West and Rawhide Flat East faults are determined to be capable of producing an earthquake with an estimated maximum magnitude of 6.2, which could result in seismic ground shaking. Ground shaking effects are mitigated through enforcement of the 2007 California Building

Standards Code. For ~~D~~development within the Specific Plan area, building plans will be required to demonstrate that the seismic design parameters recommended by the 2008 Geotechnical Engineering Report prepared by Wallace Kuhl & Associates, Inc. have been incorporated into the design and/or building plans.

The Specific Plan area is not located within an Alquist-Priolo Earthquake Fault Zone and no known surface expression of fault traces is known to cross the area. As noted above, the Specific Plan area is underlain by dense granular soils and rock. Shallow groundwater is not present under the area and no slopes are located within or adjacent to the Specific Plan area. [Ord. 796 § 2 (part), 2010]

5. Hazardous Materials

The Specific Plan area is a developed, active commercial area. It appears on two environmental databases listing parcels with known or potentially hazardous conditions. The first database is the Hazardous Waste Information System database which lists sites recorded on hazardous wastes manifests. This listing only indicates that hazardous materials were transported to or from the Specific Plan area; it does not indicate that contamination occurred. The second database is the Statewide Environmental Evaluation and Planning System database which lists sites with registered underground storage tanks (USTs). The Specific Plan area did contain a 1,000 gallon waste underground storage oil tank. It was removed in 1999. At that time, no contamination or leaks were reported and the County of Tuolumne stated that no further action was necessary.

Fluorescent lighting fixtures within the existing retail facility may contain polychlorinated biphenyls and mercury. The existing refrigeration units and rooftop HVAC units may also contain chlorofluorocarbons. The existing automobile service area utilizes seven above-ground storage tanks (AST) that store petroleum hydrocarbons. The Specific Plan area is also located in an area with high radon potential and is in a High Fire Hazard Severity Zone. [Ord. 796 § 2 (part), 2010]

6. Biological Resources

A majority of the Specific Plan area is covered with impervious surfaces and the remaining area consists of ruderal (weedy) vegetation and disturbed land including trees and landscaping in planters. Dominant species found in unpaved portions of the Specific Plan area include field bindweed (*Convolvulus arvensis*), ripgut brome (*Bromus diandrus*), and Bermuda grass (*Cynodon dactylon*). The non-native grasses and weeds are generally low-growing but can include some tall species (up to 6 feet). There are no special-status plant or wildlife species with potential to occur in the Specific Plan area.

Based on the developed and disturbed condition of the Specific Plan area, only commonly observed wildlife species would be expected to occur in the area (e.g., sparrows, squirrels). Based on the lack of trees, shrubs, and aquatic resources, there is no indication of a wildlife community in the area. The area also does not contain features suitable for use as a wildlife movement corridor (e.g., open drainages). The Specific Plan area does support immature trees that could potentially provide nesting habitat for small migratory songbirds. No open channels, natural drainage features, wetlands or waters of the United States exist within the Specific Plan area.
[Ord. 796 § 2 (part), 2010]

7. Climate

Temperatures in the Specific Plan area range from an average monthly high of 94.6 degrees Fahrenheit (^{0}F) in July to an average monthly low of 33.5^{0}F in January. Average annual rainfall is 32.13 inches, and average snowfall is 3.3 inches.
[Ord. 796 § 2 (part), 2010]

D. Existing Utilities

1. Water

The Specific Plan area will receive water service from the Tuolumne Utilities District (TUD). TUD operates various water systems within its service area. The Specific Plan area would be served by the Sonora-Jamestown Water System. TUD's water infrastructure consists of 56 miles of water supply canals and ditches, 13 water treatment plants, approximately 202 miles of distribution piping, and eight community water well systems. TUD has three primary sources of water: surface water from the South Fork Stanislaus River (with an annual yield of approximately 100,000 acre-feet), groundwater (with a total potential annual yield of 2,150 acre-feet), and recycled water (providing landowners with water for irrigation of approximately 547 acres of farm and pastureland).

In 2010, the estimated water demand for the TUD service area based on the TUD Urban Water Management Plan is projected at 17,044 acre-feet with the estimated supply at 24,500 acre-feet. By 2035, the projected demand would be 23,344 acre-feet with a supply estimate of 24,500 acre-feet. Based on these projections, the TUD has sufficient water supply for the development of the Specific Plan area. Water supply to the Specific Plan area is provided through a 2-inch domestic water line and a 2-inch irrigation water line.
[Ord. 796 § 2 (part), 2010]

2. Wastewater

The Specific Plan area receives wastewater service from TUD, which owns and operates the regional wastewater system. TUD collects wastewater from approximately 8,900 connections and transmits it through approximately 101 miles of sanitary sewer lines. Wastewater is treated at the Sonora Regional Wastewater Treatment Plant, which has a capacity of 2.6 million gallons per day (mgd). The average dry weather flow is 1.6 mgd. During winter months, input at the wastewater treatment plant may increase to 2.6 mgd, exceeding the facility's capacity to clarify and digest the input. An expansion of the facility's sewage treatment processing system is underway and TUD has adopted a reclamation strategy that is currently being reviewed by the state.

Existing development in the Specific Plan area is served by a 6-inch line that pipes effluent to a lift station located in the rear of the former Mervyn's building. The lift station serves the entire Sonora Crossroads shopping center and conveys flows via a 4-inch force main to an 18-inch main located within Sanguinetti Road.
[Ord. 796 § 2 (part), 2010]

3. Water Quality

The existing drainage within the Specific Plan area is discussed above in Section 17.33.020(C)(2), Hydrology. During construction, all work would be required to meet the National Pollution Discharge Elimination System (NPDES) requirements for stormwater quality. The contractor would also be required to implement Best Management Practices (BMPs) for

erosion control. These requirements will be implemented through the preparation and approval of a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP would ensure that project construction would not violate any water quality standards.

During operations, all activities must comply with a City-approved stormwater management plan. Compliance with the stormwater management plan would ensure that operational activities within the Specific Plan area would not violate any water quality standards. [Ord. 796 § 2 (part), 2010]

4. Solid Waste Disposal

Solid waste collection and recycling services are provided by Cal Sierra Disposal. Solid waste from the City of Sonora is transported to three landfills in San Joaquin and Merced Counties, which collectively have a 150 million cubic yards of remaining capacity. [Ord. 796 § 2 (part), 2010]

5. Natural Gas

No natural gas service is available in the Sonora area. [Ord. 796 § 2 (part), 2010]

6. Electricity

Electricity service to the Specific Plan area will be provided by Pacific Gas and Electric (PG&E). [Ord. 796 § 2 (part), 2010]

7. Telephone

Telephone service to the Specific Plan area will be provided by American Telephone & Telegraph (AT&T). [Ord. 796 § 2 (part), 2010]

Section 17.33.030 Land Use Plan.

Any and all approvals, decisions, reviews or actions required under this section and required for development within the Sonora Commercial Specific Plan area shall be ministerial, final, and not subject to appeal, and shall be processed pursuant to Section 17.33.050. [Ord. 796 § 2 (part), 2010]

A. Land Use Concept.

The overall land use concept for the Sonora Commercial Specific Plan is to revitalize, update and expand an existing retail facility to take advantage of the site's excellent regional access and visibility. It will dramatically improve the aesthetic and commercial landscape and provide for development of a full-service retail use to complement existing uses in the surrounding area. The land use concept design will incorporate design elements that complement and are compatible with the architectural theme of the existing commercial landscape by creating an attractive and productive blend of retail uses. Access and parking within the Specific Plan area is intended to be designed with convenient vehicular, non-motorized vehicle and pedestrian access that blends and interconnects with the surrounding commercial area.

Figure 6 illustrates the Conceptual Site Plan for the Sonora Commercial Specific Plan. [Ord. 796 § 2 (part), 2010]

1. Uses Allowed by Right.

Table 17.33.030-1 establishes the permitted uses for the Sonora Commercial Specific Plan area. Ancillary and accessory uses, if proposed, will be reviewed concurrently with any application for development submitted. Ancillary and accessory uses that are not specifically listed as permitted may be approved subject to determination of Substantial Conformance as set forth in Section 17.33.050.

Table 17.33.030-1 Permitted Uses
Addressograph services
Alcohol sales for offsite consumption (type 21 license)
Ammunition sales (not including firearms)
Animal clinic or shelter
Any local retail business or service establishment that supplies services and commodities for residents of a neighborhood such as grocery, fruit and vegetable stores; bakery; drugstore; barber and beauty shops; florists; Laundromats; drive-thru banks; drive-thru pharmacies; drive-thru dairies; clothes and cleaning and dyeing establishments; variety stores; and hardware stores
Apparel stores
Appliance stores
Art and antique stores
Art and craft schools and colleges
Art galleries
Art supply stores
Auction rooms
New and used automobile, motorcycle, boat and mobile home sales rooms and service incidental thereto
Automobile parts supply stores
Automobile service and gas stations
Bakeries
Banks and financial institutions, including lending agencies
Bars, cocktail lounges and night clubs
Bicycle shops
Blueprint and photocopy shops
Book stores and rental libraries
Bowling alleys
Bulk storage, wholesale, packing, truck, bus, taxi, or rail terminals and transit stations
Business, professional and trade schools and colleges
Camera shops, photographic supplies and photography studios
Card rooms
Catering shops
Clothing and costume rental establishments
Communications equipment buildings
Confectionery and ice cream stores
Department store*
Dry goods store*
Minor electrical and electronic equipment sales and service
Escrow offices
Farm equipment sales and services
Florists
Frozen food lockers
Gardening supply sales
Garden shops and nurseries
Gift, novelty or souvenir shops

Table 17.33.030-1 Permitted Uses
Glass shops
Grocery stores, including those selling fresh meat and produce*
Gunsmith shops
Gymnasiums and health clubs
Hardware stores
Health food stores*
Hobby stores
Home furnishings
Home improvement centers
Hotels, motels and apartment hotels
Interior decorating shops
Jewelry stores
Leather goods and luggage stores
Linen supply service
Live/work use
Locksmith
Mailing and shipping services
Manager/caretaker use
Medical, dental and orthopedic clinics or laboratories
Millinery shops
Mortuaries
Movie rental operations
Music and dance studios
Office and business machine sales and services
Offices that deal primarily in professional services in which goods, wares, and merchandise are not commercially created, sold or exchanged for the private market, including medical offices, engineering, architectural planning and landscape consulting, law, accounting, bookkeeping, insurance, banking and brokerage offices, travel agencies, medical and dental laboratories and clinics, not including hospitals, sanitariums, rest homes or nursing homes for mental patients or drug or liquor addiction cases
Paint and wallpaper stores
Paint product sales
Parcel delivery services
Pawn shops
Pet and bird sales
Petroleum product sales
Pesticide sales
Pharmacies, stand-alone or as part of a larger retail use, including a drive-up pharmacy*
Pool chemical sales
Prescription pharmacies in connection with medical office buildings or clinics
Processing, services or research, providing that no odor, gas, fumes, dust, smoke, noise, vibrations, glare, heat, electrical interference, radioactive or waste material is produced or emitted beyond the confines of the property onto contiguous properties or into the air or watercourses, to an extent constituting a nuisance, and provided it does not constitute a physical hazard to persons or properties beyond the confines of the property by reason of fire, explosion, or similar cause
Public and private charitable institutions
Public utility structure, fire station
Radio and television broadcasting studios
Retail sales*
Restaurants, including drive-thru restaurants, cafes and outdoor cafes*
Scientific instrument stores
Secretarial services
Shoe stores-sales and repair

Table 17.33.030-1 Permitted Uses
Sign shops
Sporting goods stores, including incidental boat sales
Sports arenas within buildings
Stamp and coin shops
Stationery stores
Storage garages
Superstore-type uses including general merchandise, grocery, pharmacy and other uses permitted independently in the Specific Plan area*
Tailor and dressmaking shops
Telegraph offices
Temporary outdoor seasonal sales
Theatre and auditoriums
Tire, battery and alignment services (not including large trucks)
Tobacco shops
Travel bureaus
Upholstery shops
Variety stores
Video arcades
Vision and/or hearing services

Note: * 24-hour operations permitted as-of-right. 24-hour operations may be permitted for other uses if the Community Development Director determines such a use substantially conforms with the provisions of the Sonora Commercial Specific Plan.

[Ord. 796 § 2 (part), 2010]

B. Site Development Standards

1. Land and Structure Regulations

Table 17.33.030-2 establishes the land and structure regulations for the Sonora Commercial Specific Plan area:

Table 17.33.030-2. Land and Structure Regulations	
Minimum Parcel Area	4,000 square feet
Maximum Building Coverage	60 percent
Maximum Floor Area Ratio	2.0
Minimum Parcel Width	60 feet
Minimum Yards	Front: 10 feet Sides and Rear: 5 feet or on the property line if fireproof wall without opening
Maximum Building Height	35 feet*
Maximum Building Square Footage	158,532 square feet

Note: * Architectural projections are exempt from the 35-foot height limit

[Ord. 796 § 2 (part), 2010]

2. General Design Concepts

Within the Sonora Commercial Specific Plan, general design concepts address the nature and function of the use, building, or feature being considered. Architectural design and details are to be integrated throughout the Specific Plan area and oriented to areas within public view. Design within the Sonora Commercial Specific Plan shall meld function and form, not one to the

exclusion of the other, and promote the harmonious appearance of structures in other commercial areas adjacent to the Specific Plan area, including the Sonora Crossroads shopping center.

To facilitate design integrity between the uses within the Sonora Commercial Specific Plan and other commercial uses surrounding the Specific Plan area, the following standards shall be adhered to:

a) Design shall be consistent with the 1992 City Council adopted exterior design requirements for the Sonora Crossroads Shopping Center, including the 2009 amendment to the color palette and architectural features to allow "earth tones" into the stucco walls, front access diamonds storefront frames and parapet coping. Figures 6, 7 and 8 included in this Specific Plan comply with these requirements.
b) The Community Development Director shall review and approval all final building plans and elevations to ensure substantial conformance with Figures 6, 7 and 8. Substantial conformance shall be determined as set forth in Section 17.33.050.
c) Review and approval by the Community Development Director as set forth above shall include verification that the average mid-point of any architectural feature or wall is approximately 35 feet. If any architectural feature or wall exceeds 35 feet then it must be flattened or otherwise lowered.
d) Development within the Specific Plan area shall comply with the environmental standards set forth in Section 17.33.060. Developer shall bear all costs of implementing such environmental standards.
e) Shipping container storage shall not be allowed in the Specific Plan area and all shipping containers stored outdoors must be removed on a permanent basis.
f) No trees shall be removed until the City has approved a Final Landscape Plan as set forth in Section 17.33.030(B)(3) below.
g) All development within the Specific Plan area shall comply with all applicable building codes and the requirements of the City, County, State and other responsible agencies.

Figures 7 and 8 illustrate the conceptual exterior elevations and conceptual colors and materials for the Specific Plan area. Development proposed that substantially conforms to Figures 7 and 8 shall be considered to substantially conform to the Sonora Commercial Specific Plan and shall be processed as a ministerial building permit and construction plan review as set forth in Section 17.33.050.

[Ord. 796 § 2 (part), 2010]

3. Landscaping

The quality environment envisioned for Sonora Commercial Specific Plan site will be established, in large part, by its landscape treatment. Landscaping is to be designed to highlight positive visual features, to screen negative ones, and to provide a cool, pleasant outdoor environment. Landscaping is also intended to give structure and identity to the overall Specific Plan area.

Prior to issuance of a grading permit, demolition or ground or vegetation disturbance, whichever occurs first, the developer shall submit a Final Landscape Plan to the City Parks, Beautification and Recreational Committee for review, approval and implementation. As set forth in Section 17.33.050, this review and approval shall be a non-discretionary, final action that

cannot be appealed. The intent of the review is to ensure compliance with the provision of the Sonora Commercial Specific Plan. The approved Final Landscape Plan shall be incorporated into the development proposed.

The Final Landscape Plan shall provide for the following:

a) All recycling areas are to be effectively screened and contained.

b) Denser screen along the southern loading dock areas, including additional native ponderosa pine, native oaks and Deodar cedar planted in dense clusters on 12 to 15 foot centers with an understory of large and medium shrubs to create a denser plant screen along the center's rear facades. Reasonably sized openings may be left in the tree screen to reveal store signage, but no large open views of loading docks. Developer shall apply for an encroachment permit from Caltrans to allow for planting within this area, if necessary. Alternatively, Developer shall work cooperatively with the City to enter into a maintenance agreement for landscaping in the Caltrans right-of-way behind the existing retail building. Should Caltrans deny landscaping in this area pursuant to an encroachment (or equivalent) permit, then this requirement shall be eliminated. It is anticipated that landscaping will be accomplished substantially in accordance with landscaping plans already approved pursuant to an existing Caltrans permit (#1091-6CD-1116, Whitney Development Company). It is further anticipated that the costs of watering will be undertaken by the developer as will the costs of installing a separate water meter to maintain landscaping along SR 108 behind the existing retail building (i.e., the developer will be responsible for maintaining landscaping only in that area between SR 108 and the existing retail building). Minor modifications to these requirements may be approved by the Community Development Director, as set forth in Section 17.33.050, where such modifications achieve the same goal as the original requirement.

c) Reserved

d) A vine-covered fence is to be constructed at the edge of the paving along the southern limit of the Specific Plan area to screen ground clutter associated with the loading area. Specifically, the Landscape Plan shall provide for the planting of vines sufficient to cover the existing chain link fence along the southern portion of the Specific Plan area. - In conjunction with re-surfacing the rear portion of the Specific Plan area, the developer will plan for the installation and maintenance of vines within the area's boundaries adjacent to the existing fence. Developer shall apply for an encroachment permit from Caltrans to allow for planting within this area, as necessary. Should Caltrans deny landscaping in this area pursuant to an encroachment (or equivalent) permit, then this requirement shall be eliminated.

e) Automatically controlled underground irrigation shall be installed in all planting areas with a minimum of ½" mulch to a depth of 2" or as appropriate in vining and groundcover areas.

f) The planter separating the Old Wards Ferry Road Specific Plan area entrance drive from the existing store's garden and automotive departments will be solidly planted with coniferous and/or broadleaf evergreen trees to create a dense visual screen to these areas.

g) Should the planter (or adjacent) landscape area separating the Old Wards Ferry Road Specific Plan area entrance drive from the garden and automotive department require additional terracing and/or retaining walls; retaining wall design and materials shall be submitted in conjunction with the Final Landscaping Plan for review and approval. Retaining walls within the planter shall not exceed four feet in height. Any single wall, excluding the ground level wall in a terraced system, will not exceed 8 feet in exposed surface height.

h) Trees shall be installed as follows: 15% will be 24" box and 85% will be 15 gallon.
i) Landscaping shall be in keeping with the character or design of adjacent buildings.
j) Existing trees shall be preserved wherever possible.
k) Identification of the type and size of trees to be removed and the proposed landscaping in accordance with the Tree and Landscaping Ordinance. All removed trees shall be replaced at no less than a 1:1 ratio. The City may require certain trees to be replaced at a ratio of greater than 1:1 depending on the species, trunk, diameter, or other factors.
l) Ornamental trees shall be replaced at the size of tree removed or 36" box, whichever is smaller.
m) If the developer vacates the Specific Plan area in the future, landscaping associated with the Specific Plan area shall be maintained in compliance with Sonora Municipal Code Chapter 12.20, Section 12.20.145(A) for as long as the developer remains the property owner. Should ownership change; the new owner will remain subject to the same provisions of the Sonora Municipal Code relative to landscape maintenance.
n) Developer shall be responsible for maintaining all landscape plants in a healthy and attractive condition for the life of the project for on-site landscaping. All landscaping to be maintained and replaced on a monthly basis, weather permitting, to assure consistent tree size.

