



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

AGENDA TUOLUMNE COUNTY PLANNING COMMISSION December 1, 2021 6:00 p.m.*

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
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www.tuolumnecounty.ca.gov

PUBLIC PARTICIPATION PROCEDURES

- In order to protect public health and the safety of Tuolumne County citizens, the Tuolumne County Planning Commission Meeting will be physically closed to the public. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in the meeting, follow the instructions below. For detailed Zoom instructions go to the Agenda Packet <https://www.tuolumnecounty.ca.gov/AgendaCenter/Tuolumne-County-Planning-Commission-8>. if you need swift special assistance during the Planning Commission meeting, please call **209-770-5423**.

- 1) Use the link to join the webinar: <https://us02web.zoom.us/j/82859321580> (Webinar ID: 828 5932 1580)
- 2) During the public comment period you will have the option to “*raise your hand*” if you would like to comment on a project or during the public comment portion of the meeting.

If participating by computer:

- After clicking the “*raise your hand*” option, please wait until a staff member unmutes your microphone.
- Once staff has unmuted your microphone you will be asked to provide comments.
- A staff member will notify to you when you have 30 seconds remaining and again when your time is up.
- Once your allotted time is up, a staff member will mute your microphone and “*lower your hand*”.

If participating by smartphone:

- If you are participating from your smartphone, you will also have a “*raise your hand*” feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment. Staff will assist as described above.

If participating by telephone:

- If you are participating via telephone call, you will need to press *9 (star 9) to “*raise your hand*”, and when you are unmuted you will hear “*you are unmuted*” allowing you to provide public comment. Staff will assist as described above.

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (CDD@tuolumnecounty.ca.gov) for retention as part of the administrative record. Comments will not be read during the meeting.

PLANNING COMMISSION BUSINESS: 6:00 p.m.

1. Reports from Commissioners and Staff

** Reports are a brief oral report from a Committee or Commission member and/or County staff, and no Committee or Commission action will occur. This item is not intended to include in depth presentations or reports, as those matters should be placed on an agenda for discussion**

2. **Report from the Board of Supervisors Planning Committee Representative**
3. **Report from the Agricultural Advisory Committee Representative**
4. **Minutes of the Meeting of November 17, 2021**
5. **Status on Updated Commission Procedures**

PUBLIC COMMENT: 15 minutes

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

PUBLIC HEARING: 6:00 p.m.

NEW ITEMS:

HIDDEN MEADOW TERRACE,

1. Mitigated Negative Declaration (IS/MND) for Site Development Permit SDP21-008, General Plan Amendment GPA21-003, and Zone Change RZ21-010.
2. Site Development Permit SDP21-008 to allow the development of an apartment complex, consisting of 72 units in four buildings along with a community center building, on a 5.93-acre site.
3. General Plan Amendment GPA21-003 to amend the General Plan land use designation from Neighborhood Commercial (NC) to High Density Residential (HDR).
4. Zone Change RZ21-010 to rezone the 5.93-acre project site from NC (Neighborhood Commercial) to R-3 (High Density Residential) under Title 17 of the Tuolumne County Ordinance Code.

The project site is located at 20080 North Cedar Road, at the northeastern corner of the intersection of Greenley Road and Cabezut Road in Sonora. The 5.93-acre project site is identified as Assessor's Parcel Number (APN) 044-420-37. The site is shown on the U.S. Geological Survey Standard, California 7.5-minute quadrangle map as being within Section 31, Township 2 North, Range 15 East, Mt. Diablo Base and Meridian. Supervisorial District 1.

The Minutes, Staff Reports, and environmental documents for the items referenced in this Agenda are available for review at the Tuolumne County Community Development Department Monday through Thursday, 8:30 a.m. to noon and 1:00 p.m. to 3:00 p.m., Fourth Floor, A.N. Francisco Building, 48 Yaney, Sonora, California, and online at www.tuolumnecounty.ca.gov.

Any other materials related to the items referenced in this Agenda that are provided by the County to the Planning Commissioners prior to the meeting are available for review at the Tuolumne County Community Development Department 48 Yaney, Sonora, California, and will be available at the meeting. Any materials provided to the Planning Commissioners during the meeting by the County will be available for review at the meeting, and materials provided by the public will be available for review at the Community Development Department the day following the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification

48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility to this meeting (28CFR Part 35 ADA Title II).

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COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

TO: Tuolumne County Committee and Commission Members

FROM: Quincy Yaley, AICP Community Development Department Director

RE: COVID-19 Meeting Procedures

48 Yaney Avenue, Sonora
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In response to increasing risks of exposure to the coronavirus (COVID-19), all the Committee and Commission meetings will be conducted and participated via Zoom. Video conferencing via Zoom will allow the Commission/Committees and County to adhere to social distancing requirements of the Brown Act and provide a way for the public to provide public comment live during the meeting.

Due to the modified meeting format and tele-conferencing meeting procedures, the Chair may choose to allow public comment on the project in an alternative fashion, rather than calling for those in favor, those in opposition, those neutral, and then any rebuttals or surrebuttals. The Chair may take public comment on the project in any order in lieu of the calling for those in favor, opposition, neutral, rebuttals, and then surrebuttals.

The Committee and Commission may elect to allow the applicant or applicant representative a specific time to speak on the project prior to taking public comments on the item. This opportunity could have a specific time length allotted, such as five or ten minutes.

As a reminder, those who wish to provide information during the public comment are not required to provide their name. County staff will notify the Chair of any individuals who wish to provide testimony and will limit the testimony to the time limit identified by the Chair.

If an item on the agenda is not identified as a “public hearing”, public comment is still required and can be conducted in a similar format to the modified procedures above.

All votes require a roll call with each Committee and Commission member to be named by County Staff prior to stating their vote. The Chair shall also identify by name the commissioner who initiated the motion and the name of the commissioner who seconds the motion. After a second is named, the Chair must allow County staff to complete a roll call vote.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the zoom meeting. It is recommended that the Chair pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed County staff will notify the Chair that there is no further public comment.

Staff may need to respond to emails or phone calls from members of the public during the meeting to provide assistance to the public if they encounter problems using the Zoom platform. Staff requests that the Chair allow additional time as needed to ensure that members of the public can engage in the meeting.

Zoom Instructions

Zoom links can be found in the agenda for each meeting. The public can view the meeting from their smartphone, on their computer browser, or listen on their telephone. Zoom does not require an account to attend the meeting, but if the public wishes to create one, their basic accounts are free.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the Zoom meeting. The Chair will pause for 60 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 60 seconds has elapsed county staff will notify the Chair that there is no public comment.

Members of the public can also choose to watch the meeting and do not have to comment during the meeting. If a member of the public does not want to provide public comment live, they can provide public comment prior to the meeting via email to the Community Development Department Planning manager at QYaley@co.tuolumne.ca.us. If you would like your comments to be included in the record, please send comments to the above email address by 9:00 a.m. of the day of the noticed meeting.

If anyone is having technical difficulties with Zoom, they can visit Zoom's support page for helpful tips: <https://support.zoom.us/hc/en-us/categories/201146643>.

Below are step by step instructions on how to join and interact as an attendee via Zoom.

JOINING A WEBINAR BY LINK

- To join the webinar, click the link that we provided in the agenda.
- If you are signed in, change your name if you do not want your default name to appear.
- If you are not signed in, enter a display name.

MANUALLY JOINING A WEBINAR

- Use the 9-digit meeting ID/webinar ID provided in the agenda.
- Sign in to the Zoom Desktop or Mobile App
- Click or tap **Join a Meeting**
- Enter the 9-digit webinar ID, and click **Join** or tap **Join Meeting**
- If prompted, enter your name and email, then click **Join Webinar** or tap **Join**.
- You may change your name if you do not want your default name to appear, as you are not required to state your name.

WAITING FOR HOST TO START THE WEBINAR

- If the host has not started broadcasting the webinar, you'll receive a message letting you know to "Please wait for the host to start the meeting".

PUBLIC COMMENT

- During the public comment period you will have the option to "raise your hand" if you would like to comment on a proposed project or during the public comment portion of the meeting.
- Once you have clicked the "raise your hand" option, please wait until a staff unmutes your microphone.
- Once staff has unmuted you will have three minutes to speak.

- A staff member will verbally communicate to you and the Commissioners when you have 30 seconds remaining and then when your time is up.
- Once your allotted time is up, a staff member will mute and “lower your hand”.
- If you are participating from your smartphone, you will also have a “raise their hand” feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment.
- If you are participating via telephone call, you will need to press *9 (star 9) to “raise their hand”, and when you are unmuted you will hear “you are unmuted” allowing you to provide public comment.

END OF MEETING

- If you would like to leave the meeting before it ends, click **Leave meeting**. If you leave, you can rejoin if the webinar is still in progress, as long as the host has not locked the webinar.

Hi there,

You are invited to a Zoom webinar.

When: Dec 1, 2021 06:00 PM Pacific Time (US and Canada)

Topic: Tuolumne County Planning Commission

Please click the link below to join the webinar

:

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US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 929 205 6099

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COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

November 30, 2021

TO: Tuolumne County Planning Commission
FROM: Quincy Yaley, Director
RE: Hidden Meadows Terrace Project

48 Yaney Avenue, Sonora
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The published staff report for the above project contained a number of errors in the Conditions of Approval which were remnants of a previous project. Attached are a “tracked changes” version and “clean” version of the proposed conditions. Please let me know if you have any questions regarding the revised conditions. Staff will update the agenda packet on the web, as well as post this information on the project webpage.

Further, CAO Tracie Riggs asked me to forward the following information to you regarding ongoing communication with the City of Sonora regarding the proposed project:

“On June 9, 2021, the County received correspondence from City Administrator Mary Rose Rutikanga regarding the proposed Hidden Meadows Terrace project. This letter requested consultation between the City and the County, as required by a resolution approved on May 6, 1991, which requires the County to consult with the City of Sonora for projects located within the City’s Sphere of Influence, as well as negotiate an agreement to cooperate on review of development projects which have the potential of impacting services and facilities in their respective districts.

The City of Sonora was notified of the project as a component of the County’s early stakeholder outreach, as well as was notified of the availability of the project’s environmental document. Additionally, Quincy Yaley and I met with Ms. Rutikanga and discussed the project and impacts it may have on the City of Sonora.

After receiving additional correspondence on October 20, 1991, the County scheduled a joint meeting between the City Council and the County Board of Supervisors on December 16th, 2021. The Hidden Meadows Terrace project will be a topic of discussion at that meeting.

Thank you for your time that you dedicate to support our County, and please let me know if you have any questions”

**CONDITIONS OF APPROVAL
SITE DEVELOPMENT PERMIT SDP21-008
FOR HIDDEN MEADOW TERRACE**

General Conditions:

1. LU As a condition of the grant of approval of the Site Development Permit, Applicant shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the permit or arising out of, or in connection with the acts or omissions of Applicant, its agents, employees, or contractors. With respect to acts or omissions of the Applicant, its agents, employees, or contractors, its obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void or annul the approval of the permit, including any contention the permit or its approval is defective because a County ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Applicant will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. With respect to the County's approval, this obligation applies only to actions or proceedings brought within the time period provided for in Government Code Section 66499.37 and is conditioned on the County promptly notifying the Applicant of any claim, action, or proceeding and cooperating fully in the defense. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached (TCOC Section 16.06.090).

Prior to issuance of a Grading Permit the following conditions shall be met:

2. ED A Grading Permit shall be obtained from the Roads Division of the Public Works Department prior to any grading (TCOC, Section 12.20.050).
3. LU/ED Submit a lighting plan for review and approval by the Planning Division of the Community Development Department and the Engineering Division of the Public Works Department. ~~The lighting plan shall include lighting at the internal intersections, at the turning bulbs and at locations in the interior to illuminate pedestrian walkways and parking areas. All lighting shall be energy efficient and meet the standards established by the International~~

~~Dark Sky Association. The location and design of the street lighting shall be subject to the review and approval of the Engineering Division of the Public Works Department as to placement. Acorn style light fixtures, the Charleston Fluted Pole with arm and hanging Town and Country light fixture, or other light fixtures as recommended by the East Sonora Design Guide are encouraged to be utilized. All lighting shall be aimed downwards. (CEQA, Section 15041, [Initial Study, "Aesthetics" Mitigation Measure I-1])~~

MONITORING PROVISION: ~~Refer to IS/MND Pages 3-4 and 3-33. Noted on the construction plans and monitored through citizen complaints.~~ Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)

4. ED Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) General Permit for construction related storm water discharge) for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction related storm water discharge and the State Water Resources Control Board Water Permitting Unit shall be contracted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre and should be submitted to SWRCB. Obtain and NOI or an exemption from requirements.
 5. ED Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site. ~~Offsite encroachment onto the adjacent County property for purposes of a slope easement is not approved (TCOC, Section 12.20.270-280).~~
 6. ED An Encroachment Permit shall be obtained from the Engineering Division of the Public Works Department for any work within the County road right-of-way along Greenley Road and Cabezut Road (TCOC, Section 12.04).
 - ~~7. ED All roads shall be constructed to the minimum geometric standards identified in the Tuolumne County Ordinance Code, Section 11.12.010, including:
 - ~~A. Width of traveled way and shoulders: per the table shown in TCOC 11.12.010.A, minimum traveled way shall be 20 feet, with 4 foot-wide shoulders with 3 feet paved on both sides of the roadways~~
 - ~~B. Minimum horizontal curve radius at edge of traveled way shall be no smaller than 50 feet (TCOC 11.12.010.M)~~~~
-

~~C. A turnaround bulb or hammerhead must be provided on-site at dead-ends between Lots 9 and 10, and at Lot 28, unless waived by Tuolumne County Fire Protection District. Proposed parking stalls across from Lot 28 do not constitute an adequate provision of this requirement.~~

~~D. The entry roadway encroachment onto Tuolumne Road and its appurtenant cut slopes shall provide adequate sight lines for exiting traffic, based on the design speed of Tuolumne Road (50 mph). An allowance for the natural growth of vegetation potentially obscuring sightlines should be incorporated.~~

~~8.7.~~ ED

A Parking Area Plan shall be submitted to the Engineering Division of the Public Works Department for review and acceptance. Plans shall address internal traffic circulation, parking stall layout and include necessary striping, marking and signing. All parking areas and traveled ways on the site shall be paved, striped and lined in accordance with approved plans. The parking plan shall be submitted in connection with the site grading and drainage plans. (TCOC, Section 17.68.150; 17.60)

~~9.8.~~ ED

All property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress (TCOC, Section 12.20).

~~10.9.~~ ED

All soils disturbed by clearing and grubbing or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible and before October 15 of the construction year, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).

~~11.10.~~ ED

The applicant shall submit an erosion control plan, or SWPPP, for any construction to take place at any time of the year. In the absence of such approved and implemented plan, all construction shall cease, per Clean Water Act (TCOC, Title 12).

~~12.11.~~ ED

All parking areas and traveled ways on the site shall be paved (TCOC, Section 17.60.070 C).

