PLANNING COMMISSION
CITY OF SONORA

SEPTEMBER 9, 2019

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: Chair, Chris Garnin, Vice-Chair, John Richardson and Commissioners Gary Anderson, Kevin Anderson and Ron Jensen.

ELECTION OF OFFICERS:

MOTION: Commissioner Ron Jensen nominated Commissioner Chris Garnin as Chair of the Planning Commission.

MOTION:	Jensen	**SECOND:** G. Anderson
VOTE:	**AYES:**	Jensen, G. Anderson, K. Anderson, Garnin and Richardson (5)
	NOES:	None (0)
	ABSTAIN:	None (0)
	ABSENT:	None (0)

MOTION: Commissioner Ron Jensen nominated Commissioner John Richardson as Vice-Chair of the Planning Commission.

MOTION:	Jensen	**SECOND:** G. Anderson
VOTE:	**AYES:**	Jensen, G. Anderson, K. Anderson, Garnin and Richardson (5)
	NOES:	None (0)
	ABSTAIN:	None (0)
	ABSENT:	None (0)

PUBLIC APPEARANCES: None

MINUTES:

MOTION: Approve the minutes of the July 8, 2019 Planning Commission Meeting, as mailed.

MOTION:	Richardson	**SECOND:** G. Anderson
VOTE:	**AYES:**	Richardson**,** G. Anderson**,** Jensen, K. Anderson and Garnin (5)
	NOES:	None (0)
	ABSTAIN:	None (0)
	ABSENT:	None (0)

MOTION: Approve the minutes of the August 12, 2019 Planning Commission Meeting, as mailed.

MOTION: Richardson **SECOND:** G. Anderson

VOTE: **AYES:** Richardson**,** G. Anderson**,** Jensen, K. Anderson and Garnin (5)
NOES: None (0)
ABSTAIN: None (0)
ABSENT: None (0)

PUBLIC HEARING:

1) City initiated Title 17 Text Amendment – Design Review, amending Chapter 17.32, Design Review/Historic Zone, chapter 17.75, Demolition of Buildings and Structures, Chapter 17.66 Administration, and Chapter 17.70, Enforcement and Penalty.

Community Development Director, Rachelle Kellogg, presented the staff report and explained the changes that occurred following the Planning commissioners review of the draft ordinance at their meeting on July 8, 2019. She provided copies of pages 1 and 4 of the ordinance and Chapter 17.70, Enforcement and Penalty, which had not been attached to the ordinance included within their packet, and revised prior to the meeting.

Chairman Garnin opened the public hearing at 5:48 p.m.

Sharon Marovich, Tuolumne Heritage Committee, requested text changes to the Purpose Section, changes to the building architecture period and that the Limited Manufacturing zone be added to the Design Review boundary.

Chairman Garnin suspended the public hearing at 5:53 p.m. to consider Design Review item # 1.

DESIGN REVIEW

1) Application by John LaTorre, on behalf of Eric Davis of the Independent Wine Co., for Design Review related to the installation of a new steel awning on the building face, located at 13 S. Washington Street, in a C, Commercial zone; APN: 001-191-009.

Planner, Paula Daneluk, presented the staff report.

Applicant, John LaTorre, stated he was available to answer questions.

Commissioner Richardson asked if the awning would be in a rust color.

Applicant, John LaTorre, stated that he is using a recycled corrugated metal that had already rusted.

Commissioner Jensen asked if the sheets had already been cut into 3 foot sections.

Applicant, John LaTorre, stated that the material had not been cut yet.

Commissioner, G. Anderson, asked if the awning could be extended to 4 feet.

Applicant, John Latorre, stated that he was very concerned about any torque on the building façade and that was the reason for limiting the width of the material to 3 feet. He stated he would be very concerned about the structure if it was made any wider.

Commissioner, Kevin Anderson, asked if the frame would be black or rust color.

Applicant, John LaTorre, stated that it had already been constructed and treated to rust.

Sharon Marovich, Tuolumne Heritage Committee, spoke against the project and staff's finding that the project was consistent with the General Plan. She stated that she did not agree with staff's CEQA determination and discussed her concerns over the proposed awning design. She recommended that the existing canvas awning be repaired instead of replaced.

Commissioner Richardson stated that he did not have a concern with the proposed design and that canvas required higher maintenance.

Chairman Garnin asked staff if there were any issues with approving the proposed awning based on Sharon's comments.

Planner, Paula Daneluk, stated that the proposed project was in compliance.

Chairman Garnin stated that there are several types of awnings throughout the downtown.

Commissioner Jensen stated that he felt the proposed corrugated metal awning looked more historic than what is currently there. He stated he had no concerns with the project as proposed.

Commissioner Gary Anderson stated he preferred the canvas style awning.