Figure 9 illustrates the preliminary planting plan for the Specific Plan area. Development proposed that substantially conforms to Figure 9 shall be considered to substantially conform to the Sonora Commercial Specific Plan and shall be processed as a ministerial building permit and/or construction plan review as set forth in Section 17.33.050.
[Ord. 796 § 2 (part), 2010]

4. On-Site Circulation, Parking, and Loading

On-site Circulation

The on-site circulation standards within the Sonora Commercial Specific Plan will ensure the efficient and safe passage of vehicles and pedestrians to and from the various commercial uses within the Specific Plan area.

On-site circulation within the Specific Plan area shall adhere to the following requirements:

a) All ingress and egress routes shall be maintained clear of storage, delivery trucks or other obstructions at all times.
b) The circulation system shall include adequate directional signs for entrances, exits, parking areas, loading areas, and other uses.
c) On-site driveways shall be permitted to provide common access between the Specific Plan area and adjacent properties.
d) Site lines required for safe automobile movement shall be kept clear. Screens and structures shall not be located where they would block such site lines.
e) On-site pedestrian walkways should provide direct, safe, and adequate movement paths between parking areas and building entrances.
f) Trucks shall access the Specific Plan area via the southernmost Old Wards Ferry Road driveway. Once onsite, trucks shall travel along the south property line and ultimately exit via Old Wards Ferry Road.

[Ord. 796 § 2 (part), 2010]

Parking

Off-street parking configurations within the Specific Plan area shall adhere to the following requirements:

a) One parking stall per 200 gross square feet of floor area shall be required for uses in the Specific Plan area. Employee parking is deemed to be included in the general requirement of one parking stall per 200 square feet of gross floor area. Gross floor area, as used in this Specific Plan, means the interior floor area, in square feet, of a business which is necessary for the operation of that business. This includes all work areas, hallways, private bathrooms, and storage areas used and necessary for the business to be operated, except for common hallways, private or public bathrooms used by other businesses, and unmanned storage areas not open to the public or not normally open during business hours.
b) When, after computing the number of parking spaces required, there appears a fractional requirement of one-half space or more, one additional parking space shall be required. If less than one-half, no additional space is required.
c) One percent of the total parking spaces shall be constructed to comply with the California Disabled Access Regulations.
d) The required parking shall be provided on the parcel or contiguous parcel where the use is located.
e) Parking spaces shall have a minimum size of 9' X 18' when outdoors and free of obstructions such as columns or walls.
f) Up to one-third of all parking stalls may be marked "Small Cars Only" and may be 8' X 16' in dimension.
g) Parking aisles shall have a minimum width of 12' when stalls are parallel to the aisle or up to an angle of forty degrees, 17' when stalls are at an angle between forty degrees and seventy degrees, and 23' when stalls are at an angle between seventy degrees and ninety degrees.
h) Parking stalls and aisles shall have a maximum grade of seven percent.
i) Each parking stall and aisle shall have a minimum 8' vertical clearance.
j) Each parking stall shall have vehicular access to the street, without passing over other parking stalls.
k) Each parking stall and aisle shall be graded, drained and surfaced, so as to prevent dust, mud or standing water, and shall be identified by pavement markings, to the satisfaction of the City Engineer.
l) Lighting shall be provided in the parking area pursuant to 17.33.030(B)(8).
m) A minimum four-foot high solid fence, wall or thick hedge shall be permanently maintained between any residential zone and a parking area serving a commercial use, where such an area is contiguous to such a zone.
n) The property owner shall provide documentation (contract, letter of agreement, etc.) to the satisfaction of the Community Development Director verifying the manner by which cleaning and sweeping of the parking lot is to occur.

[Ord. 796 § 2 (part), 2010]

Loading

a) Each loading berth shall have a minimum size of 12' X 35' whether indoors or outdoors.
b) Each loading stall and access thereto shall have a minimum 15' vertical clearance.
c) Each loading berth shall have vehicular access to the street, without passing over other parking stalls.

d) A minimum of one loading berth shall be required for each forty thousand square feet of gross floor area or part thereof within the Specific Plan area. When, after computing the number of loading spaces required, there appears to be a fractional requirement of one-half space or more, one additional loading space shall be required. If less than one-half, no additional loading space is required.
e) Loading areas shall be designed to provide for backing and maneuvering on site and not from or within a public street. Direct loading from a public street shall not be permitted.
f) Loading bays shall be sealed with rubber gaskets to reduce noise impacts to adjacent areas.

[Ord. 796 § 2 (part), 2010]

5. Outdoor Storage/Sales

The following requirements shall apply to all outdoor storage and sales in the Sonora Commercial Specific Plan area:

a) Outdoor storage shall be limited to designated pallet storage areas located on the southwest corner of the Specific Plan area. This provision does not apply to outdoor sales areas, sidewalk sales, and "garden centers." Sales within parking areas are permitted but shall not exceed an area of 60 parking spaces and shall be confined to the area along the western boundary of the Specific Plan area in the front parking lot.
b) Ingress and egress for emergency vehicles shall be maintained at all times within the sales and storage area.
c) Outdoor storage in other locations within the Specific Plan area shall not be precluded so long as such storage areas do not occupy parking spaces.
d) The southwest corner of the Specific Plan area shall be screened to reduce the visibility of outdoor storage areas and mechanical equipment, trash enclosures, recyclable materials and the bale and pallet storage area. Developer shall install visual screening in the form of landscaping, enclosures or other appropriate screening methods in this area.

Any new outdoor storage areas not in conformance with the provisions above shall require submittal of an application to the Community Development Director for approval prior to use.

[Ord. 796 § 2 (part), 2010]

6. Signage

Signage and graphics will be an important element within the Sonora Commercial Specific Plan area. The intent of the sign program is to provide for maximum sign exposure for uses within the Specific Plan area in a manner that will complement the overall image of the area while preserving and enhancing the aesthetic, vehicle and pedestrian traffic safety and convenience, and environmental values of the surrounding area.

Except as otherwise set forth herein, all signs, including, but not limited to, A-type and moveable freestanding signs, canopy signs, construction project signs, on-site directional signs, projecting building signs, wall signs, window signs and temporary signs, shall be permitted in the Specific Plan.

The Community Development Director shall confirm that any proposed signs substantially conform with the requirements of the Specific Plan. As set forth in Section 17.33.050, any review for substantial conformance shall be a non-discretionary, final action that cannot be appealed. The intent of the review is to ensure compliance with the provision of the

Sonora Commercial Specific Plan. Changes in existing sign copy and relocation of existing signs that do not change the existing sign area shall be deemed to substantially conform with the sign requirements of the Specific Plan and shall not require any additional approvals.

The following sets forth the requirements for signs in the Sonora Commercial Specific Plan area:

Definitions: The definitions stated in Sonora Municipal Code Section 15.28.020 are incorporated herein.

General Sign Requirements

a) A combination of not more than two types of signs (freestanding, wall or projection) for each place of business or occupancy shall be permitted.
b) Roof signs, wind signs, animated signs, signs that emit sound or flashing lights shall be prohibited.
c) No sign shall be erected in such a manner that it will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic, except such signs placed by a public agency for control of traffic by vehicles or pedestrians.
d) No sign shall be placed in any manner, or be maintained on any fence.
e) No signs shall be affixed to trees or shrubs.
f) Signs and sign structures shall be maintained at all times in a state of good repair.
g) No sign shall be sagging, leaning, fallen, decayed, deteriorated, or exhibit other dilapidated or unsafe conditions, as determined by the Building Official.
h) All signs and sign structures shall be constructed, installed or erected with more than a six-foot horizontal and a twelve-foot vertical clearance to energized electrical power lines.

Freestanding Sign

a) Maximum area for freestanding signs: 32 square feet.
b) Maximum height for freestanding signs: 35 feet.
c) The structural support for freestanding signs shall be wholly on the owner's property.
d) Freestanding signs over 5' in height may project over public property, or public vehicular or pedestrian easements or ways, a distance determined by the clearance of the bottoms thereof above the level of the sidewalk or grade of the public property or easement or way immediately below, as follows:
   (i) a clearance of less than 8' is not permitted;
   (ii) for a clearance of 8', the maximum projection is 1';
   (iii) for a clearance of 8' to 14', the maximum project is one foot plus 6" for each foot of clearance in excess of eight feet;
   (iv) for a clearance over 14', the maximum projection is 4';
   (v) no sign shall project within 2' of the curb line.
e) Every freestanding sign shall be constructed wholly of metal, wood, fire-resistant plastic or other substantially similar material.

Wall signs

a) Maximum area for wall signs: three percent of the total frontage wall area.
b) No part of any wall sign shall extend above the top level of the wall upon or in front of which it is situated.

c) Any wall sign that is suspended or projects over any public walkway or wall area shall have an overhead clearance of at least 8'.
d) No wall sign, including any light box or other structural part, shall project more than 12" from the building face.
e) There may be any number of wall signs for each building frontage, but in no case shall the total wall sign area for each frontage exceed area limitations.

Projecting Signs

a) Maximum area for projecting building signs: 30 square feet.
b) No projecting building sign shall extend above the top level of the wall upon or in front of which it is situated. In the case of buildings having sloping roofs, no such sign shall extend above the roof ridge. Any such sign which projects over public property shall have a clearance of 8' above the ground, and a 14' clearance above vehicle-ways.
c) Projecting signs may project over public property, or public vehicular or pedestrian easements or ways, a distance determined by the clearance of the bottoms thereof above the level of the sidewalk or grade immediately below, as follows:
   (i) a clearance of less than 8' is not permitted;
   (ii) for a clearance of 8', the maximum projection is 1';
   (iii) for a clearance of 8' to 14', the maximum projection is one foot plus 6" for each foot of clearance in excess of eight feet;
   (iv) for a clearance over 14', the maximum projection is 4';
   (v) no sign shall project within 2' of the curb line.

Special Purpose Signs

a) Maximum area for signs erected in conjunction with construction projects (i.e., construction signs): 6 square feet.
b) Maximum height for freestanding construction signs: 5'.
c) All construction signs shall be removed before a final release on the construction is given by the Building Official.
d) Maximum area for directional signs used for the purpose of facilitating or controlling the efficient or safe movement of pedestrians or vehicles on or onto private property (i.e., directional signs): 6 square feet.
e) Directional signs shall be located on the property to which they pertain.
f) A maximum of two on-site directional signs per drive approach shall be allowed.

Abandoned Signs

Abandoned signs shall not be permitted, maintained or permitted to be maintained within the Specific Plan area. Any such sign shall be abated by the owner, the Building Official, or any other person in a lawful manner.

The following types of signs are presumed to have been abandoned:

a) Signs located on property which has become vacant and unoccupied for a period of six months or more;
b) Signs erected for an occupant or business unrelated to the present occupant or business; and
c) Signs pertaining to a time event, or purpose that has passed or no longer pertains.

Deviations from the approved sign program set forth above that do not substantially

conform to the approved program, shall require the approval of the Community Development Director. If any provision of the sign program conflicts with regulations or requirements of the City of Sonora Municipal Code, the provisions of this document shall take precedence. [Ord. 796 § 2 (part), 2010]

7. Noise

Construction Noise

Hours of exterior construction shall be limited to between the hours of 7 a.m. and 7 p.m. Monday through Friday; 8 a.m. and 5 p.m. Saturday; and 10 a.m. and 3 p.m. Sunday and federal holidays.

All construction equipment shall be acoustically muffled to reduce noise in accordance with Caltrans Standard Specifications.
[Ord. 796 § 2 (part), 2010]

Operational Noise

Development in the Specific Plan area shall comply with the noise standards contained in the Noise Element of the Sonora General Plan. [Ord. 796 § 2 (part), 2010]

8. Lighting

The following section addresses illumination of on-site areas for the purposes of safety, security, and nighttime ambience, including lighting for parking areas, pedestrian walkways, graphics and signage, architectural and landscape features, shipping and loading areas, and any additional exterior areas.

Prior to issuance of a grading permit, demolition or ground or vegetation disturbance; whichever occurs first, the developer shall prepare and submit a Final Lighting Plan. The Final Lighting Plan shall be reviewed and approved by the City Parks, Beautification and Recreation Committee to ensure compliance with the provisions of the Sonora Commercial Specific Plan. As set forth in Section 17.33.050, this review and approval shall be a non-discretionary, final action that cannot be appealed. The intent of the review is to ensure compliance with the provisions of the Sonora Commercial Specific Plan. The approved Lighting Plan shall be incorporated into the development proposed.

The Lighting Plan shall demonstrate that all exterior lighting fixtures associated with development in the Specific Plan area (building-mounted and freestanding) are shielded, recessed, or directed downward to prevent unwanted illumination of neighboring properties.

The Final Lighting Plan shall provide for, but is not limited to, the following:

a) Light fixtures shall be shielded to keep light focused on the Specific Plan area.
b) Outdoor lighting of pedestrian areas shall be limited to ground level lighting or decorative lamps on 14 foot maximum pole heights.
c) Outdoor lighting of parking areas shall be limited to ground level lighting and overhead luminaries not to exceed existing pole heights.
d) Pole-mounted lights shall be cut-off directing illumination downward.
e) Building lighting shall be limited to indirect or cut-off sources for security after hours (as applicable to 24/7 operations),
f) Light sources shall be metal halide and limited to an average of 3.3 foot-candles maximum average intensity.

New parking lot lighting shall comply with the California Energy Code and Title 24.

Non-Residential Energy Compliance Forms shall accompany the building permit application. [Ord. 796 § 2 (part), 2010]

9. Fire Protection

Prior to issuance of a grading permit, demolition or ground or vegetation disturbance; whichever occurs first, the developer shall submit to the Sonora Fire Department for review and approval a complete set of building plans, wet stamped by an Architect or licensed Engineer and a complete set of plans for an Automatic Fire Sprinkler System indicating calculated fire flow for the system, signed by a licensed Automatic Fire Sprinkler Contractor.

Note that any warehouse storage proposed will need to install rack sprinklers. The existing retail building does not have rack sprinklers but any new rack storage will require rack sprinklers. The fire flow for the building shall be determined by the size of the building and type of construction.

Standpipes may be required due to building size, fire flow requirements, and distance from building egress. A fire sprinkler system with 100 or more sprinkler heads shall be monitored by a UL approved Central Alarm Station which supervises the system 24 hours per day. The installation of fire hydrants in the Specific Plan area will be required per the current edition of the California Building Code. Fire hydrant locations and numbers will be determined by the Fire Department upon receipt of a plot plan drawn to scale, with locations and numbers established in accordance with the current edition of the California Building Code.

The Fire Department Connection (FDC) shall be installed at the rear of the building, with final location to be determined by the Fire Department. A single FDC is preferred, if feasible. If the development requires a second FDC, double backflow protector, riser (i.e., complete separate system); then the developer shall apply for and secure approval from TUD for the second connection into the domestic water system.
[Ord. 796 § 2 (part), 2010]

10. Business Licenses

Prior to the issuance of a grading permit, demolition or ground or vegetation disturbance; whichever occurs first, the developer will comply with City of Sonora provisions for obtaining business licenses for the construction contractor and subcontractors.

Prior to the issuance of a Final Certificate of Occupancy, the developer shall comply with City of Sonora provisions for obtaining business licenses (including amendments to existing licenses) for the building occupant.
[Ord. 796 § 2 (part), 2010]

17.33.040 Infrastructures, Grading and Construction

Any and all approvals, decisions, reviews or actions required under this section and required for development within the Sonora Commercial Specific Plan area shall be ministerial, final and not subject to appeal, and shall be processed pursuant to Section 17.33.050. [Ord. 796 § 2 (part), 2010]

A. Infrastructure

1. General Provisions (TUD, Concrete, Cool Roof, Burning)

The Specific Plan area will be served with public water and public sewer provided by the TUD. Prior to issuance of building permits, the developer shall:

a) Provide final verification of all required utilities to the Community Development Department.
b) Provide proof to the Building Department that "change of use" fee payments have been paid to or waived by the Tuolumne Utilities District.
c) Provide verification that all new utilities shall be placed underground.
d) Submit the proposed concrete design mix to the City Building Department to confirm that the proposed concrete will include 15-20% fly ash, or alternative as approved by the Building Official.
e) Provide the Building Department with documentation that the proposed "white roof" is a certified "Cool Roof," as required by the California Energy Commission.

