

**PLANNING COMMISSION  
CITY OF SONORA  
DECEMBER 8, 2014  
5:30 P.M.**

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

The following members were present: Chairman John Andersen, Vice Chairman Chris Garnin, and Commissioners Gary Anderson, Ron Jensen and John Richardson.

**COMMISSIONER'S APPOINTMENT:**

John Richardson was nominated by Vice Chairman, Garnin to serve on the Parking & Traffic Commission and the vote was seconded by Commissioner Anderson.

**MOTION:** Chris Garnin                      **SECOND:** Gary Anderson

**VOTE:**        **AYES:**                      Garnin, Anderson, Andersen, Richardson, Jensen (5)  
                  **NOES:**                        (0)  
                  **ABSTAIN:**                    (0)  
                  **ABSENT:**                     (0)

**PUBLIC APPEARANCES:** None

**MINUTES:**

**MOTION:** Approve the minutes of the September 8, 2014 Planning Commission Meeting, as mailed.

**MOTION:** Chris Garnin                      **SECOND:** Ron Jensen

**VOTE:**        **AYES:**                      Garnin, Jensen, Richardson, Andersen, Anderson (5)  
                  **NOES:**                        (0)  
                  **ABSTAIN:**                    (0)  
                  **ABSENT:**                     (0)

**PUBLIC HEARING:**

Chairman Andersen stated that, at the request of City staff, item #2 on the Agenda will be considered by Commissioners prior to item # 1.

**1)        Zoning Ordinance Text Amendment – The City of Sonora proposes to amend the Zoning Ordinance to include language regulating the use of residential property for**

**vacation rentals along with designating where such transient occupancies are allowed, including Bed & Breakfast facilities.**

Planner, Paula Daneluk, presented the staff report and provided Commissioners a revised draft Ordinance for consideration. The revisions included adding Rooming house or Boardinghouse as a use allowed by right in a Multi-family Residential zone. Chapter 17.20 of Title 17, Sonora Municipal Code and amending the definition of a “Rooming house” or “Boardinghouse” under Section 17.04.280 of Title 17, Sonora Municipal Code. She informed the Commissioners that the proposed Ordinance establishes the use and regulation of the transient use of residential properties under a Transient Use Permit. It also provides for bed & breakfast facilities as a use allowed by right within the CO and C zones.

Planner, Paula Daneluk, also informed Commissioners that allowing Rooming houses and Boardinghouses within an R-3 zone will meet one of the established implementation programs within the approved Housing Element.

Commissioners Richardson and Anderson asked who is held responsible for issues occurring on the property and will the City be assuming additional liability by approving this Ordinance.

Planner, Paula Daneluk, stated that the property owner is responsible for issues related to the transient use and the property owner would be required to sign a statement that the property met health and safety standards including smoke detectors. The City's liability would need to be addressed by the City Attorney.

Commissioner Anderson expressed concerns over off-site parking and stated the on-site parking should be mandatory. He also questioned as to whether or not an inspection would be required.

Planner, Paula Daneluk, stated that in some existing residential areas, on-site parking is not available. Parking enforcement would be complaint driven. She stated that this use may not trigger an inspection.

Commissioner Garnin stated that in the R-3 zone a single family residence on a single parcel should not require a Use Permit for transient residential use. He felt that it should be a use allowed by right as it is proposed in the other zoning districts.

Planner, Paula Daneluk, agreed with this proposed change.

Chairman Andersen opened the Public Hearing at 6:06 p.m.

Several individuals operating transient residential facilities within the City expressed concerns over the regulations included within the proposed Ordinance. Concerns related to Business License requirements, requirement of a contract and obtaining license plate numbers, Transient Occupancy Tax requirements and on-site parking requirements.

City resident, Joyce Castrel expressed concerns over additional traffic and parking issues in residential neighborhoods caused by allowing transient residential use.

Sharon Marovich, Chair of the Heritage Committee, stated that there should be a permit process through the Planning Commission for all vacation rental properties. She also stated that the owner should be required to live on the property to insure proper supervision of the property so as not to negatively affect the neighborhood. She also stated that these types of facilities affect the available housing supply for local residents.

There being no further comments, Chairman Andersen closed the Public Hearing at 6:40 p.m.

Both Commissioners Richardson and Anderson expressed concerns over the proposed Ordinance and questions they felt needed to be addressed prior to approval.

Commissioners stated that if the Ordinance is recommended for approval to the City Council, City staff will need to clarify issues related to Business License Requirements, property inspections, City liability, permit fees and Transient Occupancy Tax Requirements.