~~13.12.~~ ED

Drainage improvements shall be installed in accordance with plans approved by the Engineering Division of the Public Works Department. (TCOC Sections 11.04, 11.12, 16.26.180)

~~14.13.~~ ED

Exposed serpentine gravel is prohibited on the construction site. (Health and Safety Code, Section 93106)

~~15.14.~~ ED/BD

Property owner shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each

day and at all other intervals, as need dictates, to control dust. (CEQA, Section 15041, [Initial Study, "Air Quality"]; TCOC, Section 12.20.370).

15. ED Submit a Preliminary Soils Report to the Engineering Division of the Public Works Department for review and approval. The report shall disclose any soils problems which may lead to structural defects. The report should recommend cut and fill ratios, erosion control measures and a typical road structural section for the soils encountered. The report shall be prepared by a registered civil engineer. (TCOC, Section 16.26.150)

16. ED Commercial driveways, meeting the requirements of Title 11 for onsite roads, must be paved and extended within 150 feet of all portions of all buildings. An encroachment detail plan submitted for review and approval (TCOC, Section 11.16.020).

16.17. ED Verify that a Road and/or Public Utility Easement a minimum of 25 feet in width from the existing centerline of Cedar Road N as it abuts the project property has been dedicated (TCOC, Section 17.68.150).

18. ED Provide a 15 foot easement along all existing pipes that are not located in a road and public utility easement. (TCOC, Section 16.24.180).

17.19. BD Obtain a Building Permit from the Building and Safety Division of the Community Development Department prior to installation of any utilities within the ~~Tuolumne Road~~ adjacent County road rights-of-way. A complete application, including three (3) copies of all civil drawings meeting the minimum requirements of the current version of the Building and Safety Division Plot Plan Checklist, including reference details for the installation of each utility, shall be submitted with the application for a Building Permit. (TCOC, Section 15.04.010)

20. LU Pre-construction surveys shall be conducted, and necessary avoidance or mitigation measures shall be prescribed, by a qualified biologist in accordance with the procedures described in the referenced sections of the Madrone Biological Resources Assessment (Appendix B of this IS/MND) for the following:

- Active bumble bee colony nesting sites, within 14 days prior to construction (BRA Section 7.3). If a colony is found, consultation with CDFW will be necessary and an Incidental Take Permit from CDFW may be required prior to disturbance.
- California red-legged frog prior to construction (Section 7.4).
- Western pond turtle, within 150 feet of the intermittent and perennial drainages, within 48 hours prior to construction in those areas (Section 7.5).
- Roosting bat surveys within 14 days prior to any tree removal that will occur during the breeding season, from April through August (Section 7.7).

(CEQA, Section 15041, Initial Study Biological Resources Mitigation Measure BIO-2) Prior to any site clearing activities on the project site between March through November, tree removal shall occur when daytime temperatures are 50 degrees Fahrenheit or higher to ensure bats are active

~~and can abandon any potential roosts. Compliance shall be noted on improvement plans and completed to the of the Tuolumne County Community Development Department (CEQA Section 15041, [Initial Study, "Biological Resources" Mitigation Measure IV-1]).~~

MONITORING PROVISION: ~~Refer to IS/MND Page 3-20. Monitored by County staff and the California Department of Fish and Wildlife prior to the initiation of, and during, any site clearing activities.~~ Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

48.21. LU

~~Prior to any construction activity on the project site between February 1st and September 1st, a pre-construction nesting bird survey shall be conducted by a qualified biologist throughout the project site and all accessible areas within a 250-foot radius of proposed construction areas, no more than 14 days prior to the initiation of construction, in accordance with the specifications of Section 7.6 of the Madrone Biological Resource Assessment. If nesting birds are discovered, avoidance or mitigation shall be provided consistent with the recommendations of the above-referenced Section 7.6. If no nests are found, no further mitigation is required. If there is a break in construction activity of more than 14 days, then subsequent surveys may be required. (CEQA, Section 15041, Initial Study Biological Resources Mitigation Measure BIO-5) Prior to any construction, excavation, grading or vegetation removal on the project site between February 1st and September 15th, a survey for active nests of migratory bird species and non-listed raptor species shall be prepared by a County-approved biological consultant. The survey shall be conducted no more than 14 days prior to start of construction, excavation, grading or vegetation removal operations. Should active nests be found, a no disturbance buffer of 250 feet for migratory bird species and 500 feet for non-listed raptor species, or other distance as determined by a qualified biologist, shall be delineated around each nest site until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or require parental care for their survival. Should a listed threatened or endangered species be identified by the survey, no construction, excavation, grading or vegetation removal shall occur until consultation with the California Department of Fish and Wildlife and after implementation of appropriate avoidance measures. Surveys shall be submitted to the Community Development Department for review and approval. (CEQA Section 15041, [Initial Study, "Biological Resources" Mitigation Measure IV-2])~~

MONITORING PROVISION: Monitored by County staff and the California Department of Fish and Wildlife prior to the initiation of, and during, any construction activities. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A

Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

~~19. LU Final project improvements shall be designed to avoid and minimize adverse effects to the Curtis Creek within the northern portion of the project site. (CEQA Section 15041, [Initial Study, "Biological Resources" Mitigation Measure IV-3])~~

~~**MONITORING PROVISION:** Monitored by County staff and the California Department of Fish and Wildlife prior to the initiation of, and during, any construction activities. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.~~

20.22. ED All grading both on and off the site shall be completed in compliance with the Grading Permit issued by and the grading plans approved by the Engineering Division of the Public Works Department. (TCOC, Chapter 12.20)

21.23. ED Submit a drainage plan to the Engineering Division of the Public Works Department for review and approval. ~~The Drainage Plan shall incorporate any necessary downstream improvements as well as the on-site facilities.~~ The drainage plan shall address the concerns listed below: (TCOC Sections 11.04.050E; 12.20.300-12.20.360; 16.26.180):

a. The entire project site, including the parking lot drainage;
b. The increased runoff and effect to downstream drainages, culverts and adjacent property; and
c. On-site detention/retention shall be required; or an approved equivalent collection, storage, and discharge system shall be approved by the Engineering Division.

~~a. The entire project site;~~
~~b. Balance site by providing a SWPPP for permanent features that complete the changes of effect for increased runoff and effect to downstream drainages, culverts and adjacent property; and~~
~~c. On-site detention/retention shall be required, sized sufficient for the project's tributary area and based on a Drainage Study.~~

22.24. ED/LU Exterior lighting shall be installed in compliance with the lighting plan approved by the Community Development Department referenced in Condition 3. (CEQA, Section 15041, [Initial Study, "Aesthetics" Mitigation Measure I-1])

MONITORING PROVISION: Noted on the construction plans and monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the

required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)

~~23-25~~ ED

The project site shall be provided public water for domestic purposes by the Tuolumne Utilities District (TUD). An agreement with TUD would stipulate the terms and conditions by which the project proponent would construct and TUD would accept ownership of and the responsibility to operate and maintain the improvements. Prior to service by TUD, the project proponent would be required to pay to TUD all applicable fees and charges, including water capacity charges.

~~24-26~~ ED

The project site shall be connected to the public sewer system operated by the TUD. An agreement with TUD would stipulate the terms and conditions by which the project proponent would construct and TUD would accept ownership of and the responsibility to operate and maintain the improvements. Prior to service by TUD, the project proponent would be required to pay to TUD all applicable fees and charges, including sewer capacity charges (TCOC, Sections 13.08.150 and 17.20.010).

~~25-27~~ ED

All water, sewer and other utility improvements shall be installed in accordance with the plans approved by the Engineering Division of the Public Works Department and by the TUD. An encroachment permit is required for work within the County road right-of-way (TCOC, Titles 12, 13 and 16).

~~26-28~~ ED

Road Encroachments shall be installed in accordance with the plans approved by the Engineering Division of the Public Works Department. (TCOC, Section 12.04.010).

~~27-29~~ ED

Submit utility improvement plans to the Engineering Division of the Public Works Department for review and approval. (TCOC, Titles 12, 13, and 16).

~~28-30~~ ED

Submit to the State Water Resources Control Board, Storm Water Permitting unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) general permit for construction related storm water discharges) for the disturbance or one acre or more. Obtain an NOI or an exemption from requirements. (Federal Water Pollution Control Act, State Water Resources Control Board).

~~29-31~~ ED

The property owner shall submit an erosion control plan to the Engineering Division of the Public Works Department for any construction to take place between October 15 and May 15 of any year. In the absence of such approved and implemented plan, all construction shall cease on or before October 15 except that necessary to implement erosion control measures. (TCOC, Section 12.20.150(H))

~~30-32~~ APCD

Secure burning permits from the Tuolumne County Air Pollution Control District and the California Department of Forestry and Fire Protection prior to burning vegetation on the site. (General Plan Implementation Program 12.D.d; TCAPCD Rules and Regulations, Regulation III)

The following conditions apply to development of this project. The owner of the property at the time of construction shall be responsible for compliance with the following conditions:

~~31.33.~~ ED/BD Hours of exterior construction on the project site shall be limited to ~~78:00~~ a.m. to ~~76:00~~ p.m. Monday through Saturday. ~~Exterior e~~Construction shall be prohibited on Sunday and County Holidays. Exceptions to these hours may be authorized by the Community Resources Director. (CEQA, Section 15041, [Initial Study, "Noise" Mitigation Measure XIII-1]; ~~TCOC, Section 12.20.380~~)

MONITORING PROVISION: Noted on the construction plans and monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

~~32.34.~~ AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)

~~33.35.~~ AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)

~~34.36.~~ AG All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)

~~35.37.~~ AG The property owner shall maintain and implement an effective program for the monitoring and control of noxious weeds. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 5401 and 5402)

~~36.38.~~ SW All solid waste from demolition or construction activities shall be disposed of at facilities authorized by the Board of Supervisors by resolution, including the Highway 59 landfill in Merced. Solid Waste that is not accepted at this facility may be disposed of at an alternative facility that is permitted to receive the waste. (TCOC, Section 7.12.050)

~~37.39.~~ LU

The developer shall make a good faith effort to hire firms that are based in Tuolumne County and utilize suppliers and vendors whose primary place of business is in Tuolumne County. (TCOC, Section 16.06.090)

38. LU

~~Archaeological monitoring of initial project-related ground disturbances shall be conducted by a qualified professional archaeologist, who shall be retained by the project applicant. If any subsurface cultural resources are encountered during construction of the project, the Tuolumne County Community Development Department shall be notified, and all construction activities within 50 feet of the encounter shall be halted until the archaeologist can examine these materials, determine their significance, and recommend mitigation measures that would reduce potential effects on the find to a level that is less than significant. Recommended measures may include, but are not limited to, 1) preservation in place, or 2) excavation, recovery, and curation by qualified professionals. The project developer shall be responsible for implementing recommended mitigation measures and documenting mitigation efforts in a written report to the County's Community Development Department, consistent with the requirements of the CEQA Guidelines. (CEQA, Section 15041, Initial Study, Cultural Resources Mitigation Measure BIO-5)~~ If a cultural resource is discovered during the activities authorized by this map, the person in possession of the real property for which the map was approved and all persons conducting any activity authorized by this map shall comply with the following provisions:

~~The person discovering the cultural resource shall notify the Community Development Department by telephone within 4 hours of the discovery or the next working day if the department is closed.~~

~~When the cultural resource is located outside the area of disturbance, the Community Development Department shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.~~

~~When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the Community Development Department may continue. A qualified professional, as defined in Section 17.04.657 of the Tuolumne County Ordinance Code, such as an archaeologist or an historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.~~

~~When the cultural resource is determined to not be significant, the qualified professional or Community Development shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department.~~

~~When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department. All further activity authorized by this map shall comply with the cultural resources management plan.~~

~~A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources. (CEQA, Section 15041, [Initial Study, "Cultural Resources" Mitigation Measures V-1 and V-2] TCOC, Section 14.10.150)~~

MONITORING PROVISION: Refer to IS/MND Pages 3-25 and 3-26. ~~Mitigation would be monitored by County staff during any construction activities.~~ Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)

40. FPB Potential fire hazard shall be reduced through a fuel modification program approved by Tuolumne County Planning and Fire Prevention. The fuel modification program shall provide for the reduction of flammable vegetation by the thinning of brush, small trees and the removal of piles of dead brush from the project site. The fuel modification plan shall be completed prior to the issuance of the Certificate of Occupancy. (TCOC Section 15.20.060 & 16.08.030)

~~38.40.~~ FPB Fire flow requirements for new residential development shall be 500 gpm at 20 psi for 0.5 hours. The required fire flow shall be on site, tested and approved by Tuolumne County Fire Prevention prior to the issuance of building permits. (TCOC Section 15.20.010)

~~39.41.~~ FPB Fire hydrant installations with required fire flow and locations in residential areas shall meet all requirements of Tuolumne County Ordinance Code 15.20.030. (TCOC 15.20.030)

~~40.42.~~ FPB All proposed access to the project shall be constructed to meet current road requirements. Fire apparatus access roads shall be provided, constructed and maintained as follows: The roads shall be constructed to have an

unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13' 6" feet. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. All cul-de-sac/hammerhead roads shall terminate in a design approved by the Fire Prevention Bureau ~~40' radius turn bulb~~. (CFC Sections 503 TCOC Title 11)

- ~~41.43. ED~~ Commercial driveways, meeting the requirements of Title 11 for onsite roads, must be paved and extended within 150 feet of all portions of all buildings. An encroachment detail plan submitted for review and approval (TCOC, Section 11.16.020).
- ~~42. FPB~~ A letter shall be submitted by a licensed surveyor or registered civil engineer to the Engineering Development Division containing demonstrated proof that all driveways proposed to serve the project can be constructed from the access road to each building site or parcel to the standards specified in Title 11 of the Tuolumne County Ordinance Code. (TCOC Section 16.24.150(E))
44. FPB All roads accessing the project site shall be cleared of flammable vegetation over 18 inches in height to a distance of 25 feet from the centerline of the road. (TCOC Section 15.20 and CFC Section 503)
- ~~45. ED~~ Sidewalk facilities, in addition to curb and gutter and appropriate pedestrian ramps, shall be provided along the project's Greenley Road frontage. (TCOC 17.68.150)
- ~~46. ED~~ Sidewalk facilities shall be provided along Cabezut Road, including corner ramps. Existing sidewalks and/or pedestrian ramps shall be reconstructed to meet current ADA standards, if deficient. (TCOC 17.68.150)
- ~~47. ED~~ Trees and/or other vegetation shall be removed along the Cabezut Road project frontage, between Greenley Road and Cedar Road N, to correct sight distance deficiencies, and proposed landscaping or other site improvements within the sight easement shall be designated to maintain clear sight distances from the intersection of Cedar Road N and Cabezut Road (Initial Study Transportation Mitigation Measure TRANS-1).
- ~~48. ED~~ Cabezut Road shall be repaved along the project frontage to the centerline of the road. Cedar Road N shall be repaved along the project frontage to the centerline of the road. (TCOC 17.68.150)
- ~~49. ED~~ The central island proposed in the Greenley Road project entrance shall be designed to be mountable, so as to accommodate larger vehicles (Initial Study Transportation Mitigation Measure TRANS-3).
- ~~50. ED~~ A crosswalk shall be installed across Cedar Road N at the intersection of Cabezut Road. No other sidewalks are required. (TCOC 17.68.150)
- ~~51. ED~~ Existing roadway striping on Greenley Road shall be modified to convert
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the existing left turn pockets into a continuous central left-turn lane between the Cabezut Road/Morning Star Drive intersection and the Sylva Lane intersection. (TCOC 17.68.150)

The following on-going conditions also apply to development of this project:

44.52. LU

The development shall adhere to the Inclusionary Housing Plan for the project, which includes reduced parking standards and fee waivers for County Services Impact Mitigation Fees, application fees for discretionary entitlements, and building permit fees. Fee waivers, as permitted by Tuolumne County Ordinance Code section 3.40.040(C).