In addition, any development in the Specific Plan area shall comply with the following:

a) Prior to burning of vegetation during land development clearing, the developer shall notify the Tuolumne County Air Pollution Control District of the intent to burn and a finding shall be made by the District that such burning is warranted as specified in district rule 310.2(A)-Land Development Clearing. Such burning shall also be coordinated with the City Fire Department requirements.
b) Any aggregate used for surfacing material that contains greater than 0.25% asbestos shall be incorporated into or completely covered by asphalt concrete, Portland cement concrete, or similarly cemented material.

[Ord. 796 § 2 (part), 2010]

2. Water Facilities

The Specific Plan area will receive water service from the TUD through an existing 2-inch domestic water line and a 2-inch irrigation water line. TUD's Urban Water Management Plan projects annual water surpluses ranging from 5,526 acre-feet in 2010 to 256 acre-feet in 2035. The Specific Plan area's total anticipated water demands, which area accounted for in the Urban Water Management Plan, are estimated to be 9,174 gallons per day (gpd) or 182,500 gallons (0.56 acre-feet) annually.

Prior to the issuance of a grading permit, demolition or ground or vegetation disturbance, whichever occurs first, the developer shall submit an Underground Utilities Plan to the City Engineer for approval by respective agencies (e.g., Tuolumne Utilities District, Sonora Fire Department). The developer shall, within preparation of the improvement plans for the water system, provide water mains, hydrants, and fire flows as required by the City of Sonora Fire Department. Fire hydrant locations to be shown on the plan as determined by the Fire Chief.
[Ord. 796 § 2 (part), 2010]

3. Wastewater Facilities

The Central Valley Regional Water Quality Control Board (CVRWQCB) enforces wastewater treatment and discharge requirements for the Specific Plan area. The Specific Plan area would convey wastewater via municipal sewage infrastructure maintained by the TUD to the Sonora Regional Wastewater Treatment Plan (SRWTP). The Specific Plan area is estimated to generate 5,764 gallons per day of effluent, which is well within the existing available capacity of the SRWTP.
[Ord. 796 § 2 (part), 2010]

4. Storm Drains

The City of Sonora operates stormwater drainage facilities within the City limits. The Specific Plan area has an existing stormwater collection system that will continue to serve the area. Stormwater is collected via inlets where it is then discharged offsite into a culvert located in the SR-108 right-of-way. Pipe sizes range from 12 to 24 inches in diameter. Implementation of the Specific Plan will not require new or expanded offsite storm drainage facilities. However, prior to the issuance of a grading permit, demolition or ground or vegetation disturbance; whichever occurs first, the City Engineer shall approve an Engineered Drainage Plan that will include on and off-site drainage measures necessary to accommodate the increased flows created by development within the Specific Plan area. [Ord. 796 § 2 (part), 2010]

5. Solid Waste Disposal

Cal Sierra Disposal provides solid waste and recycling services to the City of Sonora, including the Specific Plan area. During construction, it is estimated that the Specific Plan area would generate 55 tons of solid waste. During operation, it is estimated that the Specific Plan area would generate approximately 68 tons of solid waste annually. [Ord. 796 § 2 (part), 2010]

6. Natural Gas

No natural gas service is available in the Sonora area. [Ord. 796 § 2 (part), 2010]

7. Police Protection

The Sonora Police Department will provide police protection to the Specific Plan area. [Ord. 796 § 2 (part), 2010]

8. Fire

The Sonora Fire Department will provide fire protection and emergency medical services to the Specific Plan area. [Ord. 796 § 2 (part), 2010]

9. Electricity and Telephone

The Specific Plan area is located within PG&E's service territory. PG&E would provide electrical services to the Specific Plan area. Telephone service to the Specific Plan area will be provided by AT&T. If a stationary emergency standby diesel fueled engine is required for emergency generation purposes (e.g., for refrigeration units), development shall comply with Section 93115, Title 17-California Code of Regulations, Airborne Toxic Control Measure for Stationary Compression Ignition Engineers. [Ord. 796 § 2 (part), 2010]

10. Schools

Prior to the issuance of building permits, the developer shall pay school impact fees. Impact fees are currently 0.47 per square foot. [Ord. 796 § 2 (part), 2010]

B. Project Access

Access to the Specific Plan area allows for safe and efficient travel to and from the area. Administrative provisions and signage of the Specific Plan will facilitate direction and access throughout the area. Public transportation will be permitted in the Specific Plan area.

Vehicular access to the Specific Plan area will be provided by six driveways, including two

on Old Wards Ferry Road and four on Sanguinetti Road. A full signalized access point is present on Sanguinetti Road, which also serves the other uses in the Sonora Crossroads. A full unsignalized access point exists on Old Wards Ferry Road and provides access to the existing tire & lube express and loading dock. Additional vehicular access to the Specific Plan area is available through the Crossroads Plaza, which has access to Sanguinetti Road and Old Wards Ferry Road, and the Sonora Crossroads parking area, which has access to other points on Sanguinetti Road. The southern Old Wards Ferry Road access point and the eastern Sanguinetti Road access point provide truck access to the existing retail store within the Specific Plan area.

Adequate pedestrian access will also be provided. Prior to the issuance of a grading permit, demolition or ground or vegetation disturbance, whichever occurs first, the developer shall submit a sidewalk plan to the City Engineer for review and approval. The sidewalk plan shall provide for the construction of a sidewalk along the eastern side of any expansion to the existing retail store. This sidewalk shall meet the accessibility requirements for the Americans with Disabilit~~y~~ies Act and be constructed in conformance with any approved plans prior to the issuance of a final certificate of occupancy.

All ingress and egress routes shall be maintained clear of storage, delivery trucks or other obstructions at all times.

[Ord. 796 § 2 (part), 2010]

C. Grading

Given the relatively level topography within the Specific Plan area, development will result in modest changes to topography and ground surface features to primarily address drainage flow.

However, prior to the issuance of a grading permit, demolition or ground or vegetation disturbance, whichever occurs first, the developer shall submit to the City Engineer for review and approval the following:

1) A Comprehensive Engineered Grading Plan showing the tops and toes of all slopes, grade and width of access roads and parking areas, etc. To minimize the amount of grading and clearing of the property, the plan shall include provisions that grading and clearing be limited to the developed area (existing building pad, parking area, landscape, ingress/egress) as identified in Figure 6.
2) An Erosion and Sediment Control Plan, related to grading or other earthwork to be performed in the Specific Plan area between October 1 and May 1 of any given year that construction takes place in the Specific Plan area. The plan shall identify potential erosion problems related to the development project, and measures to be employed to control such concerns. As a site in excess of one acre, the State of California requires that a Storm Water Prevention Plan (SWPPP) be incorporated as part of this plan.

[Ord. 796 § 2 (part), 2010]

D. Construction

Throughout project construction under the Sonora Commercial Specific Plan, developer shall be required to comply with the following provisions:

1) The developer shall be responsible for dust abatement during earthwork and construction operations. A watering truck(s) or other watering device(s) shall be on the project site on all days when natural precipitation does not provide adequate ground moisture for complete dust control. Said watering device(s) shall be used to spray water at the site at the end of each day

and at other intervals, as the need dictates, to control dust.
2) All construction equipment is to be properly maintained in order to reduce exhaust emissions.
3) Fugitive emissions from construction or site activities shall be controlled at all times using reasonably available control technology. Vehicle speeds of construction equipment shall be limited to 10 miles per hour.
4) The developer shall ensure that all construction or site activities do not create a nuisance as defined in Air Pollution Control District Rule 205 at any point beyond the proposed project's property lines.
5) All construction equipment to be acoustically muffled to reduce noise, in accordance with Caltrans Standard Specifications.
6) Construction within the Specific Plan area shall comply with Section 17.33.030(7) of this Specific Plan regarding hours of exterior construction.
7) Construction shall comply with final building design plans and elevations as approved by the Community Development Director through the procedures set forth in the Sonora Commercial Specific Plan.

[Ord. 796 § 2 (part), 2010]

E. Reserved [Ord. 796 § 2 (part), 2010]

F. Fiscal Implementation

Implementation of the Specific Plan including, without limitation, construction of all infrastructure and private facilities contemplated in the Specific Plan, will be financed as follows:

1) All infrastructure necessary to implement the Specific Plan will be privately funded (by way of debt and/or equity financing), except to the extent that the cost of components of the infrastructure is:
   a) funded by development impact fees, fair share contributions and other payments to public agencies and/or
   b) reimbursed from any public source.
2) All private improvements necessary to implement the Specific Plan will be privately financed (by way of debt and/or equity financing).

[Ord. 796 § 2 (part), 2010]

17.33.050 Administration

A. Permit Processing

Development within the Specific Plan area which substantially conforms to the provisions of the Sonora Commercial Specific Plan and the conceptual site plan, elevations, colors and materials, and landscaping as depicted in Figures 6 through 9, shall be processed as a ministerial building permit and construction plan review. Any approval, decision, review or action in this respect shall be ministerial, final and not subject to appeal.

For the purposes of development anticipated under the Sonora Commercial Specific Plan, ministerial building permit and construction plan review includes any subsequent approvals, decisions, review or actions required by City agencies, entities or individuals (i.e., the City Parks, Beautification and Recreation Committee; the Sonora Fire Department, the City Engineer, the City Building Department). The purpose of these approvals, decisions, review or actions is to

ensure compliance with the provisions of the Sonora Commercial Specific Plan and all applicable building codes and requirements of the City, County, State and other responsible agencies. Ministerial building permit and construction plan review shall be non-discretionary, final actions that cannot be appealed.

Except as set forth above, no additional approvals or permits shall be required for development or operation within the Specific Plan area. Any building permit or construction plan review can be submitted to the Community Development Director for evaluation and finding of substantial conformance as described below. This includes modifications to the Sonora Commercial Specific Plan as well as modifications to the conceptual site plan, elevations, colors and materials, and landscaping as depicted in Figures 6 through 9.
[Ord. 796 § 2 (part), 2010]

B. Existing Uses

Existing uses or structures are not subject to the provisions of the Sonora Commercial Specific Plan provided a building permit has been obtained and is still valid at the time of the effective date of the provisions codified in this title. [Ord. 796 § 2 (part), 2010]

C. Substantial Conformance

1. Purpose of Substantial Conformance

The purpose of substantial conformance is to provide a mechanism for implementing the Specific Plan. During review of construction plans and building permit applications, the Community Development Director or designee will have the limited ability to interpret the Specific Plan and determine that the proposed development is in substantial conformance with the Sonora Commercial Specific Plan. Substantial conformance may include, but is not limited to, inclusion of land uses not listed in Section 17.33.030 of the Specific Plan; modifications that might be necessary to comply with applicable infrastructure, public services and facilities requirements, and landscape palette; and other issues. Substantial conformance shall not include modifications in the basic design of the project; significant changes to the height or bulk of the approved uses; or increases in the density or intensity of the approved uses unless specifically permitted by the provisions of this Specific Plan.

The use of substantial conformance is intended to ensure orderly development, quality aesthetic design, and safe and harmonious placement of uses within the Specific Plan area. Determinations of substantial conformance (unless specifically noted otherwise) shall be made by the Community Development Director or designee administratively, without the need for a public hearing. In making a determination of substantial conformance, the Community Development Director or designee shall first make all the required findings set forth in this section.
[Ord. 796 § 2 (part), 2010]

2. Guidelines for Determination of Substantial Conformance

The following guidelines define the provisions of the Specific Plan subject to determinations of substantial conformance, and the limits placed on the degree of variance from the provisions of the Specific Plan that can occur through the substantial conformance procedure.
[Ord. 796 § 2 (part), 2010]

Permitted Land Uses

Land uses not listed as permitted in Section 17.33.030 of this Specific Plan may be permitted, subject to a determination of substantial conformance, provided that:

- The proposed use is compatible with the uses permitted described in Section 17.33.030 of the Specific Plan; and
- The proposed use is similar to and will not cause environmental impacts substantially greater than the other permitted uses set forth within Section 17.33.030 of this Specific Plan.

[Ord. 796 § 2 (part), 2010]

Infrastructure

Any modifications to the alignment of access roads; parking lot configurations, or adjustments to individual infrastructure facilities plans such as drainage, sewer, water, and utilities shall be subject to substantial conformance review and approval by the Community Development Director or designee. Prior to a determination of substantial conformance, the Community Development Director or designee shall make the finding that the proposed modification will not result in any environmental impacts substantially greater than those which would occur in the absence of the substantial conformance determination.
[Ord. 796 § 2 (part), 2010]

Environmental Mitigation Standards

The Community Development Director or designee may approve minor variations from the environmental standards set forth in Section 17.33.060 of this Specific Plan, subject to a determination of substantial conformance. In making such a determination, the Community Development Director or designee shall first find that the proposed variation provides substantially equivalent environmental protection as the originally approved standard. [Ord. 796 § 2 (part), 2010]

Other Specific Plan Provisions

Provisions of the Specific Plan including, but not limited to, architectural details; landscape palette; building size, height, bulk, and orientation; parking lot layout; and other plan details may be modified utilizing substantial conformance provisions. In making such a determination, the Community Development Director or designee shall be required to find that the revisions requested under substantial conformance are consistent with the provisions of the Sonora General Plan, and will not create impacts substantially greater than those that would have resulted from the original approval of the Specific Plan.

A maximum of 10 percent modification to permitted lot coverage, setbacks, floor area (other than the maximum allowable with the project site), and fence and wall heights may be permitted subject to a determination of substantial conformance by the Community Development Director or designee. In making such a determination, the Community Development Director or designee shall be required to find that the revisions requested under substantial conformance are consistent with the provisions of the Sonora General Plan, and will not create impacts substantially greater than those that would have resulted from the original approval of the Specific Plan.

The required parking spaces may be reduced by the Community Development Director or designee subject to a determination of substantial conformance following preparation of a parking study that demonstrates the proposed reduction in parking spaces is justified based on

the mix of uses within the Specific Plan area and the use of shared parking between those uses.

A comprehensive sign program may be submitted to the Community Development Director for a finding that it substantially conforms with the signage requirements of the Sonora Commercial Specific Plan. Upon approval by the Community Development Director as set forth above, any subsequent sign permit application that substantially complies with the comprehensive sign program shall be processed as a ministerial building permit and/or construction plan review. Any modifications to the sign program may be effectuated through a finding of substantial conformance.
[Ord. 796 § 2 (part), 2010]

D. Substantial Conformance Procedure

1. Application and Filing Fee

Applications for the determination of substantial conformance shall be made on forms provided by the Community Development Director or designee and shall be accompanied by a filing fee, equivalent to the fee for a Site Plan Review application. Applications shall be made by the owner of the property for which the approval is sought, or an authorized agent. [Ord. 796 § 2 (part), 2010]

2. Hearing

No public hearing shall be required for a determination of substantial conformance.
[Ord. 796 § 2 (part), 2010]

3. Action by Reviewing Authority

The reviewing authority for a determination of substantial conformance shall be the Community Development Director or designee. The reviewing authority shall take action by providing written notice to the applicant approving, conditionally approving, or denying the determination of substantial conformance. The action of the Community Development Director or designee shall be final with no appeal. [Ord. 796 § 2 (part), 2010]

4. Findings

The Community Development Director or designee must make a determination of substantial conformance if all of the following findings, in addition to those identified above, can be made:

- The physical characteristics of the site have been adequately addressed, and proposed building sites are of adequate size and shape to accommodate proposed uses and all other features of development.
- There is supporting infrastructure, existing or available, consistent with the requirements of the Sonora Commercial Specific Plan, to accommodate the development without significantly lowering service levels.
- The development resulting from the determination of substantial conformance will not have a substantial adverse effect on surrounding property or the permitted use thereof, and will be compatible with the existing and planned land uses, as well as the character of the surrounding area.
- The proposed improvements related to the development resulting from the determination of substantial conformance adequately address all natural and man-made hazards associated with the proposed development and the project site.

[Ord. 796 § 2 (part), 2010]

E. Specific Plan Amendments

1. Purpose

Amendments to the Sonora Commercial Specific Plan shall be required for revisions that are beyond the scope of substantial conformance determinations. Specific Plan amendments are governed by *Government Code* Section 65433 and the Sonora Municipal Code Section 17.68. [Ord. 796 § 2 (part), 2010]

2. Process

a) The Specific Plan may be amended or repealed only by a majority of the voters voting in an election thereon.

b) Notwithstanding subsection (a), upon application of the fee title holder of the Sonora Commercial Specific Plan area, the City Council may amend the Specific Plan to further the purposes of this Specific Plan, but in no case can such amendment reduce or eliminate the parties' obligation to fund, construct, or cause to be funded or constructed, the public benefits or mitigation measures required.

[Ord. 796 § 2 (part), 2010]

17.33.060 Environmental Standards

The Specific Plan includes environmental standards to ensure that development proceeds with appropriate environmental sensitivity. Environmental studies related to health risks, air quality, biological resources, geology and soils, hydrology and water quality, noise, public services and utilities, traffic, urban decay, and cultural resources were conducted for an expansion of the existing retail facility in the Specific Plan area. Environmental standards were developed from these environmental studies along with information from the City of Sonora General Plan.

All environmental standards shall be implemented in accordance with the Specific Plan's environmental standards and implementation process as outlined in Table 17.33.060-1. The developer of the Specific Plan area shall bear all costs of implementing the environmental standards.