**MOTION:** Adopt Resolution No. 12-08-2014, recommending to the Sonora City Council, adoption of the proposed text amendments and addition of Section 17.64 to the Sonora Municipal Code, and with the revised Ordinance language with the following amendments:

Amend Section 17.20.020 – Uses allowed by right

C. Transient Residential Use of a Single-Family Residential structure, 2 per parcel, in conformance with Section 17.64.

D. Rooming house or Boardinghouse

**MOTION:** Chris Garnin

**SECOND:** Ron Jensen

<b>VOTE:</b>	<b>AYES:</b>	Garnin, Jensen, Andersen (3)
	<b>NOES:</b>	Anderson, Richardson (2)
	<b>ABSTAIN:</b>	(0)
	<b>ABSENT:</b>	(0)

Based on the proceeding, it can be found that proposed text amendment:

- A. Is compatible with, and physically suited for, the uses authorized in, and the regulations prescribed for, the proposed zoning districts;
- B. Is consistent with the objectives, policies, general land uses and programs specified in the General Plan;
- C. Is in conformity with public convenience, general welfare and good land use practice;
- D. Will not be detrimental to the health, safety and general welfare;

- E. Will not adversely affect the orderly development of property or the preservation of property values, and
- F. The project has been reviewed in compliance with CEQA and is exempt from further review pursuant to the California Environmental Quality Act.

## **PUBLIC HEARING**

### **2) Application by Steve Case to rezone the property located at 90 Columbia Way, from R-1, Single-Family Residential and R-2, Limited Multi-Family Residential, to R-3, Multi-Family Residential; APN: 001-052-46.**

Planner, Paula Daneluk, presented the staff report for the proposed project. She stated that with the approval of the previous Ordinance, the property be re-zoned to R-3 as originally requested by the applicant.

Applicant, Steve Case, informed the Commissioners that he has remodeled the existing Curtain Mansion to include 9 units for a Boardinghouse to provide economical living for retirees.

Commissioner Richardson asked if the parking is being addressed on-site.

Applicant, Steve Case, stated that there is enough on-site parking to accommodate the needs of the Boardinghouse.

Chairman Andersen opened the Public Hearing at 7:05 p.m.

Sharon Marovich, Chair of the Heritage Committee, stated that Mr. Case did an exceptional job in rehabilitating the historic mansion. She supports his proposed use of the property.

Resident, Joyce Castrel, expressed concerns over additional parking & traffic generated by the proposed project. She also expressed concerns over the lack of sidewalks and street lighting.

Mike Lemke expressed support for the project and urged support.

There being no further comments, Chairman Andersen closed the Public Hearing at 7:13 p.m.

**MOTION:** Adopt Resolution # 12-08-2014-B, recommending to the City Council, adoption of Resolution # 12-08-2014-B, with the following amendment:

A Re-zoning of APN: 001-052-46 From Single Family Residential (R-1) and Limited Multi-Family Residential (R-2) to Multi-family Residential (R-3).

**MOTION:** Ron Jensen

**SECOND:** John Richardson

**VOTE:**

**AYES:**

**NOES:**

Jensen, Richardson, Garnin, Anderson, Andersen (5)

(0)

**ABSTAIN:** (0)  
**ABSENT:** (0)

- A. Is compatible with, and physically suited for, the uses authorized in, and the regulations prescribed for, the proposed zoning district in which the real property is located;
- B. Is consistent with the objectives, policies, general land uses and programs specified in the General Plan;
- C. Is in conformity with public convenience, general welfare and good land use practice;
- D. Will not be detrimental to the health, safety and general welfare;
- E. Will not adversely affect the orderly development of property or the preservation of property values; and
- F. The project has been reviewed in compliance with CEQA and is exempt from further review pursuant to the California Environmental Quality Act.

**DISCUSSION ITEMS:**

1. Discussion regarding Advisory Agency Comments

Chairman Andersen stated that he asked staff to place this discussion item on the Agenda. He had received a complaint from Sharon Marovich, Chair of the Tuolumne Heritage Committee, because staff did not provide a copy of her Advisory comments for the Oak Valley Community Bank Project to the Planning Commission.

Planner, Paula Daneluk, stated that all Advisory comments received on a project are reviewed by staff. Pertinent items are included within the staff report by reference. The Commissioners can review all comments received at the Community Development Department. She made it clear that copies of all public comments are provided to the Commission.

Sharon Marovich, Chair of the Tuolumne Heritage Committee, stated that the Commissioners should see all Advisory comments and other members of the public agreed.

The general consensus of the Commission was that they want copies of all letters received from Advisory Agencies included within the Agenda packet.

2. Community Development Director's Report

Community Development Director, Rachelle Kellogg, thanked Commissioners for completing their mandatory Ethics Training.

**CORRESPONDENCE:** None

**ADJOURNMENT:** There being no further business to come before the Commission, the meeting was adjourned at 7:45 p.m. to the next regular meeting on Monday January 12, 2015.  
Respectfully submitted,

Rachelle Kellogg  
Community Development Director