**CONDITIONS OF APPROVAL
SITE DEVELOPMENT PERMIT SDP21-008
FOR HIDDEN MEADOW TERRACE**

General Conditions:

1. LU As a condition of the grant of approval of the Site Development Permit, Applicant shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the permit or arising out of, or in connection with the acts or omissions of Applicant, its agents, employees, or contractors. With respect to acts or omissions of the Applicant, its agents, employees, or contractors, its obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void or annul the approval of the permit, including any contention the permit or its approval is defective because a County ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Applicant will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. With respect to the County's approval, this obligation applies only to actions or proceedings brought within the time period provided for in Government Code Section 66499.37 and is conditioned on the County promptly notifying the Applicant of any claim, action, or proceeding and cooperating fully in the defense. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached (TCOC Section 16.06.090).

Prior to issuance of a Grading Permit the following conditions shall be met:

2. ED A Grading Permit shall be obtained from the Roads Division of the Public Works Department prior to any grading (TCOC, Section 12.20.050).
 3. LU/ED Submit a lighting plan for review and approval by the Planning Division of the Community Development Department and the Engineering Division of the Public Works Department. (CEQA, Section 15041, [Initial Study, "Aesthetics" Mitigation Measure I-1])
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MONITORING PROVISION: Refer to IS/MND Pages 3-4 and 3-33. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)

4. ED Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) General Permit for construction related storm water discharge) for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction related storm water discharge and the State Water Resources Control Board Water Permitting Unit shall be contracted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre and should be submitted to SWRCB. Obtain and NOI or an exemption from requirements.
 5. ED Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site. (TCOC, Section 12.20.270-280).
 6. ED An Encroachment Permit shall be obtained from the Engineering Division of the Public Works Department for any work within the County road right-of-way along Greenley Road and Cabezut Road (TCOC, Section 12.04).
 7. ED A Parking Area Plan shall be submitted to the Engineering Division of the Public Works Department for review and acceptance. Plans shall address internal traffic circulation, parking stall layout and include necessary striping, marking and signing. All parking areas and traveled ways on the site shall be paved, striped and lined in accordance with approved plans. The parking plan shall be submitted in connection with the site grading and drainage plans. (TCOC, Section 17.68.150; 17.60)
 8. ED All property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress (TCOC, Section 12.20).
 9. ED All soils disturbed by clearing and grubbing or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible and before October 15 of the construction year, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).
 10. ED The applicant shall submit an erosion control plan, or SWPPP, for any construction to take place at any time of the year. In the absence of such
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approved and implemented plan, all construction shall cease, per Clean Water Act (TCOC, Title 12).

11. ED All parking areas and traveled ways on the site shall be paved (TCOC, Section 17.60.070 C).
 12. ED Drainage improvements shall be installed in accordance with plans approved by the Engineering Division of the Public Works Department. (TCOC Sections 11.04, 11.12, 16.26.180)
 13. ED Exposed serpentine gravel is prohibited on the construction site. (Health and Safety Code, Section 93106)
 14. ED/BD Property owner shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and at all other intervals, as need dictates, to control dust. (CEQA, Section 15041, [Initial Study, "Air Quality"]; TCOC, Section 12.20.370).
 15. ED Submit a Preliminary Soils Report to the Engineering Division of the Public Works Department for review and approval. The report shall disclose any soils problems which may lead to structural defects. The report should recommend cut and fill ratios, erosion control measures and a typical road structural section for the soils encountered. The report shall be prepared by a registered civil engineer. (TCOC, Section 16.26.150)
 16. ED Commercial driveways, meeting the requirements of Title 11 for onsite roads, must be paved and extended within 150 feet of all portions of all buildings. An encroachment detail plan submitted for review and approval (TCOC, Section 11.16.020).
 17. ED Verify that a Road and/or Public Utility Easement a minimum of 25 feet in width from the existing centerline of Cedar Road N as it abuts the project property has been dedicated (TCOC, Section 17.68.150).
 18. ED Provide a 15 foot easement along all existing pipes that are not located in a road and public utility easement. (TCOC, Section 16.24.180).
 19. BD Obtain a Building Permit from the Building and Safety Division of the Community Development Department prior to installation of any utilities within the adjacent County road rights-of-way. A complete application, including three (3) copies of all civil drawings meeting the minimum requirements of the current version of the Building and Safety Division Plot Plan Checklist, including reference details for the installation of each utility, shall be submitted with the application for a Building Permit. (TCOC, Section 15.04.010)
 20. LU Pre-construction surveys shall be conducted, and necessary avoidance or mitigation measures shall be prescribed, by a qualified biologist in
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accordance with the procedures described in the referenced sections of the Madrone Biological Resources Assessment (Appendix B of this IS/MND) for the following:

- Active bumble bee colony nesting sites, within 14 days prior to construction (BRA Section 7.3). If a colony is found, consultation with CDFW will be necessary and an Incidental Take Permit from CDFW may be required prior to disturbance.
- California red-legged frog prior to construction (Section 7.4).
- Western pond turtle, within 150 feet of the intermittent and perennial drainages, within 48 hours prior to construction in those areas (Section 7.5).
- Roosting bat surveys within 14 days prior to any tree removal that will occur during the breeding season, from April through August (Section 7.7).

(CEQA, Section 15041, Initial Study Biological Resources Mitigation Measure BIO-2)

MONITORING PROVISION: Refer to IS/MND Page 3-20. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

21. LU

Prior to any construction activity on the project site between February 1st and September 1st, a pre-construction nesting bird survey shall be conducted by a qualified biologist throughout the project site and all accessible areas within a 250-foot radius of proposed construction areas, no more than 14 days prior to the initiation of construction, in accordance with the specifications of Section 7.6 of the Madrone Biological Resource Assessment. If nesting birds are discovered, avoidance or mitigation shall be provided consistent with the recommendations of the above-referenced Section 7.6. If no nests are found, no further mitigation is required. If there is a break in construction activity of more than 14 days, then subsequent surveys may be required. (CEQA, Section 15041, Initial Study Biological Resources Mitigation Measure BIO-5)

MONITORING PROVISION: Monitored by County staff and the California Department of Fish and Wildlife prior to the initiation of, and during, any construction activities. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

22. ED

All grading both on and off the site shall be completed in compliance with the Grading Permit issued by and the grading plans approved by the Engineering Division of the Public Works Department. (TCOC, Chapter 12.20)

23. ED Submit a drainage plan to the Engineering Division of the Public Works Department for review and approval.. The drainage plan shall address the concerns listed below: (TCOC Sections 11.04.050E; 12.20.300-12.20.360; 16.26.180):
- a. The entire project site, including the parking lot drainage;
 - b. The increased runoff and effect to downstream drainages, culverts and adjacent property; and
 - c. On-site detention/retention shall be required; or an approved equivalent collection, storage, and discharge system shall be approved by the Engineering Division.
24. ED/LU Exterior lighting shall be installed in compliance with the lighting plan approved by the Community Development Department referenced in Condition 3. (CEQA, Section 15041, [Initial Study, "Aesthetics" Mitigation Measure I-1])
- MONITORING PROVISION:** Noted on the construction plans and monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)
25. ED The project site shall be provided public water for domestic purposes by the Tuolumne Utilities District (TUD). An agreement with TUD would stipulate the terms and conditions by which the project proponent would construct and TUD would accept ownership of and the responsibility to operate and maintain the improvements. Prior to service by TUD, the project proponent would be required to pay to TUD all applicable fees and charges, including water capacity charges.
26. ED The project site shall be connected to the public sewer system operated by the TUD. An agreement with TUD would stipulate the terms and conditions by which the project proponent would construct and TUD would accept ownership of and the responsibility to operate and maintain the improvements. Prior to service by TUD, the project proponent would be required to pay to TUD all applicable fees and charges, including sewer capacity charges (TCOC, Sections 13.08.150 and 17.20.010).
27. ED All water, sewer and other utility improvements shall be installed in accordance with the plans approved by the Engineering Division of the Public Works Department and by the TUD. An encroachment permit is required for work within the County road right-of-way (TCOC, Titles 12, 13 and 16).
28. ED Road Encroachments shall be installed in accordance with the plans approved by the Engineering Division of the Public Works Department. (TCOC, Section 12.04.010).
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29. ED Submit utility improvement plans to the Engineering Division of the Public Works Department for review and approval. (TCOC, Titles 12, 13, and 16).
30. ED Submit to the State Water Resources Control Board, Storm Water Permitting unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) general permit for construction related storm water discharges) for the disturbance or one acre or more. Obtain an NOI or an exemption from requirements. (Federal Water Pollution Control Act, State Water Resources Control Board).
31. ED The property owner shall submit an erosion control plan to the Engineering Division of the Public Works Department for any construction to take place between October 15 and May 15 of any year. In the absence of such approved and implemented plan, all construction shall cease on or before October 15 except that necessary to implement erosion control measures. (TCOC, Section 12.20.150(H))
32. APCD Secure burning permits from the Tuolumne County Air Pollution Control District and the California Department of Forestry and Fire Protection prior to burning vegetation on the site. (General Plan Implementation Program 12.D.d; TCAPCD Rules and Regulations, Regulation III)

The following conditions apply to development of this project. The owner of the property at the time of construction shall be responsible for compliance with the following conditions:

33. ED/BD Hours of exterior construction on the project site shall be limited to 8:00 a.m. to 6:00 p.m. Monday through Saturday. Construction shall be prohibited on Sunday and County Holidays. Exceptions to these hours may be authorized by the Community Resources Director. (CEQA, Section 15041, [Initial Study, "Noise" Mitigation Measure XIII-1])
- MONITORING PROVISION:** Noted on the construction plans and monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.
34. AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
35. AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to
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prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)

36. AG All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)

37. AG The property owner shall maintain and implement an effective program for the monitoring and control of noxious weeds. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 5401 and 5402)

38. SW All solid waste from demolition or construction activities shall be disposed of at facilities authorized by the Board of Supervisors by resolution, including the Highway 59 landfill in Merced. Solid Waste that is not accepted at this facility may be disposed of at an alternative facility that is permitted to receive the waste. (TCOC, Section 7.12.050)

39. LU The developer shall make a good faith effort to hire firms that are based in Tuolumne County and utilize suppliers and vendors whose primary place of business is in Tuolumne County. (TCOC, Section 16.06.090)

38. LU Archaeological monitoring of initial project-related ground disturbances shall be conducted by a qualified professional archaeologist, who shall be retained by the project applicant. If any subsurface cultural resources are encountered during construction of the project, the Tuolumne County Community Development Department shall be notified, and all construction activities within 50 feet of the encounter shall be halted until the archaeologist can examine these materials, determine their significance, and recommend mitigation measures that would reduce potential effects on the find to a level that is less than significant. Recommended measures may include, but are not limited to, 1) preservation in place, or 2) excavation, recovery, and curation by qualified professionals. The project developer shall be responsible for implementing recommended mitigation measures and documenting mitigation efforts in a written report to the County's Community Development Department, consistent with the requirements of the CEQA Guidelines. (CEQA, Section 15041, Initial Study, Cultural Resources Mitigation Measure BIO-5))

MONITORING PROVISION: Refer to IS/MND Pages 3-25 and 3-26. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)

40. FPB Potential fire hazard shall be reduced through a fuel modification program approved by Tuolumne County Planning and Fire Prevention. The fuel

modification program shall provide for the reduction of flammable vegetation by the thinning of brush, small trees and the removal of piles of dead brush from the project site. The fuel modification plan shall be completed prior to the issuance of the Certificate of Occupancy. (TCOC Section 15.20.060 & 16.08.030)

40. FPB Fire flow requirements for new residential development shall be 500 gpm at 20 psi for 0.5 hours. The required fire flow shall be on site, tested and approved by Tuolumne County Fire Prevention prior to the issuance of building permits. (TCOC Section 15.20.010)
 41. FPB Fire hydrant installations with required fire flow and locations in residential areas shall meet all requirements of Tuolumne County Ordinance Code 15.20.030. (TCOC 15.20.030)
 42. FPB All proposed access to the project shall be constructed to meet current road requirements. Fire apparatus access roads shall be provided, constructed and maintained as follows: The roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13' 6" feet. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. All cul-de-sac/hammerhead roads shall terminate in a design approved by the Fire Prevention Bureau. (CFC Sections 503 TCOC Title 11)
 43. ED Commercial driveways, meeting the requirements of Title 11 for onsite roads, must be paved and extended within 150 feet of all portions of all buildings. An encroachment detail plan submitted for review and approval (TCOC, Section 11.16.020).
 44. FPB All roads accessing the project site shall be cleared of flammable vegetation over 18 inches in height to a distance of 25 feet from the centerline of the road. (TCOC Section 15.20 and CFC Section 503)
 45. ED Sidewalk facilities, in addition to curb and gutter and appropriate pedestrian ramps, shall be provided along the project's Greenley Road frontage. (TCOC 17.68.150)
 46. ED Sidewalk facilities shall be provided along Cabezut Road, including corner ramps. Existing sidewalks and/or pedestrian ramps shall be reconstructed to meet current ADA standards, if deficient. (TCOC 17.68.150)
 47. ED Trees and/or other vegetation shall be removed along the Cabezut Road project frontage, between Greenley Road and Cedar Road N, to correct sight distance deficiencies, and proposed landscaping or other site improvements within the sight easement shall be designated to maintain clear sight distances from the intersection of Cedar Road N and Cabezut Road (Initial Study Transportation Mitigation Measure TRANS-1).
 48. ED Cabezut Road shall be repaved along the project frontage to the centerline
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of the road. Cedar Road N shall be repaved along the project frontage to the centerline of the road. (TCOC 17.68.150)

- 49. ED The central island proposed in the Greenley Road project entrance shall be designed to be mountable, so as to accommodate larger vehicles (Initial Study Transportation Mitigation Measure TRANS-3).
- 50. ED A crosswalk shall be installed across Cedar Road N at the intersection of Cabezut Road. No other sidewalks are required. (TCOC 17.68.150)
- 51. ED Existing roadway striping on Greenley Road shall be modified to convert the existing left turn pockets into a continuous central left-turn lane between the Cabezut Road/Morning Star Drive intersection and the Sylva Lane intersection. (TCOC 17.68.150)

The following on-going conditions also apply to development of this project:

- 52. LU The development shall adhere to the Inclusionary Housing Plan for the project, which includes reduced parking standards and fee waivers for County Services Impact Mitigation Fees, application fees for discretionary entitlements, and building permit fees. Fee waivers, as permitted by Tuolumne County Ordinance Code section 3.40.040(C).
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HIDDEN MEADOW TERRACE

SURFACE/MINERAL

RIGHTS OWNER: Sonora Community Hospital/Adventist Health

APPLICANT: Visionary Home Builders of California, Inc.