[Ord. 796 § 2 (part), 2010]

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
1. Aesthetics, Light, and Glare					
MM AES-3a: Prior to issuance of the final certificate of occupancy, the project applicant shall install visual screening in the form of landscaping, enclosures, or other appropriate screening methods around the southwest corner of the project site (i.e., near the Old Wards Ferry Road overcrossing). The visual screening shall reduce visibility of outdoor storage areas, mechanical equipment, (e.g., HVAC, trash compactors, electrical transformers, etc.), trash enclosures, recyclable materials and the bale and pallet storage area, from Old Wards Ferry Road and SR-108, to the maximum extent feasible.	Site inspection	Prior to issuance of the final certificate of occupancy	City of Sonora Community Development Department		
MM AES-3b: Prior to issuance of the final certificate of occupancy, the project applicant shall remove all shipping containers stored outdoors from the project site on a permanent basis.	Site inspection	Prior to issuance of the final certificate of occupancy	City of Sonora Community Development Department		
MM AES-4: Prior to issuance of building permits, the project applicant shall prepare and submit a lighting plan to the City of Sonora for review and approval. The plan shall demonstrate that all exterior lighting fixtures associated with the retail store (building-mounted and freestanding) are shielded, recessed, or directed downward to prevent unwanted illumination of neighboring properties. The approved plan shall be incorporated into the project.	Approval of plan	Prior to issuance of building permits	City of Sonora Community Development Department		
2. Air Quality					
MM AIR-7a: The project applicant shall use paving materials with increased solar reflectivity in areas at the back of the store where pavement is replaced. Such materials shall use light-colored aggregate or other appropriate methods to achieve high solar reflectivity.	Site inspection	Prior to issuance of the final certificate of occupancy	City of Sonora Community Development Department		
MM AIR-7b: Prior to issuance of the final certificate of occupancy, the project applicant shall post signs in the retail store loading docks advising truck drivers to turn off engines when not in use and advising truck drivers of state law	Site inspection	Prior to issuance of the final certificate of occupancy	City of Sonora Community Development Department		

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
prohibiting diesel idling of more than 5 minutes.					
MM AIR-7c: To reduce fugitive emissions from refrigerants, the applicant shall do the following: • The project shall maintain the refrigeration system at least once per year to ensure that refrigerant leaks remain minimal. The maintenance records shall be kept onsite for review by the City of Sonora. • During installation of the new refrigerators and freezers, effort shall be made to reuse the existing refrigerants in the new system, unless the old refrigerant is not the same type as is proposed in the new system or more leakage would occur if the refrigerants were reused. • A secondary closed loop system shall be evaluated and implemented, if found to be technically and economically feasible.	Submittal of documentation	Prior to issuance of the final certificate of occupancy	City of Sonora Community Development Department		
MM AIR-7d: Prior to issuance of the final certificate of occupancy and during store operations, the following Transportation Demand Management measures shall be implemented: • Public transit information in the employee breakroom. Store management shall post information such as Tuolumne County Transit bus schedules, maps, and fares. Information shall be updated on a regular basis. • Ride sharing information in the employee breakroom. Store management shall facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities. • Bicycling information. Store management shall post information such as bicycle route maps. Information shall be updated on a regular basis.	Site inspection	Prior to issuance of the final certificate of occupancy and during store operations	City of Sonora Community Development Department		
MM AIR-7e: Prior to issuance of the final certificate of occupancy, the project applicant shall install the following energy efficiency features: • High efficiency heating, ventilation, and air conditioning	Site inspection	Prior to issuance of the final certificate of occupancy	City of Sonora Community Development Department		

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
(HVAC) units • Occupancy sensors in non-sales areas that shut off lights when rooms are unoccupied • A refrigeration waste heat capture system to heat water for the kitchen prep areas of the store • A white thermoplastic polyolefin-type roof over the expansion area • Light Emitting Diode (LED) signage illumination in all internally illuminated building signage					
3. Biological Resources					
MM BIO-1: If vegetation removal associated with development of the property is to occur during the nesting bird season (February 15 through August 31) for birds protected by the Migratory Bird Treaty Act or species listed as CDFG Fully Protected Bird Species, a qualified biologist shall conduct a pre-construction survey for nesting birds to identify any potential nesting activity. The preconstruction surveys for nesting birds shall be conducted within 14 days prior to any construction-related activities (grading, ground clearing, etc.). If nesting birds are identified on the site, a 100-foot buffer shall be maintained around the nests; no construction-related activities shall be permitted within the 100-foot buffer. A qualified biologist may reduce the setbacks if determined to be appropriate. The preconstruction survey for nesting birds shall not be required if construction activities occur outside of the nesting bird season (September 1 through February 14).	Submittal of documentation; Site inspection	Vegetation removal activities that occur between February 15 and August 31	City of Sonora Community Development Department; California Department of Fish and Game		
MM BIO-3: Prior to ground disturbance activities, the project applicant shall prepare and submit landscape plans to the City of Sonora that identify the type and size of trees to be removed and proposed landscaping in accordance with the Tree and Landscaping Ordinance (Municipal Code Chapter 12.20). No trees shall be removed until the City has approved the plans. All removed trees shall be replaced at no	Approval of plan	Prior to ground disturbance activities	City of Sonora Community Development Department		

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
less than a 1:1 ratio. The City may require certain trees to be replaced at a ratio of greater than 1:1 depending on species, trunk diameter, or other factors.					
4. Geology, Soils, Seismicity					
MM GEO-1: Prior to issuance of grading permits, the project applicant shall provide documentation to the City of Sonora demonstrating that all project structures are designed in accordance with the seismic design criteria of the 2007 California Building Standards Code. Additionally, the plans shall demonstrate that the seismic design parameters recommend by the Geotechnical Engineering Report have been incorporated into the project's design. The approved plans shall be incorporated into the proposed project.	Approval of plans	Prior to issuance of grading permits	City of Sonora Community Development Department		
5. Hazards and Hazardous Materials					
MM HAZ-1a: Prior to any demolition or construction activities, all fluorescent and high-intensity light fixtures slated for removal shall be removed by a qualified contractor and disposed of in accordance with federal and state law. Removal shall be completed before any demolition or renovation activities occur. Light fixtures containing mercury or PCBs shall either be disposed of or recycled at an authorized facility.	Submittal of documentation	Prior to any demolition or construction activities	City of Sonora Community Development Department		
MM HAZ-1b: Prior to removal of any CFC-containing refrigeration or HVAC equipment, such equipment shall be properly drained of CFC-containing fluid by a qualified contractor. The CFC-containing fluid shall be properly disposed of in accordance with federal and state law.	Submittal of documentation	Prior to removal of any CFC-containing refrigeration or HVAC equipment	City of Sonora Community Development Department		
6. Hydrology and Water Quality					
MM HYD-1: Prior to the issuance of grading permits for the proposed project, the applicant shall prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) to the Central Valley Regional Water Quality Control Board for	Approval of plan; Site inspection	Prior to the issuance of grading permits for the	Central Valley Regional Water Quality Control Board; City of Sonora		

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
review and approval. The approved SWPPP shall then be submitted to the City of Sonora. The SWPPP shall identify specific actions and Best Management Practices (BMPs) to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for site restoration, BMP implementation, contingency measures, responsible parties, and agency contacts. The SWPPP shall include but not be limited to the following elements: • Temporary erosion control measures shall be employed for disturbed areas. • No disturbed surfaces will be left without erosion control measures in place during the winter and spring months. • Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures. • The construction contractor shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate or reduce discharge of materials to storm drains. • BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the Central Valley Regional Water Quality Control Board to determine adequacy of the measure. • In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance, as an interim erosion control measure throughout the wet season.		proposed project; During construction	Community Development Department		

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	**Method of Verification**	**Timing of Verification**	**Responsible for Verification**	**Verification of Completion**	
				Date	**Initial**
MM HYD-2: Prior to the issuance of building permits for the proposed project, the project applicant shall submit a stormwater management plan for the expansion area to the City of Sonora for review and approval. The stormwater management plan shall identify pollution prevention measures and practices to prevent polluted runoff from leaving the project site. Examples of stormwater pollution prevention measures and best management practices that may be contained in the plan include, but are not limited to: • Landscaped areas that promote percolation of runoff • Trash enclosures with screen walls • Stenciling on storm drains • Catch basins • Oil/water separators • Regular sweeping of parking areas and cleaning of storm drainage facilities • Employee training to inform store personnel of stormwater pollution prevention measures The project applicant shall prepare and submit an Operations and Maintenance Agreement to the City identifying procedures to ensure that stormwater quality control measures work properly during operations.	Approval of plan	Prior to issuance of building permits	City of Sonora Community Development Department		
9. Public Services and Utilities					
MM PSU-6a: Prior to issuance of building permits, the project applicant shall retain a qualified contractor to perform construction and demolition debris recycling. The project applicant shall provide documentation to the satisfaction of the City of Sonora demonstrating that construction and demolition debris was recycled.	Submittal of documentation	Prior to issuance of building permits	City of Sonora Community Development Department		
MM PSU-6b: Prior to issuance of the final certificate of occupancy for the expanded store, the project applicant shall install onsite facilities necessary to collect and store	Site inspection	Prior to issuance of final certificate	City of Sonora Community Development		

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
recyclable materials. Recyclable collection facilities shall be located in public spaces and clearly identify accepted materials. Accepted materials shall include but shall not be limited to aluminum, glass, and plastic. Additionally, the project applicant shall provide recycling and storage facilities for pallets, cardboard, and other shipping and packaging materials in the rear of the store.		of occupancy	Department		
10. Transportation					
MM TRANS-1: Prior to issuance of building permits, if the County of Tuolumne undertakes improvements to the Sanguinetti Road/Loop Road intersection, the project applicant shall provide proportional share funding to the County for the improvements. Such improvements shall consist of either (1) installation of a signal and restriping the south leg to provide a separate northbound left-turn pocket, or (2) installation of a roundabout. In the alternative, if at the time of building permits the County has included either of the aforementioned improvements in a funding program, then the project applicant shall pay the applicable program fee to the County. Pursuant to equitable share methodology, the applicant's fair share is 8 percent of the total cost of the improvement.	Receipt of fees	Prior to issuance of building permits	City of Sonora Community Development Department; County of Tuolumne		
MM TRANS-2a: Prior to the issuance of a Building Permit, the project applicant shall submit a payment to the City for the installation of a traffic signal and associated improvements at the Crossroads Wards Ferry north driveway. The payment shall include an inflation factor sufficient to cover improvement cost increases through the year 2020 with an inflation factor of 2%. Prior to submitting payment, the project applicant shall submit a cost estimate, for all costs associated with the installation of the traffic signal (including restriping the north and south legs to provide separated left-turn pockets) at the Crossroads north driveway entrance located at Wards Ferry Road. The	Monitoring of intersection operations; Receipt of fees (Prior to issuance of Building Permit)	When operations at Old Wards Ferry Road/North Driveway fall below LOS C	City of Sonora Community Development Department		

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
estimate shall be prepared by an engineer and submitted to the City Engineer for review and approval prior to submitting payment to the City. The payment shall be maintained in a separate fund by the City designated for specified improvements when traffic signal warrants are met at the intersection.					
MM TRANS-2b: Prior to issuance of building permits, if the County of Tuolumne undertakes improvements to the Mono Way/Loop Road intersection, the project applicant shall provide proportional share funding for the improvements to the County. Such improvements shall consist of providing a separated northbound right-turn storage lane and modifying the existing signal to include a right-turn overlap signal phase to serve the northbound right-turn movement. In the alternative, if at the time of building permits the County has included the aforementioned improvements in a funding program, then the project applicant shall pay the applicable program fee to the County. Pursuant to equitable share methodology, the applicant's fair share is 4 percent of the total cost of the improvement.	Receipt of fees	Prior to issuance of building permits	City of Sonora Community Development Department; County of Tuolumne		
MM TRANS-2c: Prior to issuance of building permits, if the County of Tuolumne or Caltrans undertakes improvements to the Mono Way/SR-108 Westbound Ramps intersection, the project applicant shall provide proportional share funding for the improvements to the County. Such improvements shall consist of restriping the off-ramp approach to provide one shared left-turn/thru/right-turn lane and a separated right-turn lane. As an alternative, if at the time of building permits the County has included the aforementioned improvements in a funding program, then the project applicant shall pay the applicable program fee to the County. Pursuant to equitable share methodology, the applicant's fair share is 4 percent of the total cost of the improvement.	Receipt of fees	Prior to issuance of building permits	City of Sonora Community Development Department; Prior to issuance of building permits; Caltrans		

Table 17.33.060-1. Sonora Commercial Plan Environmental Standards					
Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
MM TRANS-3: Prior to issuance of building permits, the project applicant shall provide the City of Sonora with regional Traffic Impact Mitigation Fees in accordance with the latest adopted fee schedule at the time of permit application.	Receipt of fees	Prior to issuance of building permits	City of Sonora Community Development Department		
MM TRANS-8: Prior to issuance of the final certificate of occupancy, the project applicant shall install a bicycle rack (or racks) in a safe and convenient location. The rack(s) shall provide bicycle storage equivalent to 2 percent of the expanded retail store's vehicular parking requirement.	Site inspection	Prior to issuance of final certificate of occupancy	City of Sonora Community Development Department		
MM TRANS 9: Prior to commencement of construction activities, the project applicant shall submit a Construction Traffic Control Plan to the City of Sonora for review and approval. The plan shall identify the timing and routing of all major construction equipment and trucking movements to avoid potential traffic congestion and delays on the local street network. To the extent feasible, the plan shall encourage the use of SR-108 for truck deliveries. Anticipated temporary road closures should be identified, along with safety measures and detours. If necessary, construction equipment and materials deliveries shall be limited to off-peak hours to avoid conflicts with local traffic circulation. The plan shall also identify suitable locations for construction worker parking.	Approval of plan	Prior to commencement of construction activities	City of Sonora Community Development Department		

[Ord. 796 § 2 (part), 2010]

LEGAL DESCRIPTION OF SPECIFIC PLAN AREA
Figure 1
[Ord. 796, 2010]

Parcel A:

Parcel 1, in the City of Sonora, County of Tuolumne, State of California, as shown and designated on the Parcel Map entitled "Revised Parcel Map, a Commercial Subdivision for Sonora Crossroads" filed in the office of the County Recorder of Tuolumne County on October 13, 1992 in Volume 31 of Parcel Maps at pages 11 and 12, Tuolumne County Official Records.

Parcel B:

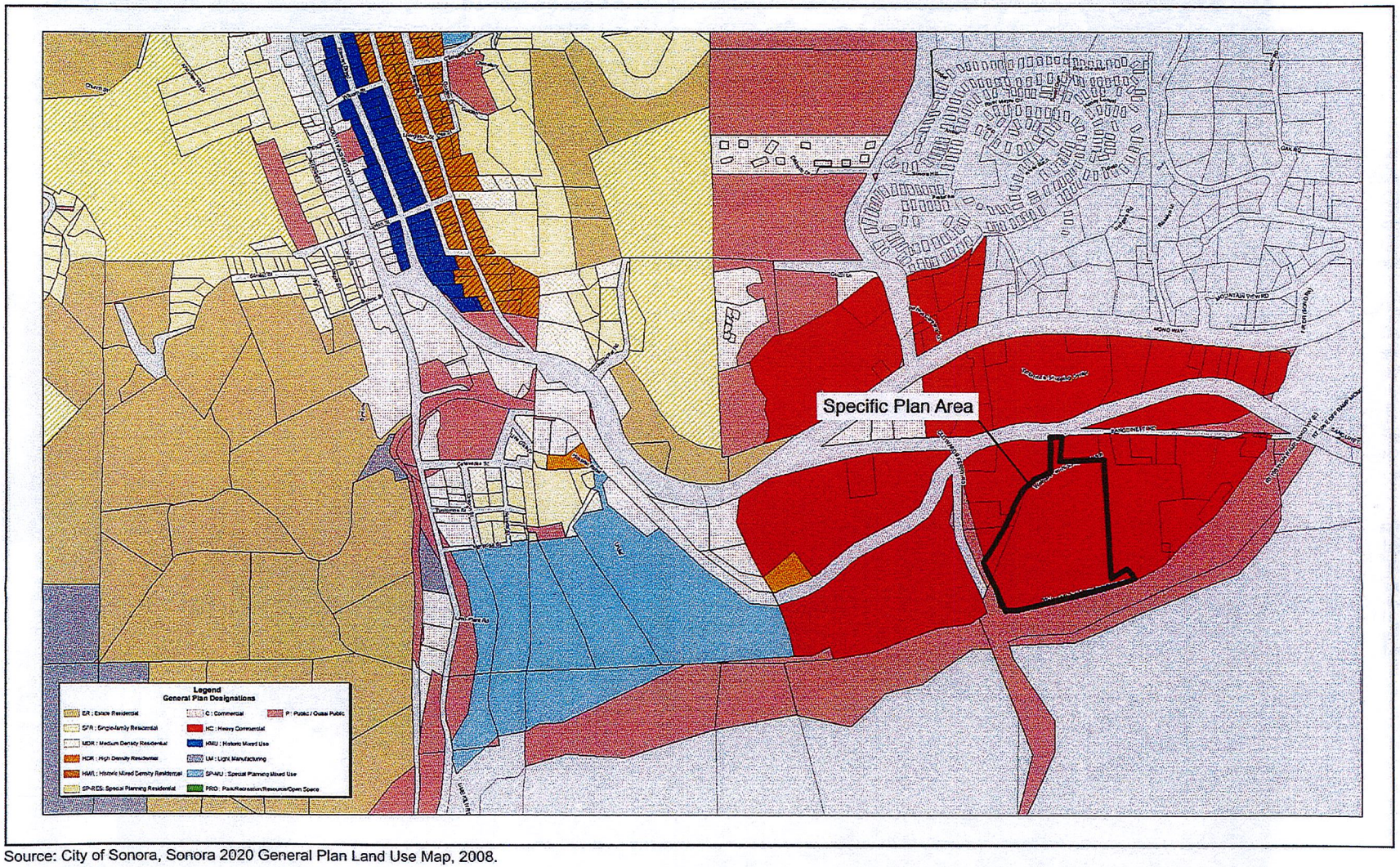
Non-exclusive easements over the common area, including, but not limited to, ingress, egress, pedestrian crossing, driveway use, parking, loading and unloading of commercial and other vehicles and the right and easement to install, maintain, repair and replace common utility facilities as created and conveyed as an appurtenance to the property described in Parcel A above, in and by the Declaration of Covenants, Conditions, Restrictions and Reciprocal Easements recorded November 19, 1992 in Volume 1162 of Official Records at page 145, as Instrument No. 22868, as amended.

LOCAL VICINITY MAP
Figure 2 (Ord.796, 2010)

Source: Tuolumne County NAIP, 2005.