MOTION: To approve Design Review for installation of a new steel awning on the exterior of the building, located at 13 S. Washington Street, subject to the following conditions and findings:

MOTION: Richardson **SECOND:** Jensen

VOTE:	**AYES:**	Richardson, Jensen, K. Anderson, Garnin (4)
	NOES:	G. Anderson (1)
	ABSTAIN:	None (0)
	ABSENT:	None (0)

Findings for Design Review Permit to install a new steel awning, located at 13 S. Washington St:

1. The use is consistent with the City of Sonora General Plan;

2. The use is consistent with Title 17 of the Sonora Municipal Code and with the purposes of the zone in which it is located;

3. The proposed awning conforms with other awnings along Washington Street and in the vicinity of the project;

4. The proposed awning reflects the traditional architectural characteristics of the community, blends with the adjacent neighborhood, and is consistent with the applicable design standards in the General Plan and Sonora Municipal Code.

Conditions of Approval for Design Review Permit

13 S. Washington Street

General:

1. This Design Review Permit is issued for the awning as shown in Figures 2 and 3. All exterior alterations shall be in accordance with plans approved by the Sonora Planning Commission on September 19, 2019. The Community Development Director may approve minor changes to the design that are in substantial compliance with the plans approved by the Planning Commission.

2. The property owner or authorized applicant, their successors and assigns, will defend, indemnify, and hold harmless the city and its agents, officers, attorneys and employees from any claim, action, or proceedings brought against the city or its agents, officers, attorneys or employees within the applicable statute of limitations to:

    a. Attack, set aside, void, or annul any action approving an application (including any action to provide environmental clearance in compliance with the California Environmental Quality Act (CEQA), by city staff any city planning or advisory agency, any city appeal board, or the city council; or

    b. Seek damages for property damage or personal injuries resulting from development authorized by the city pursuant to the application. [SMC Section 17.69.010 (Ordinance 776)]

3. Applicant shall comply with all local, state and federal regulations and requirements. (SMC Section 17.32.090).

Chairman Garnin resumed the public hearing for Public Hearing Item # 1, Title 17 Text Amendment – Design Review at 6:11 p.m.

Sharon Marovich, Tuolumne Heritage Committee, requested a text change to expand the historic area. She also expressed concerns over the proposed changes to the mural requirements and requested changes to the Demolition Chapter 17.75.

Chairman Garnin closed the public hearing at 6:38 p.m.

Commissioner Kevin Anderson stated that the historic district should stay as it currently is as he felt it was too late to expand it at this time and he stated that he was okay with the ordinance as proposed.

Community Development Director, Rachelle Kellogg, stated that if the City moves forward with establishing a Historic District that would be the appropriate time to evaluate expanding to Historic Area, as there is a public process in which property owners would be notified.

Chairman Garnin stated that he did not have an issue with changing the architecture period or adding the Limited Manufacturing zone to the Design Review boundary.

Commissioner Richardson stated that the City did need to protect its historic buildings but it also needs to progress and move forward. He stated that there is a need to make things easier for businesses.

Commissioner Gary Anderson asked staff if the proposed changes will make it easier for businesses.

Community Development Director, Rachelle Kellogg, stated that there is some give and take with the proposed changes. She explained that some of the text amendments will lessen restrictions but some will expand regulations.

Commissioner Jensen stated that he was fine with the draft ordinance presented by staff. He commented that he would like to see regulations in place related to anticipatory demolition and requiring a delay in developing a site on which it had occurred.

Community Development Director, Rachelle Kellogg, stated that staff would continue to review examples of anticipatory demolition regulations from other jurisdictions and bring back a Text Amendment for consideration to a future meeting, however due to the complexity with these types of regulations, she recommended moving forward with the proposed ordinance so as not to delay or bog down its approval.

Planner, Paula Daneluk, agreed and stated that revised language could be brought back for consideration by the Planning Commission in the future.

Planning Commissioners directed staff to bring back a Text Amendment dealing with anticipatory demolition for their consideration at a future Planning Commission Meeting.

MOTION: To adopt Resolution No. 09-09-2019-A, recommend to the Sonora City Council, approval of an ordinance amending the Sonora Municipal Code, Chapter 17, Zoning, Chapter 17.32, Design Review/Historic Zone, Chapter 17.75, Demolition of Buildings and Structures, Chapter 17.66, Administration, and Chapter 17.70, Enforcement and Penalty, subject to the following additional items, and subject to the following findings:

MOTION: Jensen **SECOND:** Richardson

VOTE:	**AYES:**	Jensen, Richardson, K. Anderson, G. Anderson and Garnin (5)
	NOES:	None (0)
	ABSTAIN:	None (0)
	ABSENT:	None (0)

With Additional ordinance changes:

1) Change the architectural period to 1852-1900
2) Add the Limited Manufacturing Zone to the Design Review Boundary

Findings for Text Amendment:

A. Is consistent with the objectives, policies, general land uses and programs specified in the General plan;

B. Is in conformity with public convenience, general welfare and good land use practice;

C. Will not be detrimental to the health, safety and general welfare;

D. Will not adversely affect the orderly development of property or the preservation of property values; and

E. 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) Community Development Director's Report

Community Development Director, Rachelle Kellogg, advised Commissioners that the Housing Element will be presented at the October 15, 2019 Planning Commission Meeting, along with Site Plan and Design Review applications.

There being no further business to come before the Commission, the meeting was adjourned at 7:00 p.m. to the next Planning Commission Meeting on Tuesday, October 15, 2019, as Monday is a holiday.

Respectfully submitted,

Rachelle Kellogg,
Community Development Director