PROJECT AND LOCATION

PROJECT

DESCRIPTION:

1. Mitigated Negative Declaration (IS/MND) for Site Development Permit SDP21-008, General Plan Amendment GPA21-003, and Zone Change RZ21-010.
2. Site Development Permit SDP21-008 to allow the development of an apartment complex, consisting of 72 units in four buildings along with a community center building, on a 5.93-acre site.
3. General Plan Amendment GPA21-003 to amend the General Plan land use designation from Neighborhood Commercial (NC) to High Density Residential (HDR).
4. Zone Change RZ21-010 to rezone the 5.93-acre project site from NC (Neighborhood Commercial) to R-3 (High Density Residential) under Title 17 of the Tuolumne County Ordinance Code.

LOCATION:

The project site is located at 20080 North Cedar Road, at the northeastern corner of the intersection of Greenley Road and Cabezut Road in Sonora. The 5.93-acre project site is identified as Assessor's Parcel Number (APN) 044-420-37. The site is shown on the U.S. Geological Survey Standard, California 7.5-minute quadrangle map as being within Section 31, Township 2 North, Range 15 East, Mt. Diablo Base and Meridian. Supervisorial District 1.

GENERAL PLAN:

The project site is currently designated Neighborhood Commercial (NC) by the Tuolumne County General Plan land use diagram. The proposed project includes a General Plan Amendment to change the General Plan land use designation from NC to High Density Residential (HDR). The proposed zone change to R-3 is consistent with the HDR land use designation. The proposed residential density is consistent with that allowed by the General Plan HDR land use designation.

ENVIRONMENTAL EVALUATION

In accordance with the California Environmental Quality Act (CEQA), the Environmental Coordinator for the County conducted an Initial Study to determine whether the proposed project would have a significant effect on the environment. Based on that study, the Environmental Coordinator determined that, although the project as originally proposed had the potential to have a significant effect on the environment, the project has been modified by incorporating measures to mitigate the potential impacts. Therefore, an IS/MND has been prepared. Pursuant to Section 21091 of the Public Resources Code, the IS/MND was made available for public review on October 1, 2021, and the 30-day comment period closed on November 1, 2021. The County received seven comment letters regarding the IS/MND. Those letters are included at the end of the Initial Study.

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RECOMMENDATION

1. Community Development Department Staff recommends approval of the Initial Study/Mitigated Negative Declaration prepared for this project based upon the following findings:
 - A. The proposed project will not result in significant adverse impacts to the environment.
 - B. The IS/MND was prepared in accordance with CEQA and State and County guidelines for the implementation of CEQA.
 - C. The IS/MND reflects the independent judgment of the County of Tuolumne.
 - D. Pursuant to Section 21081.6(a)(1) of the Public Resources Code, a reporting and/or monitoring plan has been prepared in order to avoid significant effects on the environment.
 - E. Pursuant to Section 21081.6(a)(2) of the Public Resources Code, the custodian and location of the documents and materials which constitute the record of proceedings upon which this decision to adopt the IS/MND has been made are as follows:

Clerk of the Board of Supervisors, 2 South Green Street, Sonora, California.

Environmental Coordinator/Community Development Department Director,
Tuolumne County Community Development Department, 48 Yaney Ave., Sonora,
California.

Fire Prevention Division, Tuolumne County Fire Department, 48 Yaney Ave., Sonora,
California.
2. Community Development Department Staff recommends approval of Site Development Permit SDP21-008 based upon the following findings:
 - A. The proposed project is consistent with the goals and policies of the Tuolumne County General Plan.
 - B. The proposed project will not overburden existing public facilities.
 - C. The potential environmental effects of the proposed project were analyzed in an Initial Study/Mitigated Negative Declaration (IS/MND) prepared in accordance with CEQA, and it has been determined that the proposed project will have no significant effect on the environment with the implementation of mitigation measures identified in the IS/MND.
 - D. The proposed project will not be substantially detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of such proposed development or be substantially detrimental or injurious to property or improvements in the neighborhood.
3. Community Development Department Staff recommends approval of General Plan Amendment GPA21-003 based upon the following findings:
 - A. The proposed General Plan Amendment is consistent with the Tuolumne County General Plan.

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- B. The project site is suited to the uses permitted under the proposed land use designation.
 - C. It is in the public interest to amend the Tuolumne County General Plan to allow future use of the project site which is consistent with the policies and programs of the General Plan and the land use patterns of the area surrounding the project site.
4. Community Development Department Staff recommends approval of Zone Change RZ21-010 based upon the following findings:
- A. The proposed Zone Change is consistent with the Tuolumne County General Plan.
 - B. The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.
 - C. The project site is suited to the uses permitted under the proposed zoning district.
 - D. It is in the public interest to rezone the project site to allow future use of the project site which is consistent with the policies and programs of the General Plan and the land use patterns of the area surrounding the project site.

GENERAL INFORMATION

Site Description

- 1. The project site is undeveloped and covered by oak woodland, annual grassland, and riparian vegetation along Sonora Creek. It is surrounded by urban development projects in the adjacent City of Sonora and unincorporated Sonora. The site is bounded by Sonora Creek to the north, Cabezut Road to the south, Greenley Road to the west, and Cedar Road to the east. Existing development in the project vicinity is predominantly high-density residential and commercial/medical offices. The project site surrounds Adventist Hospice on three sides.

Site History

- 2. The project site has been mostly undisturbed. As noted above, development has occurred in the area surrounding the project site. The most notable development has been the construction of Adventist Hospice, which opened in 1982. This has included the Tuolumne County Department of Social Services and Tuolumne County Public Health buildings to the east, Quail Hollow One apartment complex and medical office buildings, apartment buildings to the west across Greenley Road, and the Kingdom Hall of Jehovah's Witnesses and office buildings to the south across Cabezut Road.

Project Description

- 3. The project proposes to construct an apartment complex consisting of five buildings on a 5.93-acre site. Four of these buildings would be apartment buildings that would provide a total of 72 apartment units: 7 one-bedroom, 47 two-bedroom, and 18 three-bedroom. All units are intended to be offered at a rent affordable to households making 30-50 percent of the local Area Median Income. The apartment buildings, all three-story, would be approximately 44 feet in height.

In the southern portion of the project site, a one-story community center for apartment residents would be constructed. The community center would have approximately 6,000 square feet of floor area. The leasing office and general office space would be located in the

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community center, along with computer laboratories and a Head Start daycare facility. A Head Start play yard would be adjacent to and west of the community center as well as a tot lot for children and a sport court for all residents.

4. The project proposes 85 parking spaces located throughout the project site available to residents and visitors. A reduction in parking from the required 153 spaces is being considered under Resolution 68-12 and is being considered pursuant to 17.65 and TCOC 17.65.090. Main access to the project site would be provided by a gated driveway off Greenley Road near the community center building. This driveway would lead to a traffic circle, from which access would be available to other parts of the project site. Traffic leaving the project site from this driveway would be allowed to make all turns. Another entry driveway would be provided at the northern end of the project site off Phoebe Lane. A transit stop is located on Cedar Road.
5. The project would connect to existing water and sanitary sewer lines within or adjacent to the site which are managed by the Tuolumne Utilities District (TUD). Electricity and telecommunications utilities would be provided by way of connections to existing infrastructure in the immediate project vicinity. Dumpsters and other onsite utility facilities would be enclosed or otherwise screened from view in accordance with County standards. For storm drainage, the project proposes an onsite collection system that sends runoff to a proprietary treatment device to treat the runoff before it is discharged to an existing drainage channel near the center of site through an outlet just outside the channel boundary. One or two treatment devices would be used.

General Plan Consistency

6. The project site is currently designated NC pursuant to Figure 1.6 of the General Plan. The project includes a General Plan Amendment to amend the land use designation from NC to HDR.
7. The HDR General Plan land use designation provides for residential neighborhoods of grouped or clustered single-family dwellings, duplexes, apartments, dwelling groups, condominiums, mobile home parks and townhouses to economically and efficiently meet a variety of urban housing needs. The HDR designation is applied to areas with a minimum parcel size of 12,500 net square feet; however, this minimum may be reduced for the provision of affordable housing. Typical land uses within the HDR land use designation include detached and attached single-family dwellings, secondary dwellings, all types of multiple family dwellings, such as duplexes, apartments and senior housing projects, residential accessory uses, parks, child care facilities, and public facilities.
8. Table 1.2 of the Technical Background Report of the General Plan indicates that the maximum allowable building intensity under the HDR land use designation is fifteen (15) dwelling units per acre. The proposed project would result in a maximum of approximately 12.1 dwelling units per acre; therefore, it would not exceed the allowed density under the HDR designation.
9. The project is consistent with the following General Plan Policies and Implementation Programs in the 2018 General Plan:

General Plan Policy/Implementation Program	
Policy 2.A.4	Encourage residential infill development through flexible development standards in areas of the County where adequate public facilities and services are already in place taking into consideration the visual character of the neighborhood.
Imp P	Encourage consolidation of infill parcels for provision of multifamily residential

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2.A.g	development.
GOAL 2B	Encourage and promote the development and rehabilitation of extremely low-, very low-, low-, median-, and moderate income housing for the residents of Tuolumne County to meet the regional housing need.
Policy 2.B.1	Provide incentives and fee waivers for the construction of extremely low-, very low-, low-, median- and moderate-income housing. Encourage new development to provide housing that is affordable to all segments of the community.
Imp P 2.B.b	Continue to waive application fees and Building Permit fees for discretionary entitlements for housing developments which include an affordable housing component on a percentage basis.
Imp P 2.B.c	Continue to waive the County Services Impact Mitigation Fee for extremely low, very low, low, and median income housing units.
Imp P 2.B.d	Implement the Inclusionary Housing Ordinance in order to encourage the development of a variety of types of housing for all income levels and assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and median-income households.
Policy 2.B.6:	Facilitate expanded housing opportunities that are affordable to the workforce of Tuolumne County to support economic development and help ensure that workers have the ability to afford housing in the community where they work.

10. The site is within the East Sonora Community Plan area. The East Sonora Design Guidelines are applicable to all projects that require a discretionary entitlement within the boundaries of the Community Plan. The Guidelines are intended to protect and preserve the scenic resources of East Sonora, maintaining its rural, small-town character. The proposed project is consistent with the Design Guidelines because it is locating new development near existing developed areas, preserving the natural areas of the creek, and minimizing tree removal to the extent feasible.

11. The project is consistent with the following General Plan Policies and Implementation Programs in the East Sonora Community Plan, located in Volume III of the 2018 General Plan:

General Plan Policy/Implementation Program	
ES A.3	Emphasize native vegetation and natural topography as paramount in the design of residential developments, and review new development for architectural compatibility with the surrounding environment. Hillside construction should nestle in among trees and use an architectural design to blend with the environment.
ES A.6	Require new urban residential development to provide amenities such as pedestrian walkways, bicycle paths, street lights, landscaping and recreational facilities.
ES A.c	Require new residential development of five or more units to participate in the provision of recreational facilities as follows: Recreation facilities for multiple family housing projects will be provided on site.
ES E.1	Protect outstanding scenic resources and viewsheds which contribute to the recreational enjoyment of the East Sonora community and help define the character of that community
ES E.2	Encourage and support voluntary efforts to protect and enhance Sullivan Creek, Elsey's Pool, Curtis Creek, Sonora Creek and associated riparian vegetation for scenic and recreational values
ES E.d	Require as a condition of approval of discretionary entitlements for new development that surface runoff from that development be filtered through sedimentation basins, sand/oil separators or similar devices prior to discharge into

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Sullivan, Sonora and Curtis Creeks to minimize degradation of their waters.

Zoning Ordinance

12. The project site is currently zoned NC under Title 17 of the Tuolumne County Ordinance Code. The project includes a zone change to rezone the project site from NC to R-3. The R-3 zoning district is consistent with the HDR land use designation pursuant to Table 1.3 of the of the Technical Background Report of the General Plan.

No Place Like Home funding, SB 330 and Fee Incentives

12. In 2020, the Board of Supervisors awarded the applicant, Visionary Home Builders, with a contract to direct a \$500,000 grant from No Place Like Home and other grant funds to support the completion of this project. The contract approved in 2020 intended to establish a relationship between Visionary Home Builders and the County concerning County NPLH Grant funds so that they can begin their predevelopment studies, project plans and financing applications. Visionary Home Builders will purchase the project site directly from Adventist Health and VHB would secure all the financing for the project, seek necessary project approvals, build and own it. The County is not involved in the ownership and does not assume any liability for the project. This board memo can be found in Attachment 5.
13. Senate Bill (SB) 330, "The Housing Crisis Act of 2019," became effective January 1, 2020. The bill establishes a statewide housing emergency that is in effect until January 1, 2025. For the duration of the housing emergency, SB 330 provides a new preliminary application process which freezes the policies, standards, and fees in effect when a Preliminary Application Form is deemed complete. The purpose of the preliminary application is to collect specified site and project information to determine the zoning, design, subdivision, and fee requirements that will apply to the housing development project throughout the review and entitlement process. The expedited permitting process under SB 330 is available to all housing development projects that require discretionary review, including any residential development, mixed use projects with a minimum of two-thirds of development square footage designated for residential use, and transitional or supportive housing projects.
14. The project applicant is requesting that the County review and approve the project in accordance with SB 330 and has submitted information to the County, including a Preliminary Application, pursuant to SB 330 requirements. The County deemed the SB 330 application complete on July 6, 2021.
15. Tuolumne County Ordinance Code Section 17.65.020 requires an inclusionary housing plan for discretionary land use entitlements proposing residential development of five or more units, including tentative maps, conditional use permits, site development permits, site review permits, and planned unit development permits for which the property owner has requested incentives. As noted, the project proposes that all units be offered at a rent affordable to households making 30-50 percent of the local Area Median Income. In accordance with Section 17.65.020, the project has submitted this inclusionary housing plan as part of a request for the following incentives:
 - Reduced parking standard pursuant to California Government Code Section 65915 and Tuolumne County Ordinance Code Section 17.65.090.
 - Reduced parking standards are listed in Resolution 68-12, Category B "Additional Incentives", and is being considered pursuant to TCOC 17.65.090.

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- Fee waivers for County Services Impact Mitigation Fees, application fees for discretionary entitlements, and building permit fees. Fee waivers shall be granted in accordance with County Code Section 3.40.040(C).
 - Fee waivers are listed in Resolution 68-12, Category A “Standard Incentives” and are available to developers who comply with TCOC Chapter 17.65 Inclusionary Housing. This project is proposed to be in compliance with TCOC 17.65.

Grading and Other Construction Activities

16. The project site would require grading to accommodate the buildings and parking areas. Grading would be conducted in accordance with the Tuolumne County Grading Ordinance. To the extent feasible, existing trees would remain on the project site; however, some trees would need to be removed to accommodate development. Existing identified wetland areas on the project site would be avoided; an intermittent wetland in the southern portion of the site would be crossed with a clear-span bridge at one location east of the proposed traffic circle.