Existing General Plan Designations

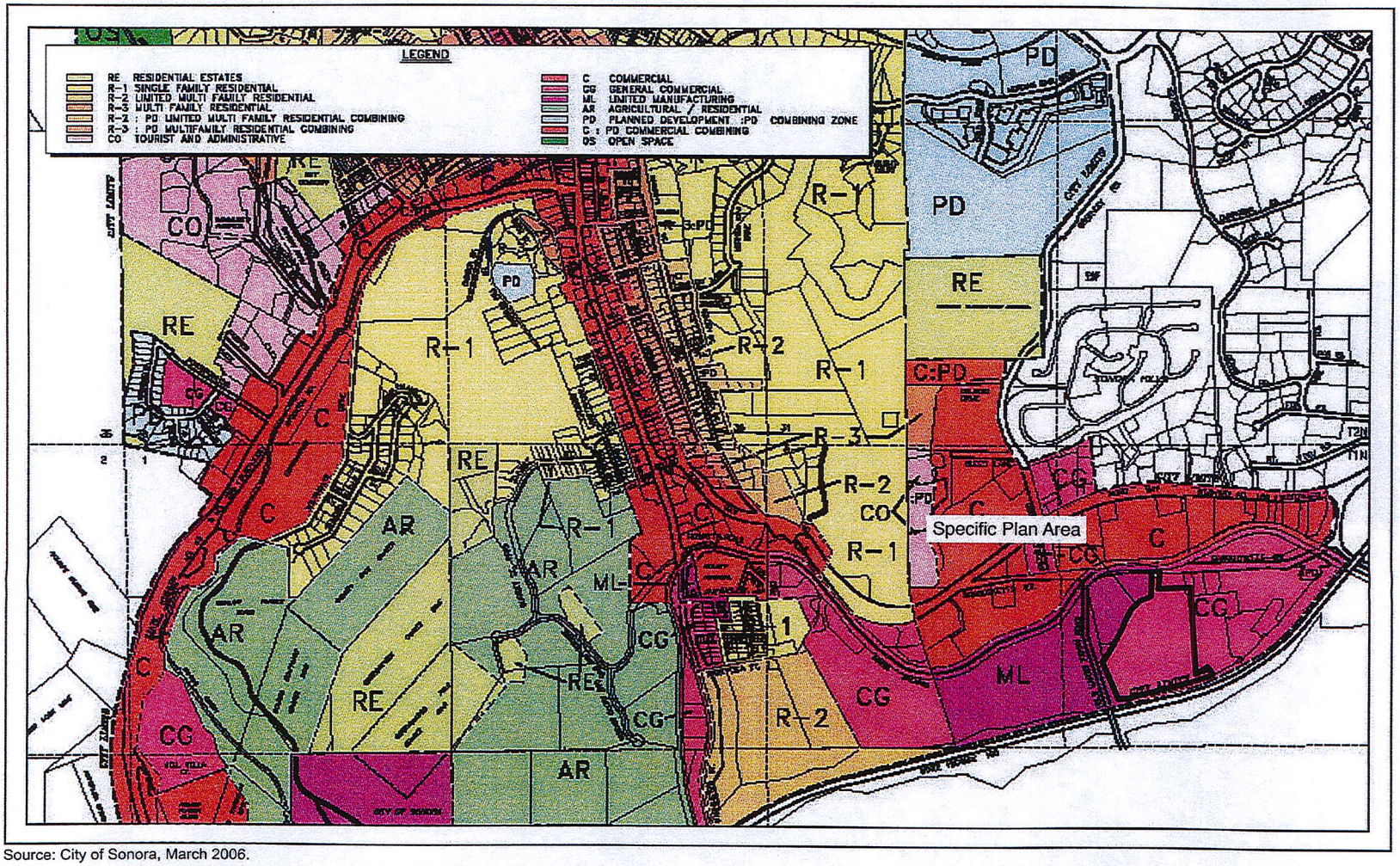
Figure 3



Source: City of Sonora, Sonora 2020 General Plan Land Use Map, 2008.

Existing Zoning Designations

Figure 4

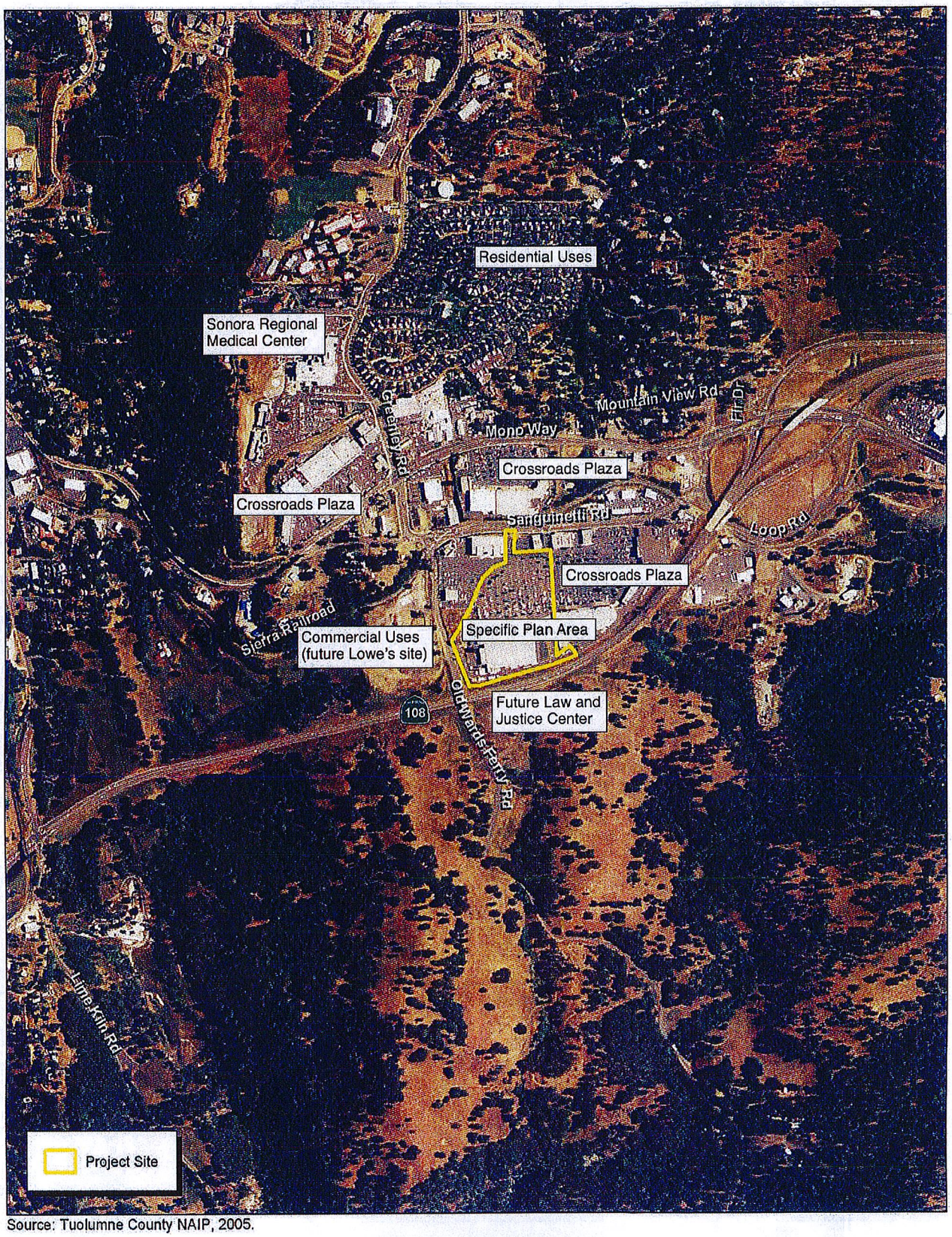


Source: City of Sonora, March 2006.

Note: Per the Lowe's approvals, a portion of the Limited Manufacturing district to the west of the Specific Plan area has been rezoned to General Commercial.

Surrounding Land Uses

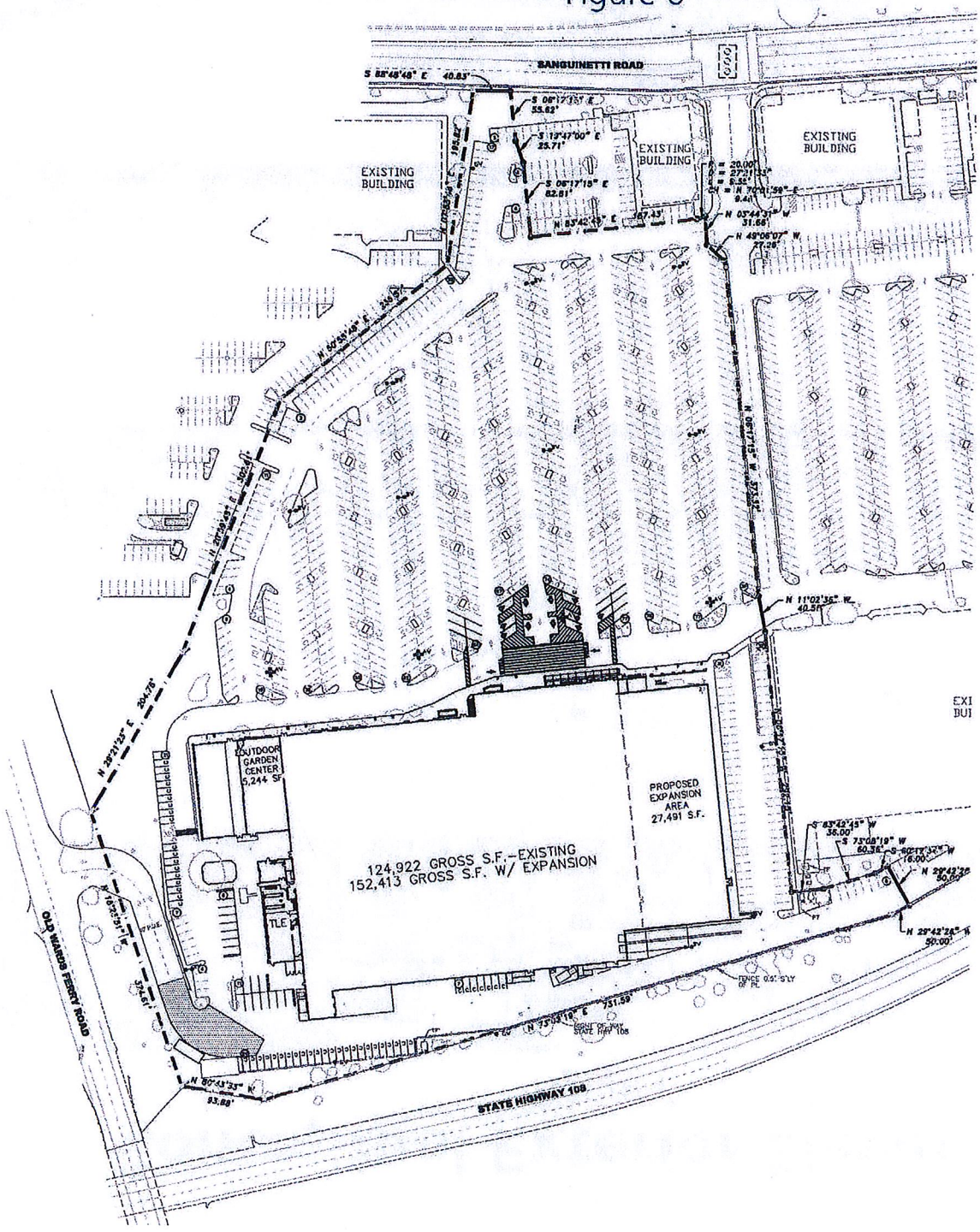
Figure 5



Source: Tuolumne County NAIP, 2005.

Conceptual Site Plan

Figure 6



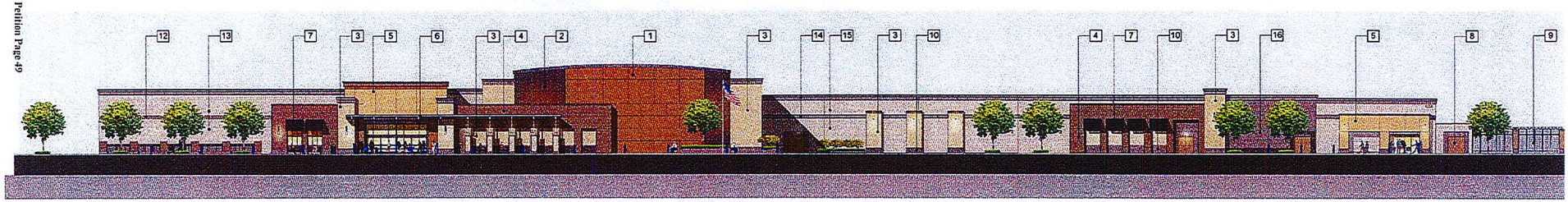
Conceptual Exterior Elevations

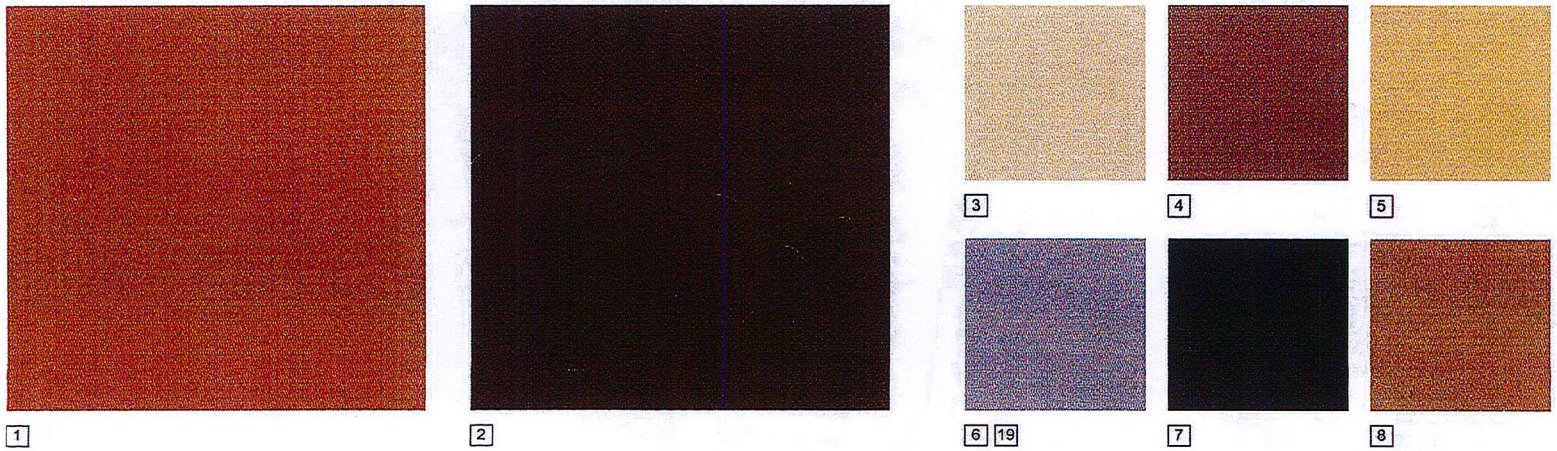
Figure 7

See Figure 6

Conceptual Colors and Materials

Figure 8





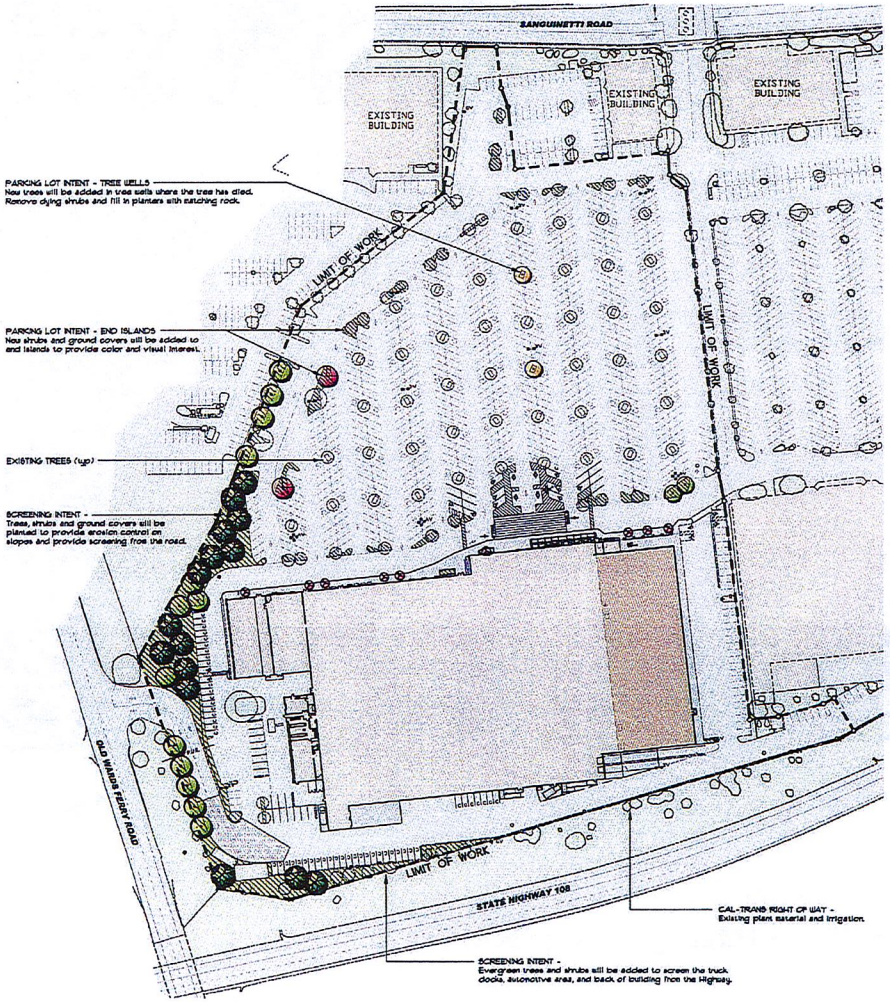
Materials

1	WALL PANEL SYSTEM TRESPA "CENTER"
2	WALL PANEL SYSTEM TRESPA "DARK BROWN"
3	STUCCO FINISH SW 7569 "ROW HOUSE TAN"
4	CMU, PAINTED COLOR TO MATCH: SW 6082 "COBBLE BROWN"
5	STUCCO FINISH SW 7679 "GOLDEN GATE"
6	METAL FINISH SW 7669 "SUMMIT GRAY"
7	METAL AWNING SW 6258 "TRICORN BLACK"
8	METAL DOOR SW 2823 "ROOKWOOD CLAY"
9	METAL FENCING COLOR "BLACK"
10	CMU BASELITE COLOR # D390 FLUTED UNITS
* 11	CMU (E.) SW 6095 "TOASTY"
12	CMU BASELITE COLOR # D390 PRECISION END SCORED
13	CMU BASELITE COLOR # D225 SPLIT FACE
14	CMU (E.) PRECISION END SCORED
15	CMU (E.) SPLIT FACE
16	CMU (E.) FLUTED BASELITE SONORA GRAY BLEND
* 17	EXISTING GLAZED CERAMIC TILE 8"X8"
* 18	CMU (E.) PRECISION SCORED BASELITE SONORA GRAY BLEND
* 19	STUCCO FINISH (E.) SW 7669 "SUMMIT GRAY"
* 20	EIFS (E.) SW 7669 "SUMMIT GRAY"