Biological Resources

17. As described in the Biological Resources Section of the IS/MND, the northern portion of the project site is dominated by Sonora Creek and its associated riparian corridor; this and a similar riparian corridor along an intermittent drainage in the southern portion of the project site that discharges to Sonora Creek is comprised of Valley oak woodland. A small interior live oak woodland occurs on the terrace above where the intermittent tributary joins Sonora Creek. Mixed oak woodland, consisting of Valley oak, interior live oak, and blue oak, was identified along Greenley Road. The remainder of the project site is comprised of annual brome grassland.
18. A Biological Resources Assessment (BRA) was completed for the project site by Madrone Ecological Consulting, LLC. The BRA identified six special-status plant species that could potentially occur on the project site. None of the special-status plant species were detected by field surveys conducted as part of the BRA. Therefore, the probability of their occurrence on the project site is considered low. However, given enough time, plants may become established in areas where suitable habitat exists. The BRA recommended that special-status plant surveys shall be conducted in areas proposed for construction disturbance if construction work commences after April 1, 2024. This recommendation was incorporated as Mitigation Measure BIO-1 in the project IS/MND.
19. The BRA identified seven special-status wildlife species that could potentially occur on the project site, of which two were determined to have a high probability of occurrence: the San Joaquin roach (a fish species) and the pallid bat. The San Joaquin roach exists in exclusively aquatic habitat such as Sonora Creek, which would not be impacted by the project. The pallid bat has access to suitable roosting habitat in tree hollows and under exfoliating bark on trees throughout the site. With the project proposing tree removal, pallid bat could be impacted. Other special-status species and their habitats, such as the Crotch bumblebee, the California red-legged frog, the western pond turtle, and the Townsend’s big-eared bat, could be adversely affected by the project. Based on the recommendations of the BRA, the Biological Resources Section of the IS/MND identified Mitigation Measures BIO-2 and BIO-3 to reduce any potential special-status wildlife impacts resulting from the proposed project to a less-than-significant level.
20. The project would not affect aquatic habitat on the project site, so fish movement corridors would not be affected by the project. However, tricolored blackbird has the potential to nest

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within the project site, as do other more common bird species protected by the Migratory Bird Treaty Act. Both nest removal and construction disturbance involve potential impacts on these species. The Biological Resources Section of the IS/MND identified Mitigation Measure BIO-5 to reduce any potential impacts on migratory birds resulting from the proposed project to a less-than-significant level.

21. As noted, riparian corridors have been established along Sonora Creek and an intermittent tributary on the project site. Development of the project site would impact some of these corridors. As the California Department of Fish and Wildlife (CDFW) asserts regulatory control over riparian vegetation, CDFW would require formal notification of potential riparian area impacts and possibly the submittal of a Lake and Streambed Alteration Agreement application. The Biological Resources Section of the IS/MND identified Mitigation Measure BIO-4, which would require compliance with CDFW requirements and implementation of appropriate avoidance and minimization measures. This mitigation measure would reduce any potential impacts on riparian vegetation resulting from the proposed project to a less-than-significant level.
22. The BRA identified several Waters of the U.S. and/or wetlands within the project site that are potentially subject to the jurisdiction of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. These include 0.419 acres on Sonora Creek along the western boundary of the site, 0.23 acres of an intermittent drainage in the southern portion of the site, a seasonal wetland of 0.028 acres along Cedar Road south of the Adventist Hospice, and a riparian wetland of 0.068 acres along Cedar Road near its intersection with Cabezut Road. The project as proposed would avoid direct impacts on all these waters. The project proposes a crossing of the intermittent drainage; however, this crossing is designed to span the drainage entirely, thereby avoiding impacts. Therefore, the BRA concluded that the project would have no significant impact on Waters of the U.S. or wetlands, and no mitigation measures would be required.
23. The conservation of oaks and oak woodlands in Tuolumne County is addressed in Chapter 9.24 of the Tuolumne County Ordinance Code. Chapter 9.24 prohibits the premature conversion of oak woodland. The BRA found that the project site has a total of 3.07 acres of oak woodlands. The project would potentially convert 1.47 acres of these oak woodlands. Based on the recommendations of the BRA, the Biological Resources Section of the IS/MND identified Mitigation Measures BIO-6 and BIO-7 to reduce any potential oak woodland impacts resulting from the proposed project to a less-than-significant level.

Transportation

24. As described in detail in the Transportation and Traffic Section of the IS/MND, based on the buildout of the project site with 72 units, the proposed project would be anticipated to result in 391 average daily trips, with approximately 25 trips during the AM peak hour and 32 trips during the PM peak hour. The addition of 22 AM peak hour and 32 PM peak hour trips would not be considered substantial. The traffic study for the project, which generated the estimated traffic figures, concluded that it is unlikely that the project would significantly affect traffic conditions on the adjacent County roads relative to Level of Service (LOS). All improvements on adjacent County roads will occur within the existing road right of way.
25. The State of California has recently added Section 15064.3 to the CEQA Guidelines. Section 15064.3 states that vehicle miles traveled (VMT) is the preferred method for evaluating transportation impacts, rather than the commonly used LOS. VMT accounts for the total environmental impact of transportation associated with a project, including use of non-vehicle travel modes. The Tuolumne County and City of Sonora SB 743 VMT Thresholds memorandum provides screening criteria used to determine whether certain types of projects

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can be assumed to have VMT impacts that are less than significant. One of these criteria is if the project is an affordable housing project. A project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT. The proposed project is an affordable housing development, with 100% of its units affordable to very-low-income households. Based on the adopted County thresholds, project impacts on VMT would be less than significant.

26. The project traffic study assessed sight distance adequacy at the Cedar Road/Cabezut Road, Greenley Road/proposed main driveway, and Phoebe Lane/proposed secondary driveway intersections, using standards in the Tuolumne County Community Resources Agency Roads Division Encroachment Permit Information Packet and Section 405.1 of the Caltrans Highway Design Manual dated July 1, 2020. The assessment concluded that adequate sight distance was available for all turns at all intersections, except for left turns from Cedar Lane to Cabezut Road. Based on the recommendation of the traffic study, the Transportation Section of the IS/MND identified Mitigation Measure TRANS-1 to improve sight distance at the Cedar Road/Cabezut Road intersection, thereby reducing potential impacts to a less-than-significant level.

Cultural Resources

27. As described in the Cultural Resources Section of the IS/MND, a Cultural Resource Technical Memorandum was prepared for the project site by Solano Archaeological Services. Activities involved in the preparation of the Technical Memorandum included a records search conducted by the Central California Information Center at California State University Stanislaus, archival and historical map research, and a field survey of the project site. Research indicated a potential structure at the 20080 North Cedar Road location from 1949 through the 1980s, when the structure was apparently demolished as part of construction of the hospice. The field survey found no traces of this previous structure. No other potential cultural resources were identified on the project site. However, five resources, including prehistoric sites, were recorded within the one-quarter mile search radius. Also, the project site is located immediately adjacent to Sonora Creek, and early Native American sites have been identified along the creek in the project vicinity. The Cultural Resources Section of the IS/MND identified Mitigation Measures CULT-1 and CULT-2 to reduce any potential cultural resource impacts resulting from the proposed project to a less-than-significant level.

Greenhouse Gas Emissions

28. As described in detail in the Greenhouse Gas Emissions Section of the IS/MND, based on CalEEMod modeling results, mitigated operational GHG emissions associated with the project would be approximately 29.6% less than under business-as-usual (unmitigated) conditions. As the County has not yet adopted a Climate Action Plan, the focus of the analysis was on the State's Scoping Plan. The 2017 Scoping Plan proposes various measures to achieve the 2030 target set under SB 32. Based on estimates in the 2017 Scoping Plan, State actions would account for 89.8% of GHG reductions needed by 2030, with local actions responsible for approximately 9.3% of reductions to meet the 2030 target. A project that can show GHG reductions greater than 9.3% can be said to be consistent with the reduction goals of SB 32. The 29.6% reduction associated with project operational emissions would exceed the local contribution by more than 200%. Therefore, the project would be consistent with the reduction goals of SB 32. Impacts related to GHG emissions and GHG reduction plans are considered less than significant.

Visual Quality

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29. As described in detail in the Aesthetic Section of the IS/MND, the project site is presently undeveloped vacant land with trees and other dense vegetation, which is located mainly along Sonora Creek. However, this development would be consistent with the development that currently exists in the area. The project would include landscaping that would enhance the visual quality of the development and would minimize the impacts of the change to the existing visual landscape. Tuolumne County Ordinance Code Section 15.28.030 requires that multifamily development set aside a minimum of 10 percent of its area for landscaping. In addition, the project would avoid development within the riparian area of Sonora Creek, thereby maintaining the visual quality and continuity of the creekside area through the East Sonora area. The project site is within the area covered by the County's East Sonora Design Guidelines. Although these Design Guidelines do not dictate mandatory design elements, they will be applied to the project during staff review of the project. Compliance with the East Sonora Design Guidelines would ensure that the project would have high visual quality.

Noise

30. As described in detail in the Noise Section of the IS/MND, the noise environment surrounding the project site is primarily influenced by vehicle traffic along Greenley Road, Cabezut Road, and Cedar Road. No other significant noise sources are in the vicinity. The proposed project would require a General Plan Amendment and Zone Change to allow for development of the site with apartments. Because residential land uses typically produce less noise than commercial land uses, the proposed project would likely result in a reduction of noise relative to what was previously anticipated for the site. However, the adjacent hospice is a noise sensitive land use. The project would result in a permanent increase in ambient noise levels over existing conditions, as the site is currently vacant. Project building entryways would be placed facing away from the hospice, so noise from entries and exits would be shielded by the building, except for Building 1 on Figure 2-1 of the IS/MND. However, Building 1 is approximately 125 feet away from the hospice, so entry/exit noise would be reduced by the time would reach the hospice building. Typical activities at the community center would be indoors, so little outdoor noise would be generated. Outdoor noise from the sport court would be occasional and would not typically occur during nighttime hours. Project operations would not generate noise at a level that would exceed standards applicable to stationary noise sources. Noise impacts from project operations would be less than significant.
31. During the construction of the proposed project, heavy equipment would be used for grading, excavation, paving, and building construction, which would increase ambient noise levels when in use. Noise levels would vary depending on the type of equipment used and how the equipment is operated. As such, a temporary increase in noise levels at the hospice could occur during construction activities associated with the proposed project. The Noise Section of the IS/MND identified Mitigation Measure NOISE-1 to reduce any potential construction noise impacts resulting from the proposed project to a less-than-significant level.

Utilities and Infrastructure

32. Water supply and sewer utilities for the proposed development would be provided by the Tuolumne Utilities District (TUD) through connections to existing water and sewer lines. Implementation of the proposed project would include connection to the existing utility infrastructure in the vicinity.
33. For storm drainage, the project proposes an onsite collection system that sends runoff to a proprietary treatment device to treat the runoff before it is discharged to an existing drainage channel near the center of site through an outlet just outside the channel boundary.

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34. Solid waste in Tuolumne County is collected by three solid waste providers: Cal Sierra Disposal; Burns Refuse Service; and Moore Bros. Scavenger Co. and is disposed of at the Highway 59 landfill in Merced.

Agency and Public Comments

35. Pursuant to Section 17.68.040 of the Tuolumne County Ordinance Code, the Community Development Department notified owners of property within 500 feet of the project site by mail on September 27, 2021 for Site Development Permit SDP21-008, General Plan Amendment GPA21-003, and Zone Change RZ21-010. The notification provided the project description, described the location of the project, and solicited public comments. The Community Development Department received two (2) responses that were opposed to the project. One response expressed concern about locating lower-income housing in a professional office area. Land uses are discussed in more details in the Land Use and Planning Section of the IS/MND. The other response expressed concern about increased noise and traffic in the area.
36. The California Department of Transportation (Caltrans) concurred with the safety mitigations and the VMT analysis in the IS/MND, and it noted that an Encroachment Permit would be required for any work within Caltrans' right-of-way.
37. Advisory Agencies were notified of the project. The Engineering Division of the Department of Public Works responded, and their comments have been included in the proposed Conditions of Approval for the project.
38. The Central Valley Regional Water Quality Control Board sent a comment letter outlining various permit requirements for projects.
39. The Tuolumne Heritage Committee commented that a significant Native American site was found nearby on Greenley Road and therefore a cultural resources survey should be required for the project site. As noted in paragraph 26 above and in the IS/MND, a cultural resources survey was prepared, and mitigation has been incorporated into the proposed project. The Committee also expressed concern about impacts on oak trees and adequate mitigation. As noted in paragraph 22 above and in the IS/MND, mitigation related to oak woodlands has been incorporated into the proposed project.
40. The proposed project was presented to a variety of community groups, including the BOS Planning Committee, the BOS Housing Policy Committee, the Homeless Advisory Committee, and the Commission on Aging. This outreach was intended to notify members in the community about the proposed project and solicit feedback from committee members about the project.

Response to Comments on Initial Study/Mitigated Negative Declaration

41. The IS/MND was available for public review from October 1 to November 1, 2021. Comment letters were received from Caltrans, the DTSC, and the Central Valley Regional Water Quality Control Board, along with two responses to the County's Notice of Intent from members of the general public. Copies of these letters are included with this packet.
42. The Caltrans letter concurred with the analysis of VMT and potential safety impacts, along with identifying permitting requirements. No response is required.
43. The DTSC letter stated that the IS/MND should acknowledge the potential for historic or future activities on or near the project site to result in the release of hazardous

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wastes/substances on the project site. Hazardous material issues are discussed in details in the Hazards and Hazardous Materials Section of the IS/MND, and no significant impacts were identified. It also suggested further actions be taken regarding aurally-deposited lead, abandoned mine areas, demolition of structures, soil importation, and organochlorinated pesticides. The project site is not within an abandoned mine area, does not involve the demolition of structures, and has not been used for agricultural activities. Regarding aurally-deposited lead and soil importation, the project shall implement the DTSC recommendations as part of the Conditions of Approval for the project.

44. The Central Valley Regional Water Quality Control Board sent a comment letter outlining various permit requirements for projects. No response is required.
45. One comment from a member of the public expressed concern about project impacts related to noise and traffic. Noise and traffic issues are discussed in more details in the Noise and Transportation Sections of the IS/MND. For noise impacts, potential impacts related to construction noise were identified, along with mitigation for these impacts. No other significant noise impacts were identified in the IS/MND. Likewise, potential impacts related to sight lines were identified, along with mitigation for these impacts, but no other significant traffic impacts were identified in the IS/MND.
46. A comment letter was received from the City of Sonora (Attachment 4) during the circulation period of the environmental document. While the letter does not speak to the CEQA analysis, it does request consultation with the County of Tuolumne to discuss the provision of first responder services to the site as well as impacts to parks within the city limits. Initial consultation between the County Administrative Officer, the Community Development Director, and the City Manager has occurred, and additional meetings will be scheduled regarding the provision of public services to this project and any necessary updates to agreements between the City and the County.
47. In addition to the letters received during the public review period on the IS/MND, County staff provided further review and suggested additional edits be made to the document. These edits have been incorporated into the attached Errata to the IS/MND. The changes do not alter the conclusions of the IS/MND, nor do they result in significant new information necessitating recirculation.

PREPARED BY: Terry Farmer, BaseCamp Environmental, Inc.