* THIS MATERIAL IS NOT SHOWN IN THE FRONT ELEVATI

Preliminary Planting Plan

Figure 9



PLANT LIST AND LEGEND

TREES	BOTANICAL NAME / COMMON NAME	SIZE (MINIMUM)	WATER USE
ACER	ACER RUBRUM RED MAPLE	15 GAL	MED
LAGR	LAGERSTROEMIA I. 'ROSEA' CRAPE MYRTLE	24" BOX	LOW
PRUK	PRUNUS C. 'KRAUTER VESUVIUS' FLOWERING PLUM	24" BOX	MED
QUEA	QUERCUS AGRIFOLIA COAST LIVE OAK	15 GAL	MED
QUEI	QUERCUS ILEX HOLLY OAK	15 GAL	MED
QUEC	QUERCUS CHRYSOLEPIS CANYON LIVE OAK	15 GAL	MED
EX. TREES	EXISTING TREES TO REMAIN		

SHRUBS	Botanical Name	Common Name	Size (Min)	Water Use	Spacing (Min)
	Arctostaphylos 'Howard Mcminn'	MCN	5 Gal.	Low	4'o.c.
	Berberis sp.	Barberry	5 Gal.	Low	4'o.c.
	Ceanothus 'Concha'	Wild Lilac	5 Gal.	Low	5'o.c.
	Cotoneaster d. 'Lowfast'	Lowfast Cotoneaster	5 Gal.	Low	3'o.c.
	Heteromeles arbutifolia	California Toyon	5 Gal.	Low	4'o.c.
	Ilex aquifolius	English Holly	5 Gal.	Med	4'o.c.
	Ilex v. 'Nana'	Dwarf Yaupon	5 Gal.	Med	3'o.c.
	Juniperus sp.	Juniper	5 Gal.	Low	3'o.c.
	Mahonia sp.	Oregon Grape	5 Gal.	Low	3'o.c.
	Nandina sp.	Heavenly Bamboo	5 Gal.	Low	4'o.c.
	Raphiolepis indica sp.	India Hawthorn	5 Gal.	Low	3'o.c.
	Pittosporum tobira sp.	Tobira	5 Gal.	Med	4'o.c.
	Podocarpus sp.	Yew Pine	5 Gal.	Med	6'o.c.
	Prunus c. 'Compacta'	Carolina Laurel Cherry	5 Gal.	Low	3'o.c.
	Prunus l. 'Zabeliana'	Zabel Laurel	5 Gal.	Low	3'o.c.
	Spirea b. 'Anthony Waterer'	Spiraea	5 Gal.	Med	4'o.c.
	Viburnus tinus 'Spring Bouquet'	Springtime Viburnus	5 Gal.	Low	3'o.c.
	Westringia fruticosa	Coast Rosemary	5 Gal.	Low	6'o.c.

GROUNDCOVERS /VINES	Botanical Name	Common Name	Size (Min)	Water Use	Spacing (Min)
	Agapanthus sp.	Lily-of-the-Nile	1 Gal.	Low	18"o.c.
	Rosmarinus 'Prostratus'	Creeping Rosemary	1 Gal.	Low	36"o.c.
	Trachelospermum jasminoides	Star Jasmine	1 Gal.	Med	24"o.c.
	Tulbaghia violacea	Society Garlic	1 Gal.	Med	18"o.c.

PLANTING NOTES

1. CONTRACTOR TO PROTECT EXISTING TREES AND REPLACE ANY TREES DAMAGED DURING CONSTRUCTION.
2. STAKES OR GUY WIRE SHALL BE ADDED TO TREES THAT ARE LEANING TO BRING TREES BACK TO VERTICAL.
3. EXISTING TREES SHALL BE PRUNED PER ISA GUIDELINES TO HELP PROMOTE PROPER GROWTH AND HEALTH.

GENERAL NOTES

1. ALL PLANTING AREAS SHALL IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.
2. ALL SHRUB AND GROUND COVER AREAS SHALL RECEIVE A 2" LAYER OF SHREDDED CEDAR MULCH TOP-DRESSING.

Chapter 17.34

HILLSIDE PRESERVATION

Sections:

17.34.010 Findings and purpose.
17.34.020 Applicability.
17.34.030 Preliminary development plan - Advisory opinion.
17.34.040 Development plan.
17.34.050 Modifications to development plan.
17.34.060 Hillside preservation principles - Alternatives.
17.34.070 Roads.
17.34.080 Parking.
17.34.090 Driveways.
17.34.100 Cut and fill slopes.
17.34.110 Drainage.
17.34.120 Erosion control.
17.34.130 Slope/Density.
17.34.140 Vegetation management.
17.34.150 Hillside preservation guidelines.
17.34.160 Penalties.
17.34.170 Effect of decision.
17.34.180 Appeal.

17.34.010 Findings and purpose.

The City finds that the management of the City's hillsides is critical to maintaining the foothill character of Sonora which contributes to the economic, social and psychological well-being of its residents and visitors.

The purpose of this chapter is to provide a framework for the management of the City's hillsides and hilltops which both encourages compatible development and protects the City's natural setting for the present and future benefit of residents and visitors by establishing predictable and consistent standards for hillside development. [Ord. 708 (part), 1996.]

17.34.020 Applicability.

The provisions of this chapter shall apply to:

A. Major residential subdivisions as defined in Section 16.02.030 of this code;

B. Residential projects requiring a site plan review as defined in Section 17.52.020 of this code; and

C. Minor land divisions as defined in Section 16.02.030 of this code, for residential purposes, only when the minor land division includes a hilltop. The Community Development Director may waive the provisions of this chapter for minor land divisions including a hilltop where it is clear that new development on proposed hilltop lots will not significantly alter the hilltop. For the purposes of this chapter, hilltop is defined as a natural watershed boundary, or series of relatively high points along a landform that is often seen as the horizon line or skyline. A series of vegetation high points along a landform may be seen as

the horizon line or skyline and be defined as a hilltop.
[Ord. 708 (part), 1996.]

17.34.030 Preliminary development plan - Advisory opinion.

The submittal of preliminary development plans for large projects is encouraged. A preliminary development plan may be submitted by an applicant, at his option, to the Planning Commission for the purposes of receiving an advisory opinion on the land use, density and other plan features being proposed. The plan shall be clearly labeled preliminary and shall include a location plan, plot plan showing the approximate location of buildings, building sizes and use, parking areas, circulation and may include any special features being proposed. The plan shall be of sufficient scale and accuracy to clearly show the intentions of the applicant.

A preliminary development plan shall be accompanied by an application and fees equivalent to one-half the fees normally required for planned developments. Application and fees shall entitle the applicant to one hearing before the Planning Commission and one advisory opinion of the proposed development.

An advisory opinion of the Planning Commission issued on a preliminary development plan shall not be construed as approval or disapproval of the project. The purpose of the advisory opinion is to provide assistance and advice to the applicant in the preparation of a formal proposal. [Ord. 708 (part), 1996.]

17.34.040 Development plan.

An application made pursuant to this chapter shall be accompanied by a development plan. The development plan shall include:

A. A map showing the proposed street system, lot design and areas proposed to be dedicated or reserved for parks, greenbelts, playgrounds, school sites, public buildings or other uses.
B. A plot plan showing the approximate location of each proposed building footprint or footprints including, maximum and minimum distances between proposed buildings and between buildings and property lines, off-street parking areas, means of site access from primary streets and anticipated location and grades of proposed driveways.
C. Elevations and/or perspective drawings of each proposed structure. Drawings need not be highly detailed or be the result of final architectural decisions. The purpose of such drawings is to indicate, within stated limits, the height and bulk of proposed buildings and to reflect consideration of the hillside and hilltop management guidelines, or of equivalent alternatives, in the overall project design.
D. Geotechnical/soils report unless waived by the City Engineer.
E. Drainage control plan illustrating the methods to be used to comply with Section 17.34.110.
F. Erosion control plan for construction during the period between October 15th and April 15th and indicating proposed methods for limiting on-site erosion as described in Section 17.34.120.
G. A circulation plan indicating the proposed movement of vehicles, goods and pedestrians within the project site and to and from adjacent public thoroughfares and special engineering features and traffic regulation devices unless waived by the City Engineer.
H. A map showing the topography of the site before and after construction to engineering standards of scale; contour interval of two feet for grades to thirty percent, and five feet for grades thirty percent and above, or as agreed upon in preliminary development plan review;

and including slope/density calculations as specified in Section 17.34.130. This map may be combined with the preliminary grading plan.

I. A preliminary grading plan prepared by a registered civil engineer detailing existing and proposed grades; significant rock outcroppings; location and design of proposed retaining walls; the top, toe and slopes of all proposed cuts and fills; cross sections through the site, of sufficient number and scale as required by the City Engineer. A materials sample for retaining walls shall be submitted.

J. A landscaping plan as required pursuant to Chapter 12.20 of this code. A fuel modification plan may be requested as part of the landscaping plan to assess the extent of vegetation removal required for compliance with fire standards.

K. An accurate, three dimensional representation (e.g. computer generated imaging, architectural rendering, physical model) of the entire project site which clearly delineates the proposed development of those areas being altered (clearing and grading limits) by the development. Where an EIR is required, visual simulation shall be required. When a negative declaration is required, visual simulation may be required. Visual simulation shall be submitted prior to issuance of a grading permit.

L. Other information as deemed necessary by the Community Development Director and City Engineer to demonstrate compliance with the Sonora Municipal Code.

[Ord. 708 (part), 1996.]

17.34.050 Modifications to development plan.

Following public hearings for project approval, changes to the development plan, or in permit conditions, for the following shall require further public hearings and approval:

A. Grading and/or clearing of areas not shown on the approved grading or development plan in excess of five percent of the disturbed areas shown on those plans;

B. Removal of any heritage tree or removal of three or more trees six inches or greater in diameter at breast height identified for preservation in the project description or identified for preservation in the conditions of project approval; or

C. Removal of a geological formation identified for preservation in the project description or identified for preservation in the conditions of project approval.

[Ord. 708 (part), 1996.]

17.34.060 Hillside preservation principles - Alternatives.

The hillside preservation principles described in Sections 17.34.070 through 17.34.150 are preferred methods for achieving the purposes of this chapter. In addition, they are intended to provide guidance to new development for maintaining or avoiding or reducing impacts to visual quality in compliance with the California Environmental Quality Act.

It is recognized that hillside development is a function of site-specific characteristics and a single formula cannot address the variables encountered in evaluating these complex projects. Therefore, creative alternatives and solutions may be substituted for or modify these standards. When alternative solutions are proposed, the following findings shall be considered by the City in evaluating the acceptability of the proposed alternative design proposal(s):

A. The alternative achieves, to the same or a greater degree than the City's adopted standard, one or more of the following goals: reduces grading, increases fire safety, reduces erosion, protects views and view corridors, protects existing vegetation or creates, preserves or protects greenbelts, open space or watersheds; or

B. The proposed alternative will not result in a greater visible change to the hillside than the City's adopted standard.

[Ord. 708 (part), 1996.]

17.34.070 Roads.

New roads shall follow, rather than be perpendicular to, the natural contours of the hillside unless the City Engineer determines that a perpendicular roadway is a desirable alternative to access the project site and substantial design features are included by the project proponent to reduce the visible impacts of grading.

With the approval of the City Engineer and the Fire Chief, the following alternative road standards may be incorporated into project design when the design standard assists in maintaining a hillside or hilltop and maintains public safety:

A. Reduced street widths on loop or cul-de-sac roads where the street will not be a bus route;
B. Reduced shoulder widths for all categories of roadways to a minimum of two feet on both sides of the road or to four feet on one side of the road;
C. Reduced centerline radii to promote slower traffic and to match existing contours while maintaining traffic safety;
D. Reduced minimum lot width of up to fifty percent. Alternatively, flag lots may be permitted;
E. Reduced turning bulb size or allow loop roads or hammerhead turnarounds in-lieu of turning bulbs. A turning bulb is defined as a section of roadway, circular in shape, provided for the purpose of reversing direction with one turning movement;
F. Reduced roadway widths/or shoulder requirements for short distances where the reduction minimizes grading and/or preserves an important site feature, such as heritage tree or rock outcropping, or otherwise maintains hillside integrity;
G. Split roadways generally increase grading when used on slopes, however, they may be used where it can be clearly demonstrated to the City Engineer that the use of a split roadway will reduce grading or lessen visual impact. If permitted, each one-way road section in the split roadway shall be a minimum of sixteen feet in width, excluding on-street parking, to provide access for emergency vehicles;
H. Underground utilities shall be located within the road right-of-way wherever feasible.

[Ord. 708 (part), 1996.]

17.34.080 Parking.

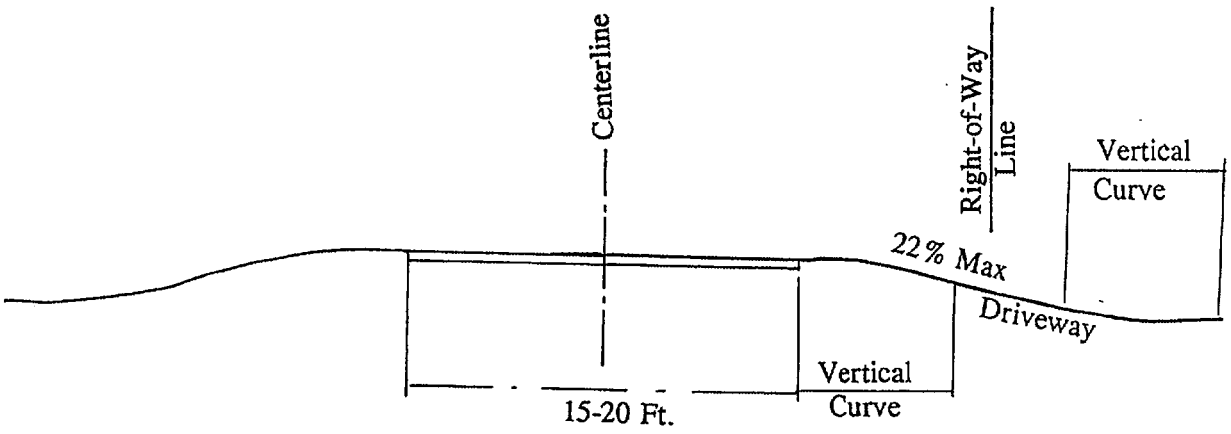
The use of in-tandem parking and parking bays as an alternative to curbside parking is permitted and encouraged. Front setbacks for structures located along primary streets may be reduced with the approval of the Community Development Director and the Fire Chief to allow the construction of off-street parking facilities adjacent to roadways. [Ord. 708 (part), 1996.]

17.34.090 Driveways.

The location, width, design, grade, and type of material for driveways shall be sensitive to potential visual impacts, the terrain of the hillside and to fire safety concerns. To achieve this, the following shall apply:

A. New development shall, where feasible, install common driveways on flag lots and/or adjacent lots and within subdivisions with five or more lots (CC&Rs to address joint maintenance agreement for common driveways).

B. Driveways shall be constructed of asphalt concrete or an all weather surface (e.g. concrete, textured or stamped concrete, or interlocking pavers).
C. Driveways serving structures located beyond one hundred fifty feet from a public street shall comply with fire department standards.
D. Adequate site distance shall be maintained where driveways enter public or private streets.
E. Driveways shall have maximum grade of twenty-two percent as illustrated below:
[Ord. 708 (part), 1996.]



17.34.100 Cut and fill slopes.

All cut and fill slopes shall be kept to a minimum horizontal expanse or footprint and shall comply with the following:

A. Cut Slopes. Cut slopes should be made as steep as possible while maintaining public safety. It is strongly suggested that cut slopes be as steep as technically justifiable in a geotechnical report. Where cut slopes will produce a horizontal disturbed earth area of fifteen feet or more in width, they shall be retained at the toe of the slope so that the horizontal disturbed earth area is no more than fifteen feet in width. Retaining walls should be constructed in compliance with the hillside preservation guidelines as described in Section 17.34.150.
B. Fill Slopes. Fill slopes should not be steeper than 2:1 except for slopes that have a horizontal distance of five feet, which may be 1-1/2:1 when justifiable in a geotechnical report and/or when aesthetically justifiable. Fill slopes producing a horizontal disturbed earth area of fifteen feet or more shall be retained at a point fifteen feet (maximum) from the top of the slope. Retaining walls should be constructed in compliance with the hillside preservation guidelines.

[Ord. 708 (part), 1996.]