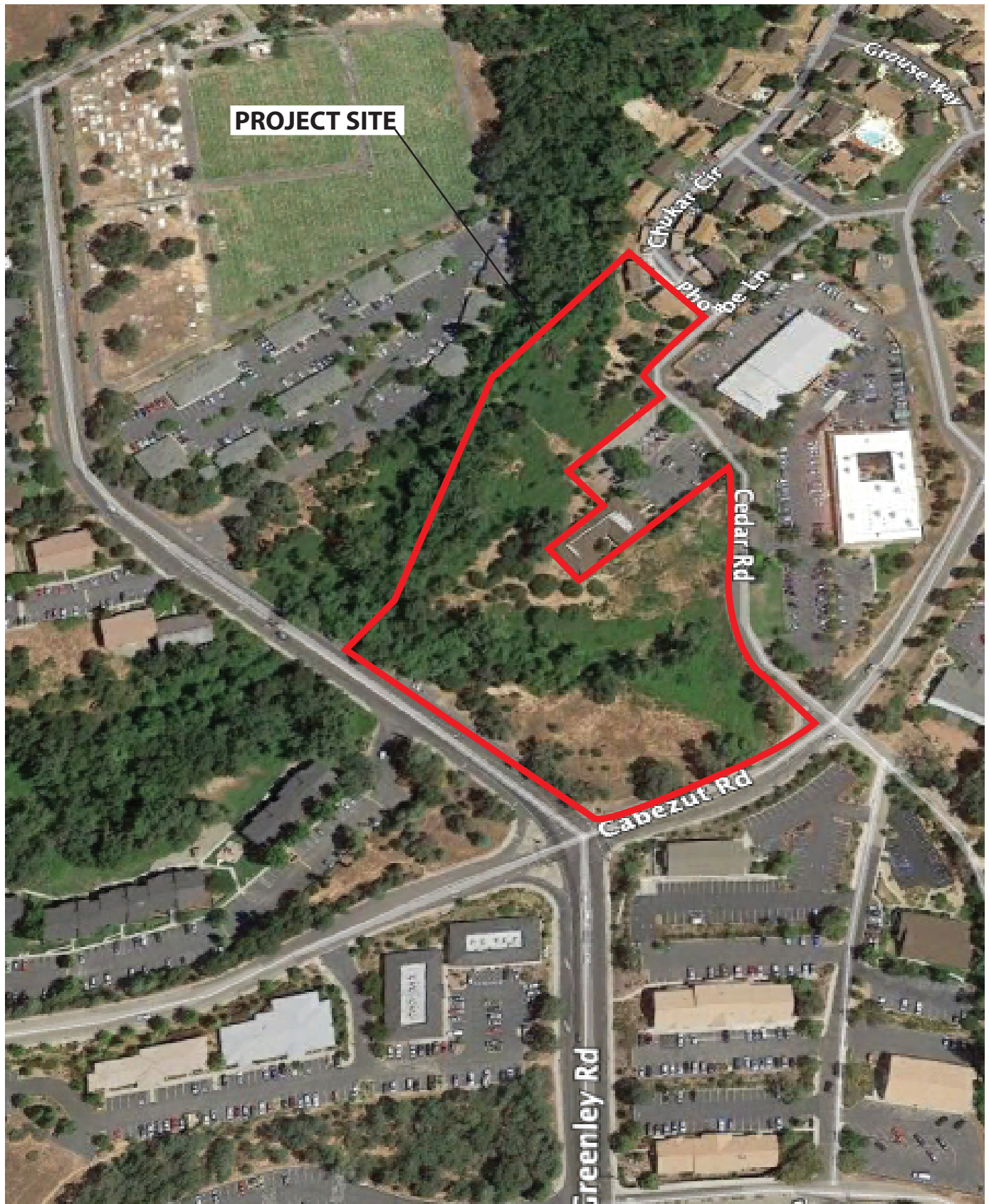
REVIEWED BY: Quincy Yaley, AICP, Community Development Department, Director

Attachment 1 – Project Maps/Graphics
Attachment 2 – Conditions of Approval
Attachment 3 – CEQA Document Link
Attachment 4 – City of Sonora Letter
Attachment 5 – NPLH BOS Grant Award Memo

HIDDEN MEADOW TERRACE

Attachment 1

Project Maps/Graphics



SOURCE: Google Earth

PROJECT SUMMARY

Site Data:
 Gross Site Area: +/- 5.93 ac
 Total Apartment Units: 72 units
 Gross Density: 12.14 du/ac
 Community Center +/-6,000 sf
 Parking 85 spaces (1.18 ratio)

*NOTE: Project summary are preliminary and subject to refinement.

APARTMENTS BUILDING TYPE A

- 3-story
- 15-plex
- 1 Plotted (#4)

APARTMENTS BUILDING TYPE B

- 3-story
- 12-plex
- 2 Plotted (#2 & 3)

PROJECT ENTRY

- Gate

SPORTS COURT

TOT-LOT

COMMUNITY EVENT LAWN

SECONDARY ENTRY

SEASONAL WETLAND

APARTMENTS BUILDING TYPE C

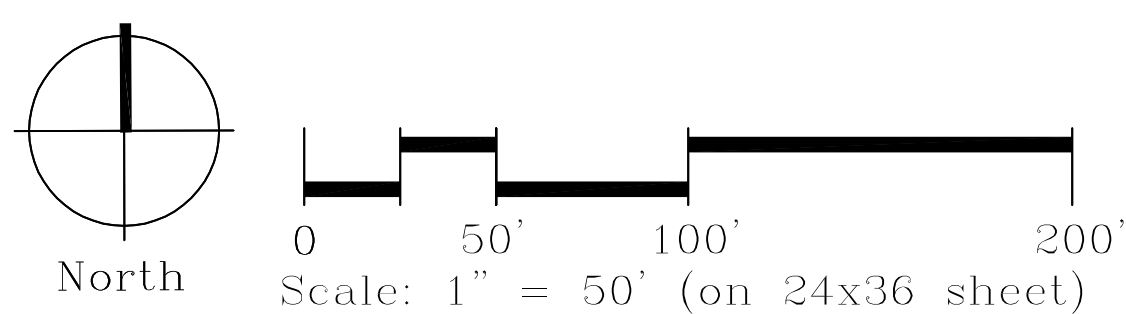
- 3-story
- 24-plex
- 1 Plotted (#1)

INTERMITTENT DRAINAGE

RIPARIAN WETLAND

COMMUNITY CENTER

- 1 level
- Total +/-6,000 sf.
- Leasing office, Office, Computer Labs, Headstart day care



NOTE: Proposed property location, boundary lines, and shape of the parcel shown in this study are for graphic reference only and may be subject to change pending on owner's final surveying map.

CONCEPTUAL SITE PLAN - 72 Units

HIDDEN MEADOW TERRACE

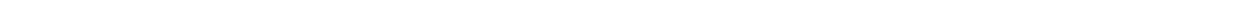
SONORA, CA.



HIDDEN MEADOW TERRACE

Attachment 2

Conditions of Approval



HIDDEN MEADOW TERRACE

CONDITIONS OF APPROVAL SITE DEVELOPMENT PERMIT SDP21-008 FOR HIDDEN MEADOW TERRACE

General Conditions:

1. LU As a condition of the grant of approval of the Site Development Permit, Applicant shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the permit or arising out of, or in connection with the acts or omissions of Applicant, its agents, employees, or contractors. With respect to acts or omissions of the Applicant, its agents, employees, or contractors, its obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void or annul the approval of the permit, including any contention the permit or its approval is defective because a County ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the Applicant will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. With respect to the County's approval, this obligation applies only to actions or proceedings brought within the time period provided for in Government Code Section 66499.37 and is conditioned on the County promptly notifying the Applicant of any claim, action, or proceeding and cooperating fully in the defense. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached (TCOC Section 16.06.090).

Prior to issuance of a Grading Permit the following conditions shall be met:

2. ED A Grading Permit shall be obtained from the Roads Division of the Public Works Department prior to any grading (TCOC, Section 12.20.050).
 3. LU/ED Submit a lighting plan for review and approval by the Planning Division of the Community Development Department and the Engineering Division of the Public Works Department. The lighting plan shall include lighting at the internal intersections, at the turning bulbs and at locations in the interior to illuminate pedestrian walkways and parking areas. All lighting shall be energy efficient and meet the standards established by the International
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HIDDEN MEADOW TERRACE

Dark Sky Association. The location and design of the street lighting shall be subject to the review and approval of the Engineering Division of the Public Works Department as to placement. Acorn style light fixtures, the Charleston Fluted Pole with arm and hanging Town and Country light fixture, or other light fixtures as recommended by the East Sonora Design Guide are encouraged to be utilized. All lighting shall be aimed downwards. (CEQA, Section 15041, [Initial Study, "Aesthetics" Mitigation Measure I-1])

MONITORING PROVISION: Noted on the construction plans and monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)

4. ED Submit to the State Water Resources Control Board Storm Water Permitting Unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) General Permit for construction related storm water discharge) for the disturbance of one acre or more. Disturbances of less than one acre may also require an NOI for coverage under the NPDES General Permit for construction related storm water discharge and the State Water Resources Control Board Water Permitting Unit shall be contracted for determination of permit requirements. Commercial and Industrial developments may require an NOI even if less than one acre and should be submitted to SWRCB. Obtain and NOI or an exemption from requirements.
 5. ED Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site. Offsite encroachment onto the adjacent County property for purposes of a slope easement is not approved (TCOC, Section 12.20.270-280).
 6. ED An Encroachment Permit shall be obtained from the Engineering Division of the Public Works Department for any work within the County road right-of-way along Greenley Road and Cabezut Road (TCOC, Section 12.04).
 7. ED All roads shall be constructed to the minimum geometric standards identified in the Tuolumne County Ordinance Code, Section 11.12.010, including:
 - A. Width of traveled way and shoulders: per the table shown in TCOC 11.12.010.A, minimum traveled way shall be 20 feet, with 4-foot-wide shoulders with 3 feet paved on both sides of the roadways
 - B. Minimum horizontal curve radius at edge of traveled way shall be no smaller than 50 feet (TCOC 11.12.010.M)
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HIDDEN MEADOW TERRACE

- C. A turnaround bulb or hammerhead must be provided on-site at dead-ends between Lots 9 and 10, and at Lot 28, unless waived by Tuolumne County Fire Protection District. Proposed parking stalls across from Lot 28 do not constitute an adequate provision of this requirement.
 - D. The entry roadway encroachment onto Tuolumne Road and its appurtenant cut slopes shall provide adequate sight lines for exiting traffic, based on the design speed of Tuolumne Road (50 mph). An allowance for the natural growth of vegetation potentially obscuring sightlines should be incorporated.
- 8. ED A Parking Area Plan shall be submitted to the Engineering Division of the Public Works Department for review and acceptance. Plans shall address internal traffic circulation, parking stall layout and include necessary striping, marking and signing. All parking areas and traveled ways on the site shall be paved, striped and lined in accordance with approved plans. The parking plan shall be submitted in connection with the site grading and drainage plans. (TCOC, Section 17.68.150; 17.60)
 - 9. ED All property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress (TCOC, Section 12.20).
 - 10. ED All soils disturbed by clearing and grubbing or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible and before October 15 of the construction year, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).
 - 11. ED The applicant shall submit an erosion control plan, or SWPPP, for any construction to take place at any time of the year. In the absence of such approved and implemented plan, all construction shall cease, per Clean Water Act (TCOC, Title 12).
 - 12. ED All parking areas and traveled ways on the site shall be paved (TCOC, Section 17.60.070 C).
 - 13. ED Drainage improvements shall be installed in accordance with plans approved by the Engineering Division of the Public Works Department. (TCOC Sections 11.04, 11.12, 16.26.180)
 - 14. ED Exposed serpentine gravel is prohibited on the construction site. (Health and Safety Code, Section 93106)
 - 15. ED/BD Property owner shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each
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HIDDEN MEADOW TERRACE

day and at all other intervals, as need dictates, to control dust. (CEQA, Section 15041, [Initial Study, "Air Quality"]; TCOC, Section 12.20.370).

16. ED Submit a Preliminary Soils Report to the Engineering Division of the Public Works Department for review and approval. The report shall disclose any soils problems which may lead to structural defects. The report should recommend cut and fill ratios, erosion control measures and a typical road structural section for the soils encountered. The report shall be prepared by a registered civil engineer. (TCOC, Section 16.26.150)
17. BD Obtain a Building Permit from the Building and Safety Division of the Community Development Department prior to installation of any utilities within the Tuolumne Road right-of-way. A complete application, including three (3) copies of all civil drawings meeting the minimum requirements of the current version of the Building and Safety Division Plot Plan Checklist, including reference details for the installation of each utility, shall be submitted with the application for a Building Permit. (TCOC, Section 15.04.010)
18. LU Prior to any site clearing activities on the project site between March through November, tree removal shall occur when daytime temperatures are 50 degrees Fahrenheit or higher to ensure bats are active and can abandon any potential roosts. Compliance shall be noted on improvement plans and completed to the of the Tuolumne County Community Development Department (CEQA Section 15041, [Initial Study, "Biological Resources" Mitigation Measure IV-1]).

MONITORING PROVISION: Monitored by County staff and the California Department of Fish and Wildlife prior to the initiation of, and during, any site clearing activities. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

19. LU Prior to any construction, excavation, grading or vegetation removal on the project site between February 1st and September 15th, a survey for active nests of migratory bird species and non-listed raptor species shall be prepared by a County-approved biological consultant. The survey shall be conducted no more than 14 days prior to start of construction, excavation, grading or vegetation removal operations. Should active nests be found, a no disturbance buffer of 250 feet for migratory bird species and 500 feet for non-listed raptor species, or other distance as determined by a qualified biologist, shall be delineated around each nest site until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or require parental care for their survival. Should a listed threatened or endangered species be identified by the survey, no construction, excavation, grading or vegetation removal shall occur until consultation with the California Department of Fish and Wildlife and after implementation of appropriate avoidance measures. Surveys shall be submitted to the Community Development Department for review and
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HIDDEN MEADOW TERRACE

approval. (CEQA Section 15041, [Initial Study, "Biological Resources" Mitigation Measure IV-2])

MONITORING PROVISION: Monitored by County staff and the California Department of Fish and Wildlife prior to the initiation of, and during, any construction activities. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

20. LU Final project improvements shall be designed to avoid and minimize adverse effects to the Curtis Creek within the northern portion of the project site. (CEQA Section 15041, [Initial Study, "Biological Resources" Mitigation Measure IV-3])

MONITORING PROVISION: Monitored by County staff and the California Department of Fish and Wildlife prior to the initiation of, and during, any construction activities. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.

21. ED All grading both on and off the site shall be completed in compliance with the Grading Permit issued by and the grading plans approved by the Engineering Division of the Public Works Department. (TCOC, Chapter 12.20)

22. ED Submit a drainage plan to the Engineering Division of the Public Works Department for review and approval. The Drainage Plan shall incorporate any necessary downstream improvements as well as the on-site facilities. The drainage plan shall address the concerns listed below (TCOC Sections 11.04.050E; 12.20.300-12.20.360; 16.26.180):

- a. The entire project site;
- b. Balance site by providing a SWPPP for permanent features that complete the changes of effect for increased runoff and effect to downstream drainages, culverts and adjacent property; and
- c. On-site detention/retention shall be required, sized sufficient for the project's tributary area and based on a Drainage Study.

23. ED/LU Exterior lighting shall be installed in compliance with the lighting plan approved by the Community Development Department referenced in Condition 3. (CEQA, Section 15041, [Initial Study, "Aesthetics" Mitigation Measure I-1])

MONITORING PROVISION: Noted on the construction plans and monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance

HIDDEN MEADOW TERRACE

Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)

24. ED The project site shall be provided public water for domestic purposes by the Tuolumne Utilities District (TUD). An agreement with TUD would stipulate the terms and conditions by which the project proponent would construct and TUD would accept ownership of and the responsibility to operate and maintain the improvements. Prior to service by TUD, the project proponent would be required to pay to TUD all applicable fees and charges, including water capacity charges.
 25. ED The project site shall be connected to the public sewer system operated by the TUD. An agreement with TUD would stipulate the terms and conditions by which the project proponent would construct and TUD would accept ownership of and the responsibility to operate and maintain the improvements. Prior to service by TUD, the project proponent would be required to pay to TUD all applicable fees and charges, including sewer capacity charges (TCOC, Sections 13.08.150 and 17.20.010).
 26. ED All water, sewer and other utility improvements shall be installed in accordance with the plans approved by the Engineering Division of the Public Works Department and by the TUD. An encroachment permit is required for work within the County road right-of-way (TCOC, titles 12, 13 and 16).
 27. ED Road Encroachments shall be installed in accordance with the plans approved by the Engineering Division of the Public Works Department. (TCOC, Section 12.04.010).
 28. ED Submit utility improvement plans to the Engineering Division of the Public Works Department for review and approval. (TCOC, Titles 12, 13, and 16).
 29. ED Submit to the State Water Resources Control Board, Storm Water Permitting unit, a Notice of Intent (NOI) to obtain coverage under the General Construction Activity Storm Water Permit (California's National Pollutant Discharge Elimination System (NPDES) general permit for construction related storm water discharges) for the disturbance or one acre or more. Obtain an NOI or an exemption from requirements. (Federal Water Pollution Control Act, State Water Resources Control Board).
 30. ED The property owner shall submit an erosion control plan to the Engineering Division of the Public Works Department for any construction to take place between October 15 and May 15 of any year. In the absence of such approved and implemented plan, all construction shall cease on or before October 15 except that necessary to implement erosion control measures. (TCOC, Section 12.20.150(H))
 31. APCD Secure burning permits from the Tuolumne County Air Pollution Control District and the California Department of Forestry and Fire Protection prior
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HIDDEN MEADOW TERRACE

to burning vegetation on the site. (General Plan Implementation Program 12.D.d; TCAPCD Rules and Regulations, Regulation III)

The following conditions apply to development of this project. The owner of the property at the time of construction shall be responsible for compliance with the following conditions:

32. ED/BD Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County Holidays. Exceptions to these hours may be authorized by the Community Resources Director. (CEQA, Section 15041, [Initial Study, "Noise" Mitigation Measure XIII-1]; TCOC, Section 12.20.380)

MONITORING PROVISION: Noted on the construction plans and monitored through citizen complaints. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure.
 33. AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
 34. AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)
 35. AG All material brought to the site, including rock, gravel, road base, sand, and top soil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
 36. AG The property owner shall maintain and implement an effective program for the monitoring and control of noxious weeds. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy – Weeds. (Food and Agriculture Code, Sections 5401 and 5402)
 37. SW All solid waste from demolition or construction activities shall be disposed of at facilities authorized by the Board of Supervisors by resolution, including the Highway 59 landfill in Merced. Solid Waste that is not accepted at this facility may be disposed of at an alternative facility that is permitted to receive the waste. (TCOC, Section 7.12.050)
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HIDDEN MEADOW TERRACE

38. LU The developer shall make a good faith effort to hire firms that are based in Tuolumne County and utilize suppliers and vendors whose primary place of business is in Tuolumne County. (TCOC, Section 16.06.090)
39. LU If a cultural resource is discovered during the activities authorized by this map, the person in possession of the real property for which the map was approved and all persons conducting any activity authorized by this map shall comply with the following provisions:
- A. The person discovering the cultural resource shall notify the Community Development Department by telephone within 4 hours of the discovery or the next working day if the department is closed.
 - B. When the cultural resource is located outside the area of disturbance, the Community Development Department shall be allowed to photodocument and record the resource and construction activities may continue during this process. On parcels of two or more gross acres, the area of disturbance includes building pads, septic areas, driveways or utility lines, grading and vegetation removal, plus 300 feet. On parcels of less than 2 gross acres, the area of disturbance equals the boundaries of the parcel.
 - C. When the cultural resource is located within the area of disturbance, all activities that may impact the resource shall cease immediately upon discovery of the resource. All activity that does not affect the cultural resource as determined by the Community Development Department may continue. A qualified professional, as defined in Section 17.04.657 of the Tuolumne County Ordinance Code, such as an archaeologist or an historian, shall be allowed to conduct an evaluative survey to evaluate the significance of the cultural resource.
 - D. When the cultural resource is determined to not be significant, the qualified professional or Community Development shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department.
 - E. When a resource is determined to be significant, the resource shall be avoided with said resource having boundaries established around its perimeter by a qualified professional archaeologist or historian or a cultural resource management plan shall be prepared by a qualified professional to establish measures formulated and implemented in accordance with Sections 21083.2 and 21084.1 of the California Environmental Quality Act (CEQA) to address the effects of construction on the resource. The qualified professional shall be allowed to photodocument and record the resource. Construction activities may resume after authorization from the Community Development Department. All further activity authorized by this map shall comply with the cultural resources management plan.
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HIDDEN MEADOW TERRACE

A cultural resource is any building, structure, object, site, district, or other item of cultural, social, religious, economic, political, scientific, agricultural, educational, military, engineering or architectural significance to the citizens of Tuolumne County, the State of California, or the nation which is 50 years of age or older or has been listed on the National Register of Historic Places, the California Register of Cultural Resources, or the Tuolumne County Register of Cultural Resources. (CEQA, Section 15041, [Initial Study, "Cultural Resources" Mitigation Measures V-1 and V-2] TCOC, Section 14.10.150))

MONITORING PROVISION: Mitigation would be monitored by County staff during any construction activities. Confirmed violations will be referred to the Code Compliance Officer for processing consistent with established code compliance procedures outlined in Chapter 1.10 of the Ordinance Code. A Notice of Action would be recorded to advise future owners of the required mitigation measure and the responsibility to comply with said measure. (PRC, Section 21081.6)

- 65. FPB Potential fire hazard shall be reduced through a fuel modification program approved by Tuolumne County Planning and Fire Prevention. The fuel modification program shall provide for the reduction of flammable vegetation by the thinning of brush, small trees and the removal of piles of dead brush from the project site. The fuel modification plan shall be completed prior to the issuance of the Certificate of Occupancy. (TCOC Section 15.20.060 & 16.08.030)

 - 66. FPB Fire flow requirements for new residential development shall be 500 gpm at 20 psi for 0.5 hours. The required fire flow shall be on site, tested and approved by Tuolumne County Fire Prevention prior to the issuance of building permits. (TCOC Section 15.20.010)

 - 67. FPB Fire hydrant installations with required fire flow and locations in residential areas shall meet all requirements of Tuolumne County Ordinance Code 15.20.030. (TCOC 15.20.030)

 - 68. FPB All proposed access to the project shall be constructed to meet current road requirements. Fire apparatus access roads shall be provided, constructed and maintained as follows: The roads shall be constructed to have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13' 6" feet. The roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide all-weather driving capabilities. All cul-de-sac/hammerhead roads shall terminate in a 40' radius turn bulb. (CFC Sections 503 TCOC Title 11)

 - 69. FPB A letter shall be submitted by a licensed surveyor or registered civil engineer to the Engineering Development Division containing demonstrated proof that all driveways proposed to serve the project can be constructed from the access road to each building site or parcel to the standards specified in Title 11 of the Tuolumne County Ordinance Code. (TCOC Section 16.24.150(E))
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HIDDEN MEADOW TERRACE

70. FPB All roads accessing the project site shall be cleared of flammable vegetation over 18 inches in height to a distance of 25 feet from the centerline of the road. (TCOC Section 15.20 and CFC Section 503)

The following on-going conditions also apply to development of this project:

71. LU The development shall adhere to the Inclusionary Housing Plan for the project, which includes reduced parking standards and fee waivers for County Services Impact Mitigation Fees, application fees for discretionary entitlements, and building permit fees. Fee waivers, as permitted by Tuolumne County Ordinance Code section 3.40.040(C).
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HIDDEN MEADOW TERRACE

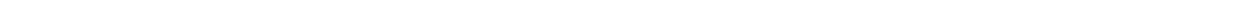
Attachment 3
Link to CEQA Documents

To review environmental documents use this link:

<https://www.tuolumnecounty.ca.gov/1396/Hidden-Meadows-Terrace>

HIDDEN MEADOW TERRACE

Attachment 4
City of Sonora Letter



October 29, 2021

VIA U.S. MAIL AND EMAIL

Quincy Yaley
Community Development Director
Tuolumne County
48 Yaney Ave
Sonora, CA 95370
qyaley@co.tuolumne.ca.us
(209) 533-5633

Re: Hidden Meadow Terrace Project Located Within City of Sonora Sphere of Influence

Dear Ms. Yaley:

White Brenner LLP serves as the City Attorney for the City of Sonora ("City"). The City is in receipt of Tuolumne County's (the "County") CEQA Stakeholders Notice for the Hidden Meadows Terrace Project (the "Project"). The City appreciates the opportunity to provide input on the environmental documents and the findings related to the Project's significant impacts. The City's goal is to advance discussions between the parties concerning the existing tax sharing agreement between the City and County.

As the County is aware, on May 6, 1991, the City and County executed an agreement entitled *Agreement for Revenue Redistribution Pertaining to the South Bypass Annexation to the City of Sonora* (the "Agreement"). Section 8.1 of the Agreement provides the following:

COUNTY shall not approve any discretionary development permits for new development within the CITY'S Spheres of Influence unless that development shall first have been referred to CITY for consideration and comments. Furthermore, COUNTY and CITY will negotiate an agreement to cooperate on review of development projects which have the potential of impacting services and facilities in their respective jurisdictions.

The Project is contiguous to a portion of the City's eastern boundary and is located in the City's Sphere of Influence. The City supports new affordable housing projects and has communicated this to the County in the past. However, the City is concerned the Project will cause significant impacts to City public services and facilities if not properly addressed through coordination between the City and County as contemplated in the Agreement. Given the Project's location and increase to the local population, the City anticipates impacts to police and fire resources, park facilities, as well as City streets and intersections.

The City looks forward to meaningful discussions with County staff to address these concerns. The City requests a meeting with County staff pursuant to Section 8.1 of the Agreement in order to reach a mutually agreeable resolution to this matter prior to the approval of the Project. Thank you for your attention and cooperation in this matter.

Kind regards,

White Brenner LLP

/s/ Douglas L. White

Douglas L. White

Cc: Traci Riggs, County Administrator
(via email only; TRiggs@co.toulumne.ca.us)
Sarah Carrillo, County Counsel
(via email only; scarrillo@co.toulumne.ca.us)
Sonora City Council
(via email only)
Mary Rose Rutikanga, City Administrator
(via email only; mrutikanaga@sonoraca.org)
Rachelle Kellogg, Community Development Director
(via email only; rkellogg@sonoraca.com)



City of Sonora

Administration
94 N. Washington Street
Sonora, CA 95370
(209) 532-4541
(209) 532-3511 *fax*
sonoraca.com

Mary Rose Rutikanga, City Administrator
mrutikanga@sonoraca.org

June 9, 2021

Tracie Riggs,
County Administrative Officer
County of Tuolumne
2 South Green Street
Sonora, CA 95370

Quincy Yaley,
Community Development Director
County of Tuolumne
48 Yaney Avenue
Sonora, CA 95370

RE: Affordable Housing Project (APN 044-420-037) located within the City of Sonora's Sphere of Influence

Dear Tracie and Quincy:

Pursuant to Section 8.1 of the Agreement for Revenue Redistribution Pertaining to the South Bypass Annexation to the City of Sonora dated May 6, 1991, the City of Sonora would like to formally discuss with the County of Tuolumne an affordable housing development project (APN 004-420-037) that is located within Sonora's Sphere of Influence.

Pursuant to this section in the Revenue Sharing Agreement:

"County shall not approve any discretionary development permits for new development within the City's Sphere of Influence unless the development shall first have been referred to the City for consideration and comments. Further, County and City will negotiate an agreement to cooperate on review of development projects which have the potential of impacting services and facilities in their respective jurisdictions."

While the City whole heartedly supports affordable housing projects, based off the City's preliminary assessment, this development project would have major impacts to City services. To that end, the City would request a formal discussion with the County in regard to this development project and the impact to Sonora's services and facilities.

Thank you for your attention and cooperation in this matter. Please reach out to me with questions and/or concerns.

Sincerely,



Mary Rose Rutikanga,
City Administrator

Enclosed: Tuolumne County Board of Supervisors Housing Policy Committee Agenda for June
10, 2021

*cc: Nubia Goldstein, Deputy City Attorney
Rachelle Kellogg, Sonora Community Development Director*



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

AGENDA TUOLUMNE COUNTY BOARD OF SUPERVISORS HOUSING POLICY COMMITTEE County Administration Center Board of Supervisors Chambers Thursday, June 10, 2021 3:00 p.m.

48 Yaley Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EIID)
www.tuolumnecounty.ca.gov

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20, this meeting will allow members of the Planning Committee to participate by teleconference; and under Order N-29-20, Accessibility Requirements, if you need swift special assistance during the Committee meeting, please call 209-770-5423.

PUBLIC PARTICIPATION PROCEDURES

In order to protect public health and the safety of Tuolumne County citizens, this meeting will be physically closed to the public. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in this meeting, please use the following link: <https://us02web.zoom.us/j/85615215956>. For detailed Zoom instructions go to the Agenda Packet <https://www.tuolumnecounty.ca.gov/638/Board-of-Supervisors-Housing-Policy-Comm>

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (qyaley@co.tuolumne.ca.us) for retention as part of the administrative record. Comments will not be read during the meeting. Comments must be received by the Community Development Department no later than 9:00 AM on the day of the noticed meeting.

PUBLIC FORUM

The public may speak on any item not on the printed agenda. No action may be taken by the Committee. The amount of time allocated for the public forum is limited to 15 minutes.

COMMITTEE BUSINESS:

1. Consideration of the Minutes of the meeting of 3/11/2021.

NEW ITEMS:

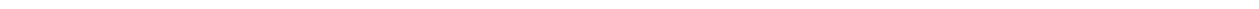
1. Presentation by Visionary Home Builders of the 100% affordable housing project which includes 84 one, two, and three bedroom units on a 6.7-acre (291,852 sq-ft) site that is zoned Neighborhood Commercial (C-O) with Neighborhood Commercial (NC) land use designation, to be constructed at 20080 Cedar Road, Sonora, CA 95370, (APN 044-420-037).