17.34.110 Drainage.

Drainage plans shall be submitted for all projects subject to this chapter and shall comply

with "best management practices" and/or the following provisions:

A. Drainage from the site shall be directed to natural drainage courses or perimeter ditches or similar devices which direct runoff to natural drainage courses or storm flowing swales. If perimeter ditches are used, they are to be maintained by the landowner.

B. Where drainage empties into a natural drainage course, sedimentation traps, settling ponds, or other devices shall be installed to reduce siltation entering natural drainage courses.

C. Drainage easements shall be recorded and indicated on the final map for all drainage structures which cross adjacent parcels. No increased or concentrated drainage shall cross exterior property lines without the existence of an easement or the consent of the downstream property owner, except where a natural drainage course or storm flow swale already exists.

[Ord. 708 (part), 1996.]

17.34.120 Erosion control.

Erosion control plans shall be submitted for all projects subject to this chapter and shall comply with "best management practices" and/or the following provisions:

A. All erosion control measures shall remain in place during any rainfall and shall be installed during the period October 15th through April 15th of the year of construction, or as determined by the Community Development Director.

B. All seeding and erosion control measures shall be maintained throughout the first winter/spring season following construction.

C. Where erosion may drain into a natural drainage course located either on or off-site, sedimentation traps, settling ponds, or other devices shall be installed to reduce siltation entering natural drainage courses.

[Ord. 708 (part), 1996.]

17.34.130 Slope/Density.

The project engineer shall prepare and submit slope/density calculations for the project site. In calculating slopes to establish density criteria, the following formula, or alternative approved by the City Engineer, shall be used:

$S = [(I \times L)/A] \times 100$, where S = the average slope in percent rounded to the nearest whole number; I = the contour interval, in feet; L = the combined length in feet of all contour lines within that portion of the project site with slopes of 10% or greater and A = the gross area of that portion of the project site with slopes of 10% or greater, measured in square feet, prior to further subdivision.

A. Residential Construction. New residential development subject to this chapter shall not exceed the following slope/density maximums, except as provided herein:

10-15% - 6 dwelling units per gross acre
16-20% - 5 dwelling units per gross acre
21-25% - 4 dwelling units per gross acre
26-30% - 3 dwelling units per gross acre
31-35% - 2 dwelling units per gross acre
36-40% - 1 dwelling unit per gross acre

41-45% - .5 dwelling unit per gross acre (1 dwelling unit per 2 acres)
46-49% - .3 dwelling unit per gross acre (1 dwelling unit per 3 acres)
50%+ - .1 dwelling unit per gross acre (1 dwelling unit per 10 acres)

These maximums indicate densities which, when exceeded, are expected to increase fire hazard, grading, and erosion, substantially reduce vegetation and increase visible changes to hillsides which cannot be offset even with the application of special design features. For project sites with multiple average slopes, the project engineer shall calculate the total acreage subject to each average slope to assist in determining the appropriate density for each portion of the project site. These maximums are not intended to be used as a basis for requesting general plan amendments to increase densities on hillsides and hilltops where existing general plan designations and zoning establish stricter density standards.

B. Density Bonus. Increased densities, of up to twenty percent of the maximums established above, may be granted for creative design solutions, or in response to site specific characteristics, which fulfill the purposes of this chapter. Preferred design alternatives include, but are not limited to:
    1. Clustering structures where clustering results in reduced roadway surfacing and/or increased vegetation retention and open spaces;
    2. Concentrating development on hillsides and preserving the hilltop;
    3. Clustering structures in existing clearings to reduce vegetation removal; or
    4. Preserving seventy-five percent or more of the on-site vegetation.

[Ord. 708 (part), 1996.]

17.34.140 Vegetation management.

A landscaping plan, shall be submitted for new development subject to this chapter pursuant to Chapter 12.20 of this code, and the hillside preservation guidelines. Landscaping plans shall seek to maintain the preproject vegetative cover mix throughout a majority of the project site. Vegetation management may be achieved through avoidance, replacement or a combination of the two. [Ord. 708 (part), 1996.]

17.34.150 Hillside preservation guidelines.

To clarify and expand upon regulations set forth herein, the City shall adopt by resolution hillside preservation guidelines. [Ord. 708 (part), 1996.]

17.34.160 Penalties.

If trees, soils or geologic formations, identified for protection through the environmental review process, are damaged, the City has the authority to stop construction and require that trees, geologic formations and soil be replaced to the City's satisfaction. Each and every violation of this chapter shall be a misdemeanor, with penalties assessed in accordance with Chapter 1.08 of this code. Each and every protected tree, soil area or geologic formation damaged or removed shall be a separate offense. [Ord. 708 (part), 1996.]

17.34.170 Effect of decision.

The final decision of the decision-making body pursuant to this chapter shall be binding

on all future property owners and users of the property subject to this chapter. Failure of any person to abide by the conditions of approval imposed pursuant to this chapter shall constitute a violation pursuant to Section 17.70.050 of this code. [Ord. 708 (part), 1996.]

17.34.180 Appeal.

Decisions of the staff or the Planning Commission pursuant to this chapter may be appealed by the applicant or any interested party in accordance with the provisions of this title, upon payment of a fee as adopted by resolution of the City Council. [Ord. 708 (part), 1996.]

Chapter 17.38

PARCEL AREA

Sections:

17.38.010 Generally.
17.38.020 Applicability.
17.38.030 Reducing and dividing.
17.38.040 Minimum area - Zoning regulations.
17.38.050 Minimum area - Additional requirements.

17.38.010 Generally.

No building shall be constructed on a parcel unless in compliance with all the area requirements in this chapter. [Ord. 376 § 10-4-2 (part), 1967.]

17.38.020 Applicability.

Provisions of this title imposed on minimum parcel area shall not apply to a parcel of record or a parcel divided and conveyed by valid deed or written contract of sale, executed before the effective date of such provision made applicable to such parcel. [Ord. 376 § 10-4-2(A), 1967.]

17.38.030 Reducing and dividing.

No parcel shall be reduced in area so as to be smaller than required by this title, nor shall it be divided to create parcels smaller than required by this title. If already less in dimension or area, it shall not further be reduced or divided. Unless served by a community water system and public sewer system available to each residential parcel, no parcel shall be divided. [Ord. 600 § 6 (part), 1985; Ord. 376 § 10-4-2(B), 1967.]

17.38.040 Minimum area - Zoning regulations.

The parcel shall have the minimum area required by the zone regulations for the particular zone. In addition to compliance with the minimum parcel area, any parcel on which dwelling units or rental units are proposed shall also comply with the minimum parcel area for each such unit required by the zone regulations. An increase in the number of such units existing on a parcel shall not be allowed unless the parcel area per unit can be met, exclusive of land used or designed for other than residential uses on the same parcel. [Ord. 376 § 10-4-2(C), 1967.]

17.38.050 Minimum area - Additional requirements.

The parcel shall further have the following minimum area requirements:

A. When the parcel is not served by a public sewer system, ten thousand square feet per dwelling unit;
B. When the parcel is not served by a community water system, ten thousand square feet per dwelling unit;
C. When the parcel is not served by a public water system and is not served by a community water system, twenty thousand square feet per dwelling unit.

[Ord. 600 § 6 (part), 1985: Ord. 376 § 10-4-2(D), 1967.]

Chapter 17.40

YARDS

Sections:

17.40.010 General.
17.40.015 Front, rear and side boundary lines, corner parcels.
17.40.020 Parcel Width, Reduced Side Setback.
17.40.030 Projections and overhangs.
17.40.040 Fences, walls and hedges, Site distance.
17.40.050 Rear yard-Accessory structures.
17.40.060 Front yard Averaging.
17.40.070 Distance between detached buildings.
17.40.080 Carports – Reduced setbacks.

17.40.010 Generally.

No structure shall be constructed on any yard required by this title unless in compliance with all the requirements in this chapter. [Ord. 376 § 10-4-3 (part), 1967.]

17.40.015 Front, rear and side boundary lines, corner parcels.

A. Any portion or portions of any parcel fronting on a street right-of-way or easement, which has been dedicated or offered for dedication to the public, including an alley, or a private road right-of-way which provides primary access to more than four parcels, shall be construed to be the front boundary line. The boundary line opposite such front line shall be construed to be the rear boundary line, except where said parcel is a corner parcel. In the case of a corner parcel, the boundary lines opposite the front boundary lines shall be defined by the type of setback line for the adjoining parcels; if such lines are side boundary lines for the adjoining parcels, the lines are to be construed to be side boundary lines for the corner parcel. All boundaries other than front and rear boundary lines as defined in this section shall be construed as side boundary lines.

B. If a parcel fronts streets on two or more adjoining sides, the minimum front yard required in all residential zones is reduced to ten feet on one of the streets.

[Ord. 801, §2, 2011; Ord. 376 § 10-4-3(A)-part, 1967]

17.40.020 Parcel Width, Reduced Side Setback.

Zone regulations imposed on minimum parcel width shall not apply to a parcel of record, or a parcel divided and conveyed by valid deed, or written contract of said executed before the effective date of such provisions made applicable to such parcel. If such parcel has less than the minimum required width, the minimum side yard required in all residential zones is reduced to five feet; provided, that the structure is not higher than one and one-half story. [Ord. 801, §3, 2011; Ord. 376 § 10-4-3(A), 1967]

17.40.030 Projections and Overhangs.

An unenclosed and uncovered patio, terrace, stairway or landing not higher than three feet above the natural ground level may be located on the required yards. Cornice, eave, canopy,

chimney, fire escape, unenclosed and uncovered balcony, patio, terrace, stairway or landing, and other similar projections or overhangs, hither than three feet above the natural ground level, may extend into the required yards to a distance of not more than two feet. [Ord. 801 §3, 2011; Ord. 376 § 10-4-3(B), 1967]

17.40.040 Fences, walls and hedges, Site distance.

A fence, wall or hedge not higher than six feet above the natural ground level may be located on the required yards; provided that in all residential zones such fence, wall or hedge is not higher than three feet above the natural ground level on corner parcels fronting on two or more intersecting streets, within a triangle formed by the intersecting rights-of-way and a line drawn between points on such rights-of-way thirty feet distance from their point of intersection. [Ord. 801, §3, 2011; Ord. 376 § 10-4-3(C), 1967]

17.40.050 Rear yard Accessory structures.

Detached accessory structures not higher than one story or twelve feet may be located on the required rear yard up to five feet of the rear parcel line. [Ord. 376 § 10-4-3(D), 1967.]

17.40.060 Front yard Averaging.

Where more than half the building sites along a street in one block in the same zone have been improved with buildings, the required front yard is the average of the front yards in improved building sites, but not to exceed the front yard required in that zone. [Ord. 801, §3, 2011; Ord. 376 § 10-4-3(E), 1967.]

17.40.070 Distance between detached buildings.

A. The minimum distance between detached buildings on the same parcel is ten feet. However, when the minimum distance cannot be provided due to size, shape, or slope of the parcel, the building official may allow for a reduction of the minimum distance to one consistent with the provisions of the currently adopted edition of the California Building Code. In no event shall the minimum distance be reduced to less than six feet without approval of a conditional use permit as provided in Section 17.40.080 or a variance.

B. The minimum width of an access court to a group of buildings on the same parcel is twenty feet.

[Ord. 801 §4, 2011; Ord. 741 § 1, 1999; Ord. 376 § 10-4-3(F), 1967]

17.40.080 Carports – Reduced setbacks.

A. One carport per parcel in any residential district may have reduced setbacks providing all of the following criteria are met:

1. The parcel area does not exceed ½ acre in size.
2. The parcel has an existing residence 50 years of age or older.
3. The parcel does not already have a garage or other covered parking. For the purposes of this section, a "garage" is defined as a covered structure accessory to a single or multi-family residential use and large enough to park a residential transportation vehicle. It may be freestanding or attached to a single or multi-family residence. A garage shall be entirely enclosed on at least three sides.
4. The carport is for residential transportation vehicle uses only.

5. The carport footprint does not exceed 340 square feet.
6. The carport wall height does not exceed 8' and roof pitch matches that of the dwelling.
7. The design, colors, and materials are compatible with the residence.
8. The carport incorporates a noncombustible wall, or equivalent, acceptable to the Building Department and Fire Department, adjacent to the property line. Floor surfacing shall be of approved noncombustible material.
9. The location of the carport is approved by the Community Development Department, and Fire Department,
10. A building permit is secured,
11. The construction of the carport will not interfere with existing utilities, rights-of-way, or easements.
12. The carport is separated from other buildings by a minimum of six feet. Maximum building separation that can be accommodated on the parcel will be required. Carports shall be no closer than 3' to the property line.
13. The structure is designed to withstand 85 mph winds.
14. The structure is not constructed of fabric, canvas, vinyl or similar materials.
15. The structure is anchored to the foundation (engineered plans may be required)
16. Only one encroachment will be permitted per parcel unless otherwise approved by the Building Department and demonstrated to address all safety considerations.
17. Shall be placed on an all-weather drivable surface and sloped for drainage.
18. Storage above the carport is prohibited. The carport shall not be used for storage of other than a residential transportation vehicle.
19. The total lot coverage for all structures including the carport is consistent with the floor area ratio for the applicable zoning district.

[Ord. 801, §5, 2011; Ord. 815, §1 (part), 2013]

B. A carport in excess of 340 square feet in any residential district may be approved subject to acquisition of a conditional use permit obtained in accordance with Chapter 17.62 providing the carport complies with all other provisions of paragraph A. [Ord. 801, §5, 2011; Ord. 815, §1 (part), 2013]

Chapter 17.42

PARKING AND LOADING[ii]

Sections:

17.42.010 Spaces.
17.42.020 Applicability.
17.42.021 Definitions.
17.42.030 On parcel where use is located.
17.42.040 Layout.
17.42.050 Improvements - Certificate of occupancy.
17.42.060 Number- Parking stalls.
17.42.070 Number – Loading berths.
17.42.075 Parking – When required.
17.42.080 Conditional use permit or variance.
17.42.085 Delinquent installment payments.
17.42.090 Payment of in-lieu fees upon sale of transfer of property.

17.42.010 Spaces.

No structure shall be constructed unless open spaces for automobile parking and truck loading and unloading are permanently provided and maintained for the benefit of residents, employees, customers and visitors, within or outside of buildings or in a combination of both, in compliance with this chapter. [Ord. 376 § 10-4-4 (part), 1967.]

17.42.020 Applicability.

Provisions of this chapter shall apply to all uses and buildings within a "parking and business improvements area" unless specifically modified by the ordinance establishing a "parking and business improvement area." All uses existent upon a parcel as of the effective date of the ordinance establishing a "parking and business improvement area" need not be required to provide additional parking spaces unless such use expands or changes in classification of use with a higher parking load as determined under this chapter. Unless a conditional use permit, variance, or zoning condition is granted under the provisions of this code, all new uses, new buildings or structures, additions, or alterations which increase the need for parking in the "parking and business improvement area" or create a parking deficiency as determined by the Building Official, Planning Commission or City Council, shall provide additional parking in accordance with the provisions of the ordinance establishing the "parking and business improvement area." (Ord. 578 § 1, 1983.)

17.42.021 Definitions.

A. Gross Floor Area. For the purposes of parking evaluation, "gross floor area" means the interior floor area, in square feet, of a business which is necessary for the operation of that business. "Gross floor area" includes all work areas, hallways, private bathrooms, and storage areas used and necessary for the business to be operated, except for common hallways, private or public bathrooms used by other businesses, and except for unmanned

storage areas not open to the public or not normally open during normal business hours. (Ord. 578 § 3, 1983.)

17.42.030 On parcel where use is located.

The required parking shall be provided on the parcel or contiguous parcel where the use is located. For nonresidential uses, the required parking may be provided on a parcel no farther than three hundred feet from the boundaries of the parcel where the use is located, providing, that the parcel is under the same ownership, or is leased for a minimum period of ten years by the owner of the property required to provide the parking, within the City, in the same zone or in a less restrictive zone, and that no major thoroughfare lies between the use and any of the required parking. The required loading shall be provided on the parcel where the use is located and no farther than twenty feet from the building to be served. [Ord. 557, 1981: Ord. 376 § 10-4-4(B), 1967.]

17.42.040 Layout.

The layout of parking stalls, loading berths, and parking aisles shall comply with all the following requirements:

A. The required parking stalls, loading berths, and parking aisles may not be located on any street right-of-way.
B. The required parking stalls, loading berths, and parking aisles, if outdoors, may be located on the required side and rear yards, and within the required front yards up to three feet from the street right-of-way.
C. Each parking stall shall have a minimum size of nine feet by eighteen feet when outdoors and free of obstructions such as columns or walls; ten feet by twenty feet when indoors, or where columns or walls are located within the parking area. Each loading berth shall have a minimum size of twelve feet by thirty-five feet whether indoors or outdoors.
D. Parking aisles shall have a minimum width of twelve feet when stalls are parallel to the aisle or up to an angle of forty degrees, seventeen feet when stalls are at an angle between forty degrees and seventy degrees, and twenty-three feet when stalls are at an angle between seventy degrees and ninety degrees.
E. Parking stalls and aisles shall have a maximum grade of seven percent.
F. Each parking stall and aisle shall have a minimum eight-foot vertical clearance. Each loading stall and access thereto shall have a minimum fifteen-foot vertical clearance.
G. Each parking stall and loading berth shall have vehicular access to the street, without passing over other parking stalls.
H. Up to one-third of all parking stalls in private parking lots may be marked "Small Cars Only" and may be eight feet by sixteen feet in dimension.

[Ord. 578 § 2, 1983; Ord. 462 § 1, 1974: Ord. 413 § 3, 1971; Ord. 376 § 10-4-4(C), 1967.]

17.42.050 Improvements - Certificate of occupancy.

Improvements listed in this section shall be completed prior to the issuance of a certificate of occupancy by the B~~b~~uilding ~~inspector~~Official:

A. Each parking stall and aisle, except those accessory to one-and two-family dwellings, shall be graded, drained and surfaced, so as to prevent dust, mud or standing water, and shall be identified by pavement markings, to the satisfaction of the City Engineer.
B. Lighting, giving a ground level illumination of one to five footcandles, shall be provided in

a parking area during the time it is accessible to the public after daylight. Lighting shall be shielded to prevent glare on contiguous residential buildings.