CONTINUED ITEMS:

None.

HIDDEN MEADOW TERRACE

Attachment 5
NPLH BOS Grant Award Memo





COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

August 21, 2020

48 Yaney Avenue, Sonora
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TO: Honorable Board of Supervisors

FROM: Quincy Yaley, Community Development Director
Sheila Shanahan, Community and Housing Programs Manager

RE: Consideration of an agreement between the County of Tuolumne and Visionary Home Builders, Inc. to utilize the \$500,000 No Place Like Home Grant Allocation and other predevelopment grant funds for an affordable rental project on a site owned by Adventist Health, including Board Chair signature authority.

BACKGROUND INFORMATION

1. At the June 14, 2017 BOS meeting, your Board voted to apply for a \$75,000 No Place Like Home (NPLH) Technical Assistance (TA) Grant to be used to develop a County Plan to Combat Homelessness and prepare documents needed to apply for future NPLH funding for permanent supportive housing.
2. The County's Behavioral Health Department and the Community Resources Agency (now Community Development Department) worked together to apply for and implement the NPLH TA Grant in conjunction with community partners and affordable housing developers.
3. Both departments worked to develop a County Plan to Combat Homelessness which was adopted by your Board on July 16, 2019. The plan can be found on the County's website at <https://www.tuolumnecounty.ca.gov/DocumentCenter/View/12937/Draft-County-Plan-to-Combat-Homelessness>. The highest ranked need identified in the plan was the need for more affordable housing for all populations including vulnerable populations.
4. At the same meeting, your Board voted to submit a NPLH \$500,000 Noncompetitive Grant to develop permanent supportive housing. The noncompetitive grant could be used for a small, shared housing model such as the County's existing permanent supportive housing project on Washington Street. Or it could be used as leverage for a larger, competitive grant for a rental housing project where a portion of the units are reserved for NPLH clients, and the remainder are affordable units available to lower-income households. A larger project, due to its complexity, would be undertaken by an experienced affordable housing developer who would then own and manage the project.
5. The Board of Supervisors Housing Policy Committee has provided oversight of the NPLH grants and has worked with CDD staff to identify strategies to increase the affordable housing stock in the County. The committee and staff concluded that the most advantageous approach was to add more affordable housing where a portion of the units were made available to vulnerable populations. This strategy would allow for affordable housing developers to build a larger affordable development that would serve households in need of an affordable place to live including families, seniors and Veterans. Vulnerable populations, rather than being isolated in a small complex, would be incorporated into the larger community. Funding such as NPLH funding could be leveraged to secure additional sources of affordable housing financing so that more units could be built to meet the acute need for more affordable housing.

6. Based on this strategy, CDD staff began looking for appropriate sites and experienced affordable housing developers to bring forward affordable rental projects where a small portion of the units are reserved for permanent supportive housing.
7. On December 4, 2018 your Board approved the use of \$302,411.97 from the Central Sierra Continuum of Care (COC) Homeless Emergency Aid Program (HEAP) for purchase of Hospital Road Apartments, an existing 10 unit apartment complex which is located at 241 Hospital Road and is a block away from the County Behavioral Health Enrichment Center. The Stanislaus Housing Authority purchased the project, renovated it and now owns and manages it. Three of the units are reserved for permanent supportive housing and the rest are made available to local nonprofit agencies such as the Amador Tuolumne Community Action Agency, Sierra HOPE, and the Center for a Nonviolent Community to master lease for their clients who are searching for affordable housing.
8. CDD staff also located excess Caltrans property that would be suitable for affordable housing and encouraged the Stanislaus Housing Authority, which is the housing authority for Tuolumne County, to consider purchasing a Caltrans property for a future affordable project. The housing authority purchased a 3.3-acre Caltrans property on Peaceful Valley Road and is working to put together a plan for the property. This project is envisioned as a small affordable development.
9. CDD staff identified a potential site in Jamestown suitable for affordable rental housing. Visionary Home Builders, a nonprofit affordable housing developer located in Stockton, expressed interest in building an approximately 65-unit affordable housing rental project on the Jamestown parcel. The landowner and Visionary signed a Memorandum of Understanding with the terms of purchase. At the point that Visionary Home Builders was able to move forward with the purchase, the seller decided not to sell to Visionary because they were in negotiation with another buyer. Visionary and County staff anticipated that the project could utilize NPLH funding to dedicate a portion of the units as permanent supportive housing.
10. It is imperative that the County move forward with a project utilizing the County's NPLH \$500,000 Noncompetitive Grant, because the County has until March 15, 2021 to submit a project proposal for the use of the Noncompetitive NPLH Allocation. Funds will be disencumbered if funds are not used by the grant deadline.
11. When the site in Jamestown fell through, CDD staff began searching for other affordable housing sites that are close to services, utilities and infrastructure. Affordable housing financing programs that are used to develop these types of projects are very competitive and have requirements concerning the types of amenities and services that must be available close to the site. It is difficult to find suitable vacant sites that are available and meet these requirements.

PROPOSED PROJECT

12. County staff met with Michelle Fuentes, President of Adventist Health Sonora, about the possibility of utilizing land owned by their organization for an affordable rental project. The hospital, as a community partner, wishes to assist in providing more affordable housing in the community and agreed to sell a parcel that is ideally located near services and infrastructure to an experienced affordable housing developer.
13. The County issued a Request for Proposals on April 29, 2020 with a May 29, 2020 deadline for submission. The RFP was sent to affordable housing developers to request proposals to develop a family rental project with a permanent supportive component on the Adventist Health site utilizing the County's NPLH Noncompetitive Allocation. Three applications were received. A six-member review committee, comprised of staff from County Community Development, Behavioral Health, and the Human Services Agency as well as a nonprofit affordable housing developer from Mercy Housing, rated and ranked the applications. They ranked as number one the proposal from Visionary Home Builders who will partner with the Stanislaus Housing Authority. A copy of their proposal is attached as Exhibit A.
14. The project site is a 6.7± acre parcel located at 20080 Cedar Road North, between Greenley Road and

Cedar Road North and along Cabezut Road, in the community of Sonora and unincorporated area of Tuolumne County. Site maps showing APN, zoning and General Plan Designation and distance to area amenities are attached as Exhibit B.

15. Visionary Home Builders would purchase the site directly from Adventist Health. They would secure all the financing for the project, seek necessary project approvals, build and own it. The County would not be involved in the ownership or assume any liability for the project.
16. The proposed contract between the County and Visionary Home Builders would establish that the County intends to direct the \$500,000 NPLH Noncompetitive Grant to the project. Prior to Visionary submitting a competitive NPLH application that would leverage the County’s NPLH Noncompetitive Grant, staff would return with a resolution for your consideration to direct the Noncompetitive NPLH based on the NPLH Grant application prepared by Visionary Home Builders. Contract is attached as Exhibit C.
17. If your Board approves the contract, Visionary Home Builders, in partnership with the Stanislaus Housing Authority, would begin predevelopment work and put together applications for affordable housing financing including NPLH competitive grant funds. The contract is intended to establish a relationship between Visionary Home Builders and the County concerning County NPLH Grant funds so that they can begin their predevelopment studies, project plans and financing applications. Your Board would not be approving the project as part of today’s action.
18. The contract would also direct predevelopment funding to the project utilizing state grant funds earmarked for predevelopment activities for affordable housing development. The County has applied for two planning grants (SB 2 Grant (received) and a Local Early Action Planning (LEAP) Grant (funding in process). The County will also apply for a noncompetitive Regional Early Action Planning (REAP) Grant. All three grants are from the State Department of Housing and Community Development and are designed to assist jurisdictions in accelerating housing production, facilitating compliance with recent housing element law, and meeting Regional Housing Needs (RHNA) goals.
19. The County has a state mandate to prepare and have certified by the State a Housing Element, which is a component of the County’s General Plan. The Housing Element identifies Regional Housing Needs Assessment (RHNA) goals for the unincorporated County and provides implementation strategies to meet those goals. The County has a RHNA Goal to encourage the development of 218 affordable units for lower-income households over the next five years. The project proposed by Visionary would provide approximately 80 of those units. The RHNA goals for the unincorporated area of the County of Tuolumne are as follows:

REGIONAL HOUSING NEEDS - UNINCOPORATED AREA OF TUOLUMNE COUNTY DECEMBER 31, 2018 –THROUGH AUGUST 31, 2024			
Income Group	Number	Percent	Avg. Annual Increase (over 5.67 yr period)
Extremely Low	62	12%	11
Very Low	63	12%	11
Low	93	18%	16.4
Moderate	87	17%	15.4
Above Moderate	220	42%	38.8
TOTAL	525	100%	92.6

20. The three planning grants from the state (SB 2, LEAP and REAP) provide funds to local jurisdictions so that localities can meet their affordable housing needs. Each grant can be used in part to prepare sites for affordable housing development including rezoning, General Plan Amendments, environmental and infrastructure studies and other predevelopment activities that prepare sites for affordable housing development. A portion of grants can be used to cover the cost of predevelopment activities for the proposed project with Visionary Home Builders.

21. Your Board approved a \$160,000 SB 2 planning grant application at your August 20, 2019 meeting. The bulk of the funds are being used to update Title 17 of the County Zoning Code as it relates to residential development and to create an Accessory Dwelling Unit Ordinance that complies with recent state legislation. The grant carved out \$5,000 to rezone vacant sites for affordable housing development and \$5,000 to work with affordable housing developers to assist with the development of affordable housing. Staff proposes setting aside \$5,000 of this grant to pay for County staff and consultant costs to rezone the Adventist Health site.
22. The \$150,000 LEAP grant application was approved by your Board on June 16, 2020. There is \$110,000 set aside for rezoning and predevelopment studies for at least two sites designated for affordable housing. Staff proposes to allocate \$55,000 towards predevelopment studies and activities related to the Adventist Health site.
23. The \$200,970 REAP Grant will go before your Board in the near future and will also carve out funding for rezoning, General Plan Amendments and other predevelopment activities to prepare high amenity sites for affordable housing development.
24. The County received \$11,999 as a payment on a HOME Program Residual Receipts Loan to Tuolumne Apartments. Funds are designated as grant program income and can only be used to assist other projects or programs that provide housing affordable to lower-income households. Staff proposes to utilize these funds for this project to help pay for predevelopment activities.
25. There is \$28,488.92 remaining in the \$75,000 NPLH TA Grant that was used to prepare the County Plan to Combat Homelessness. These funds have been reserved to complete predevelopment activities related to the supportive housing component of this project. It is anticipated that the funds will be used to plan for supportive services for the project, including a supportive services plan which is required for any project funded in part with NPLH funds.
26. These state grant funds would cover County staff and consultant costs for rezoning, General Plan Amendments, environmental and site studies, and other predevelopment costs needed to plan for site development and apply for affordable housing funding. No County General Funds would be spent on the project.
27. The County would retain use of any studies paid for with state grant funds if Visionary did not proceed with the project.
28. The Environmental Coordinator for the County of Tuolumne has determined that the proposed agreement is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the State CEQA Guidelines. Entering into a contract to allocate grant money is not a project within the meaning of Public Resources Code Section 21065 and State CEQA Guidelines section 15378. Entering into a contract would not lead to a direct or a reasonably foreseeable indirect change in the physical environment. Thus, the action on this project by the Board of Supervisors is not a project under Public Resources Code Section 21065 and State CEQA Guidelines 15378(b)(5).

NEXT STEPS

29. If the contract is approved, Visionary Home Builders and the Stanislaus Housing Authority would begin applying for affordable housing funding and completing predevelopment activities. Visionary would hire consultants, as needed, for predevelopment studies. County CDD staff would begin working with Visionary to process a rezoning application and General Plan Amendment.
30. Predevelopment activities and studies may include an environmental assessment, engineering, appraisal, sustainability/energy consultants (to apply for Affordable Housing and Sustainable Communities (AHSC) Program funds) and other studies and activities necessary to develop plans and

obtain project financing and approvals. The estimated cost of these studies is \$220,000. Total predevelopment costs are estimated by Visionary to be \$621,763. State grant funds provided by the County will only cover a portion of predevelopment costs. The remainder will be paid by Visionary and the Stanislaus Housing Authority.

31. Visionary and the Stanislaus Housing Authority would begin working with County Behavioral Health on a Supportive Services Plan for the supportive housing units. The County previously committed to provide supportive services to NPLH clients for 20 years when your Board approved the County's NPLH Noncompetitive Grant application. The County agreed to make mental health supportive services available to a project's NPLH tenants for at least 20 years and coordinate the provision of or referral to other services (including, but not limited to, substance use services) in accordance with the County's relevant supportive services plan, in accordance with Welfare and Institutions Code section 5849.9 (a). County Behavioral Health currently provides supportive services and case management for their clients. This project would provide them with additional affordable housing for their clients.
32. Visionary would go through the County's regular development and approval process and can utilize the County's Inclusionary Housing Ordinance which provides development concessions for the construction of affordable housing units.
33. Your Board has provided direction to staff to pursue grants for affordable housing development. Your Board has also established a 2019 priority to address the needs of vulnerable populations. Additionally, the County has an obligation to implement the goals identified in the County Housing Element and work to meet its RHNA goals for affordable housing development. CDD staff, in conjunction with the Board of Supervisors Housing Policy Committee, have been working to carry out these directives. This project will help the County meet these affordable housing goals.

RECOMMENDATION

It is recommended that your Board approve the contract between Visionary Home Builders, Inc. and the County, and authorize the Board Chair to sign.

LEGAL NOTICE

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20, this meeting will allow members of the Tuolumne County Planning Commission to participate by teleconference; and under Order N-29-20, Accessibility Requirements, if you need swift special assistance during the meeting, please call **209-770-5423**.

NOTICE IS HEREBY GIVEN THAT

Tuolumne County Planning Commission of Tuolumne County, California, will conduct a public hearing on December 1, 2021, at 6:00 p.m., via the Zoom Website Platform. Follow link for zoom meeting platform here <https://us02web.zoom.us/j/82859321580>

Participation instructions and project reports may be found in the Agenda Packet at <https://www.tuolumnecounty.ca.gov/AgendaCenter/Tuolumne-County-Planning-Commission-8>. You may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (cdd@tuolumnecounty.ca.gov) for retention as part of the administrative record.

- 1. HIDDEN MEADOWS, 1) Mitigated Negative Declaration; 2) Site Development Permit (SDP21-008); 3) General Plan Amendment (GPA21-003); 4) Zone Change (RZ21-010)** to allow the development of an apartment complex consisting of 72 units on a 5.93 acre site; 20080 Cedar Road North, Sonora; APN 44-420-037. Notice of Determination pursuant to CEQA Guidelines.

Interested persons are invited to be heard. Court challenges to any decisions on the above proposals may be limited to issues raised at the public hearing described herein or in correspondence submitted at, or prior to, said hearing.

s/Quincy Yaley
Community Development Department

DO NOT PRINT TEXT BELOW THIS LINE

To Be Published

Saturday, November 20, 2021

Contact Person:

Submitted to the Union Democrat on Thursday, November 18, 2021, by Taryn Vanderpan, 533-5635, 533-5571, 533-5633

Bill To:

Tuolumne County Community Development Department