C. A minimum four-foot high solid fence, wall or thick hedge shall be permanently maintained between any residential zone and a parking area serving a commercial use, where such area is contiguous to such a zone.

[Ord. 376 § 10-4-4(D), 1967.]

17.42.060 Number - Parking stalls.

The following number of parking stalls shall be required, to serve the classifications of businesses or buildings listed:

A. Retail Sales, Office, Bank, Studio, Retail Repair and Service, Eating and Drinking Establishment exclusive of drive-in or outdoor restaurants, Beauty Shops, Barbershops, Personal Service, and other similar uses deemed similar in burden of use with other compatible businesses in the downtown business district. One per two hundred gross square feet of floor area.

B. Single-Family Dwelling, Residential Condominium, and Limited Multifamily Dwelling with Two to Four Dwelling Units per Structure. Two per dwelling unit.

C. Multifamily Dwelling with Five or More Dwelling Units per Structure. One and one-half stalls per dwelling unit for studio, one, and two bedroom units. Two stalls per dwelling unit for three or more bedroom units.

D. Roominghouse, or Boardinghouse, Motel, Hotel. One for each rental unit.

E. Place of Assembly, Entertainment, Worship, or Mortuary. With fixed seating: One for each four seats. Without fixed seating: Maximum building occupant load divided by four.

F. Bowling Establishment. Four for each lane.

G. Drive-in Eating and Drinking Establishment, Outdoor Restaurant. One per two hundred gross square feet of floor area plus one space for every four seats of maximum outdoor seating capacity with a minimum of five required.

H. Pool and Billiard Tables, Pinball Machines and other Indoor Recreational Uses with four or more recreational units. Two for each recreational unit such as a table, range or machine.

I. Miniature Golf Course. Two for each hole.

J. Bulk Storage, Wholesale, Packing, Manufacturing, Processing, Services, Research or Public Utility. One for each employee of maximum working shift.

K. Multiple Uses. The sum of the requirements for each use. (Ord. 719 § 1, 1997; Ord. 666 §§ 1, 2, 1991; Ord. 578 § 4, 1983.)

17.42.070 Number - Loading berths.

A minimum of one loading berth shall be required, in addition to parking stalls, for each five thousand square feet of floor area or part thereof to serve the following uses or buildings: office, bank, studio, retail sale, repair and service, bulk storage, wholesale, packing, manufacturing, processing, services or research, hospital, sanitarium. [Ord. 376 § 10-4-4 (F), 1967.]

17.42.075 Parking - When required.

A. This section shall not be construed to preclude the granting of a conditional use permit or parking variance under special circumstances pursuant to Section 17.42.080.

B. All new construction or additions to commercial buildings shall provide the number of

parking stalls as required by this chapter.

C. No new parking spaces need to be provided for businesses which are existent and licensed, as of the effective date of Ordinance No. 671, unless such businesses are expanded in building structure, or result in a change in classification of use.

D. In evaluating the parking requirements for change of use, the following guidelines shall be used:

1. Generally, all changes of use within use classifications listed under Section 17.42.060 having an equal parking requirement need not be required to provide additional parking. However, when the change of use creates a parking demand greater than five parking spaces, or is to a use with a higher parking requirement, then parking shall be provided for as outlined below.
2. In Benefit Zone A, as defined by Chapter 3.36 of this code, parking need be provided for the new use as required by Section 17.42.060, less a five space credit for public parking provided in the downtown area. Change of use from residential to commercial shall not receive the five space credit, but shall receive credit for the residential parking demand as enumerated by Section 17.42.060.
3. In Benefit Zone B, as defined by Chapter 3.36 of this code, parking need be provided for the new use as required by the Section 17.42.060, less the parking demand for the previous use as enumerated by Section 17.42.060.

(Ord. 738 §§ 1, 2, 1999; Ord. 671 § 2, 1991.)

17.42.080 Conditional use permit or variance.

When practical difficulties, unnecessary hardships and results inconsistent with the general purpose of this chapter may result from the strict application of this chapter or certain provisions hereof, the Council or the Planning Commission may grant a conditional use permit or variance, as the occasion may require, to authorize a specific exception to any regulation of this chapter, under the following conditions:

A. Application for such conditional use permit or variance shall be made in accordance with the procedure specified in Chapter 17.62.

B. The application must show that the granting of such application is necessary for the preservation and enjoyment of substantial property rights of the petitioner.

C. The granting of such application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing in or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood, and will not be materially detrimental to the comprehensive general plan.

D. Whenever the Planning Commission or the City Council determines that a variance under this section shall be granted, before that variance is granted, the applicant shall agree to pay a fee to the City in the amount of one thousand five hundred dollars for each parking space that is required but not furnished.

E. The applicant may request that the City enter into an agreement with the applicant which provides for payment of all fees due in installments over a period not to exceed five years. Installment payments shall not be less than seven hundred fifty dollars plus interest, and shall be due on January 1st and July 1st of each year. The interest rate charged for installment payments shall be the then current prime rate plus two percent.

[Ord. 671 §§ 3, 4, 1991; Ord. 629 § 1 (part), 1987; Ord. 562 § 1, 1982: Ord. 554 (part), 1981: Ord. 526 §§ 1, 2, 1979; Ord. 519, 1978; Ord. 404 § 1, 1970; Ord. 376 § 10-4-4 (G), 1967.]

17.42.085 Delinquent installment payments.

Installment payments shall become delinquent if not paid on or before January 31st or July 31st of each year.

A. Original Delinquency. Any applicant who fails to pay any fee imposed by this chapter within the time required shall incur a penalty of ten percent of the amount of the fee.

B. Continued Delinquency. Any applicant whose installment payment remains delinquent for a period of thirty days following the delinquency date as set forth herein shall pay a second penalty in the amount of ten percent of the delinquent amount.

C. Interest. In addition to any penalties incurred, all delinquent installment payments shall accrue interest at the rate of one and one-half percent per month, or fraction thereof, from the date on which payment became delinquent until paid.

D. Merger of Penalties and Interest. Every penalty imposed, and all interest accrued on delinquent installment payments pursuant to this section shall become part of the installment payment due.

E. Installment Payment Contracts. All applicants whose request for payment of in-lieu fees in installments is granted by the City shall enter into a contract with the City pursuant to the provisions of this chapter. Said contract shall contain a payment schedule which sets forth the amount of the installment payment due and the due date and delinquency date of each installment payment. Following execution of the contract, applicant shall make payments as set forth therein and shall receive no further notice of billing from the City.

F. Required Parties. All contracts created pursuant to the provisions of this chapter shall be executed by the applicant and the owner of property affected, if different than the applicant. All signatures on the contract shall be acknowledged before a notary public.

G. Consent to Lien. At the time of the execution of the contract form pursuant to this chapter, the owner of the property affected shall do all acts and execute all documents necessary to create a valid lien on the property affected in the total amount of the in-lieu fees established pursuant to the Section 17.42.080(D) of this chapter. The City shall release its lien upon payment in full of all in-lieu fees, plus any unpaid penalties and interest.

(Ord. 671 § 5, 1991.)

17.42.090 Payment of in-lieu fees upon sale or transfer of property.

A. Upon the sale or transfer of the real property which is affected by the installment payment contract pursuant to Section 17.42.080 of the Sonora Municipal Code, all unpaid in-lieu fees and any penalties and accrued interest shall be paid in full unless a request to allow the assumption of the installment payment contract has been approved by the City Council as herein provided.

B. The owner of real property which is subject to any installment payment contract may apply to the City Council for approval of the transfer of the installment payment contract to a new buyer of the property. The application for transfer of the installment payment contract shall be made in writing submitted to the clerk of the City. The City Council may grant any such application on terms and conditions it deems appropriate to the circumstances; however, the following conditions must be included:

1. All delinquent installment payments plus penalties and interest accrued thereon must

be paid in full;

2. The new owner shall agree to the amendment of any existing installment payment contract to include the provisions of this ordinance, if necessary;
3. The new owner shall pay a transfer fee in an amount to be determined by the City Council. Said fee may be changed by the City Council, from time to time, by resolution.
4. This section shall apply to all pending transfers of affected property on the effective date of this ordinance as well as all pending requests for approval of transfers of installment payment contracts on that date.

[Ord. 629 § 1 (part), 1987.]

Chapter 17.46

TRAILER REGULATIONS

Section:

17.46.010 Trailer defined.
17.46.020 In residential zone.
17.46.030 Temporary use allowed.
17.46.040 Used as living quarters in City - Unlawful – Exception.
17.46.050 Used as living quarters – Permitting unlawful.
17.46.060 Violation – Penalty.

17.46.010 Trailer defined.

In this chapter, "trailer" means a vehicle with or without motor power used or designed to be used for human habitation. [Ord. 413 § 2 (part), 1971: Ord. 376 § 10-4-6B (part), 1967.]

17.46.020 In residential zone.

A vacation trailer may be stored on a parcel in a residential zone, providing it is not connected to sewer, water, gas, electricity or telephone lines, and is not located on the required front yard, or used for human habitation. [Ord. 376 § 10-4-6(A), 1967.]

17.46.030 Temporary use allowed.

Temporary structures or trailers for housing tools or equipment or containing supervisory offices in connection with construction projects or for providing public utility services during an emergency may be established and maintained only during active progress of construction on the same property or during the emergency. No trailer shall be used as a business building otherwise unless the same complies with the requirements of Chapter 17.56. [Ord. 413 § 2 (part), 1971: Ord. 376 § 10-4-6B (part), 1967.]

17.46.040 Used as living quarters in City - Unlawful Exception.

It is unlawful for any person or persons to use a trailer for living quarters within the City unless such trailer is parked in an autocourt or trailer park duly approved and licensed by the state, under the provisions of the State Housing Act. [Ord. 600 § 7 (part), 1985.]

17.46.050 Used as living quarters - Permitting unlawful.

It is unlawful for any property owner to permit any person to park a trailer on his property for the purpose of using the trailer as living quarters within the City, unless such trailer is parked in an autocourt or trailer park duly approved and licensed by the state under the State Housing Act. [Ord. 600 § 7 (part), 1985.]

17.46.060 Violation - Penalty.

Any person violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for a term not exceeding thirty days, or by a fine not to exceed five hundred dollars, or by both such fine and imprisonment. [Ord. 600 § 7 (part), 1985.]

Chapter 17.48

MOBILE HOME PARKS

Sections:

17.48.010 Generally.
17.48.020 Parcel area.
17.48.030 Mobile home site area.
17.48.040 Community open space.
17.48.050 Yards.
17.48.060 Fences, walls or hedges.
17.48.070 Accessory structure.
17.48.080 Roadways, driveways and pads.
17.48.090 Water and sewers.

17.48.010 Generally.

No parcel shall be used as a mobile home park unless in compliance with all the requirements in this chapter. [Ord. 376 § 10-4-7 (part), 1967.]

17.48.020 Parcel area.

The parcel used as a mobile home park shall have a minimum area of three acres. [Ord. 376 § 10-47(A), 1967.]

17.48.030 Mobile home site area.

Each mobile home site shall have a minimum area of three thousand square feet exclusive of the roadway. [Ord. 376 § 10-4-7(B), 1967.]

17.48.040 Community open space.

One community open space of a minimum area of two hundred square feet for each mobile home site shall be provided, exclusive of the manager or caretaker area. [Ord. 376 § 10-4-7(C), 1967.]

17.48.050 Yards.

Each mobile home contiguous to the property boundaries of the park shall comply along such boundary with the minimum yards required in the zone where it is located. The mobile home shall be set back a minimum of five feet from the interior roadway. [Ord. 376 § 10-4-7(D), 1967.]

17.48.060 Fences, walls or hedges.

Screening consisting of a solid fence or wall, or thick hedge, with a height of six feet or more shall be provided along property boundaries. [Ord. 376 § 10-4-7(E), 1967.]

17.48.070 Accessory structures.

No structure shall be located within six feet of a mobile home, except a portable or demountable cabana approved by the State Division of Housing. [Ord. 376 § 10-4-7(F), 1967.]

17.48.080 Roadways, driveways and pads.

A roadway shall be provided to each mobile home site with a minimum width of twenty-five feet, a maximum grade of seven percent and a minimum centerline radius of one hundred feet. All roadways, mobile home driveways and pads shall be graded, drained and surfaced so as to prevent dust, mud or standing water. [(Ord. 376 § 10-4-7(G), 1967.]

17.48.090 Water and sewers.

Each mobile home site shall be served by collecting sanitary sewage, storm drainage and water systems, and fire hydrants, approved by the Tuolumne County Community Resources Agency ~~county~~ Environmental ~~h~~Health ~~officer~~Division and the City Engineer. [Ord. 376 § 10-4-7(H), 1967.]

Chapter 17.49

MOBILE HOMES ON PRIVATE LOTS

Sections:

17.49.010 Council findings.
17.49.020 Areas permitted.
17.49.030 Intent.
17.49.040 Effect of locating a mobile home on permanent foundation system.
17.49.050 Permit.
17.49.060 Eligibility.
17.49.070 Criteria.
17.49.080 Modification of criteria.
17.49.090 Compliance of placement.
17.49.100 Surrender of registration.
17.49.110 Building permit required.

17.49.010 Council findings.

The City Council finds that there is great uncertainty as to how mobile homes located on permanent foundation systems on private lots will affect the appearance of neighborhoods, property values and community plans now adopted or being prepared. It is therefore intended that mobile homes located on permanent foundation systems on private lots be permitted subject to these regulations. [Ord. 552 (part), 1981.]

17.49.020 Areas permitted.

Mobile homes located on permanent foundation systems on private lots are permitted pursuant to this chapter, in zones designated R1, excepting there from historical zones. [Ord. 552 (part), 1981.]

17.49.030 Intent.

It is the intent of this chapter to increase the supply of single-family housing and variety of housing types available to the public by establishing a method to locate mobile homes on permanent foundation on private lots while protecting the surrounding neighborhood from potential adverse effects. [Ord. 552 (part), 1981.]

17.49.040 Effect of locating a mobile home on permanent foundation system.

A mobile home which has been placed on a private lot and on a permanent foundation system pursuant to this section shall be deemed to be a mobile home, and is subject to the local property taxation pursuant to Section 18551 of the California Health and Safety Code and Section 109.7 of the California Revenue and Taxation Code. [Ord. 552 (part), 1981.]

17.49.050 Permit.

A mobile home may not be located on a permanent foundation system on a private lot unless and until a permit has been issued and the foundation construction approved by the

~~Building~~ Community Development Department. [Ord. 552 (part), 1981.]

17.49.060 Eligibility.

A mobile home shall not be located on a permanent foundation system on a private lot unless it:

A. Was certified under the National Mobile Home Construction and Safety Standards Act of 1974 or was constructed after July 1, 1976, and was issued an insignia of approval by the U.S. Department of Housing and Urban Development; and

B. Has not been altered in violation of applicable codes.

[Ord. 552 (part), 1981.]

17.49.070 Criteria.

Mobile homes located on a permanent foundation system on a private lot shall:

A. Be occupied only as a single-family residence;

B. Be subject to all provisions of the zoning laws applicable to residential structures;

C. Be attached to a permanent perimeter foundation system in compliance with all applicable laws and seismic regulations;

D. Have a minimum width of twenty feet;

E. Conform to and have ~~compatability~~compatibility with the architectural design of two-thirds of the conventional homes within two hundred feet of the boundary of the private lot on which the mobile home is to be located, with regard to:

1. Pitched roofs,
2. Eave overhangs,
3. Roofing material,
4. Siding or exterior material,
5. Number of stories;

F. Require a certificate of such ~~compatability~~compatibility, from the ~~Building~~ Community Development Department, stating the architectural standards which will prevail for the proposed mobile home site, prior to issuance of permit for placement thereon being issued. The fee for such certificate of ~~compatability~~compatibility shall be as adopted by resolution of the City Council.

[Ord. 552 (part), 1981.]

17.49.080 Modification of criteria.

No modification may be granted from Section 17.49.070. (Ord. 552 (part), 1981.)

17.49.090 Compliance of placement.

The ~~building inspector~~ City Building Official shall determine that the proposed placement, and placement, is in compliance with all requirements and conditions of the certificate of compatibility and the permit prior to issuing final approval of occupancy. [Ord. 552 (part), 1981.]

17.49.100 Surrender of registration.

Subsequent to applying for the required building permits, and prior to occupancy, the owner shall request a certification from the ~~Building~~Community Development Department that a certificate of occupancy be issued pursuant to Section 18551(b)(2) of the California Health and

Safety Code. Thereafter, vehicle license plate, certificate of ownership, and certificate of registration issued by a state agency is to be surrendered to the appropriate state agencies. Any mobile home which is permanently attached with underpinning or foundation to the ground must bear a California insignia or federal label, pursuant to Section 18550(b) of the Health and Safety Code. [Ord. 552 (part), 1981.]

17.49.110 Building permit required.

Prior to installation of a mobile home on a permanent perimeter foundation system, the mobile home owner or a licensed contractor shall obtain a building permit from the ~~Building~~ Community Development Department. To obtain such a permit, the owner or contractor shall comply with all requirements of Section 18551(a) of the State Health and Safety Code. [Ord. 552 (part), 1981.]

Chapter 17.50

POLES, CHIMNEYS, TOWERS AND UTILITY LINES

Sections:

17.50.010 Maximum height - Residential zone.
17.50.020 Maximum height - Public utilities.

17. 50.010 Maximum height - Residential zone.

Poles, chimneys, towers (not containing any rooms), or similar structures, except signs and public utility structures, may extend above the maximum allowed height, not over fifty feet in any residential zone. [Ord. 376 § 10-4-8(A), 1967.]

17.50.020 Maximum height - Public utilities.

Overhead or underground public utility distribution or transmission lines, poles, or towers may be allowed in all zones without limitation as to height and without the necessity of first obtaining a use permit; provided, however, that the routes of all proposed transmission lines shall be approved by the Planning Commission prior to acquisition of rights-of-way ~~therefor~~therefore. [Ord. 376 § 10-4-8(B), 1967.]