



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

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

TUOLUMNE COUNTY PLANNING COMMISSION BOARD OF SUPERVISORS CHAMBERS, 4TH FLOOR COUNTY ADMINISTRATION CENTER 2 SOUTH GREEN STREET

June 7, 2023
6:00 p.m.*

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 536-1622 (Fleet)
(209) 533-5616 (fax)
(209) 533-5909 (fax – EHD)
(209) 588-9064 (fax – Fleet)
(209) 533-5698 (fax - Roads)
www.tuolumnecounty.ca.gov

***The doors to the County Administration Center will be opened at 5:30 p.m.**

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. 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 Agricultural Advisory Committee Representative

3. Minutes of the Meeting of April 5, 2023

4. Presentation and discussion on TCPC procedures, roles and responsibilities.

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:

PATTERSON-WEST, The proposed Zone Change RZ23-002 is to rezone a 25.06± acre parcel (APN 033-160-064) from AE-37:MX:AIR (Exclusive Agricultural, 37-Acre Minimum, Mobilehome Exclusion Combining, Airport Combining) to A-20:MX:AIR (General Agricultural, 20-Acre Minimum, Mobilehome Exclusion Combining, Airport Combining District). The proposed zone change is in advance of a proposed Lot Line Adjustment between APNs 033-160-064 and 033-490-033, whereby 1-acre of land would be taken from APN 033-160-064 and added to APN 033-490-033, which is currently zoned R-1:MX:AIR (Single Family Residential, Mobilehome Exclusion Combining, Airport Combining). The zoning reflected on APN 033-160-064 must be modified to be appropriate for the ultimate Lot Line Adjustment, which is due to a reduction in size of APN 033-160-064, would require its remainder of 24.06 acres to be rezoned to A-20:MX:AIR (General agriculture, 20-acre minimum, Mobilehome Exclusion Combining, Airport Combining), which is consistent with the minimum parcel requirements. The general plan designation for both the West and Patterson properties is Low

Density Residential (LDR), so there is no need for a General Plan Amendment.

The project site is located 200± feet northwest of 10911 Martin Terrace Court in the community of Sonora. Within a portion of Section 26, Township 2 North, and Range 14 East, Mount Diablo Baseline and Meridian. Within Supervisorial District 1. Assessor's Parcel Number 033-160-064. The parcel receiving 1-acre is APN 033-490-033 located directly south.

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, 8:00 a.m. 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).

S:\Commissions\TCPC\2023\Agenda\6-7-2023 TCPC Agenda.doc

Patterson & West

SURFACE/MINERAL

RIGHTS OWNER: Craig West & Frankie West

APPLICANT: Scot Patterson & Craig West [(209) 743-9934]

DATE: May 23, 2023

PROJECT AND LOCATION

PROJECT

DESCRIPTION:

The proposed Zone Change RZ23-002 is to rezone a 25.06± acre parcel (APN 033-160-064) from AE-37:MX:AIR (Exclusive Agricultural, 37-Acre Minimum, Mobilehome Exclusion Combining, Airport Combining) to A-20:MX:AIR (General Agricultural, 20-Acre Minimum, Mobilehome Exclusion Combining, Airport Combining District). The proposed zone change is in advance of a proposed Lot Line Adjustment between APNs 033-160-064 and 033-490-033, whereby 1-acre of land would be taken from APN 033-160-064 and added to APN 033-490-033, which is currently zoned R-1:MX:AIR (Single Family Residential, Mobilehome Exclusion Combining, Airport Combining). The zoning reflected on APN 033-160-064 must be modified to be appropriate for the ultimate Lot Line Adjustment, which is due to a reduction in size of APN 033-160-064, would require its remainder of 24.06 acres to be rezoned to A-20:MX:AIR (General agriculture, 20-acre minimum, Mobilehome Exclusion Combining, Airport Combining), which is consistent with the minimum parcel requirements. The general plan designation for both the West and Patterson properties is Low Density Residential (LDR), so there is no need for a General Plan Amendment.

LOCATION:

The project site is located 200± feet northwest of 10911 Martin Terrace Court in the community of Sonora. Within a portion of Section 26, Township 2 North, and Range 14 East, Mount Diablo Baseline and Meridian. Within Supervisorial District 1. Assessor's Parcel Number 033-160-064. The parcel receiving 1-acre is APN 033-490-033 located directly south.

GENERAL PLAN:

The project site is designated Low Density Residential (LDR) by the 2018 Tuolumne County General Plan. The Tuolumne County General Plan indicates that both the proposed A-20 and R-1 zoning districts are compatible with the LDR designation.

ENVIRONMENTAL EVALUATION

After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the *State CEQA Guidelines* because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Zone Change RZ23-002 is proposed zone change to facilitate a lot line adjustment to adjust property lines between two legal parcels. The lot line adjustment is a ministerial project as defined in Section 15369 of the *State CEQA Guidelines*, and is statutorily exempt from review under CEQA.

Patterson & West

Therefore, it can be seen with certainty that the proposed project will not have a significant effect on the environment.

RECOMMENDATION

Community Development Department Staff recommends approval of Zone Change RZ23-002 based upon the following findings, pursuant to Section 17.68.050 of the TCOC.

- 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 districts.
- D. The project is exempt from further environmental review pursuant to Section 15061(b)(3) of the *State CEQA Guidelines*.

GENERAL INFORMATION

Site Description

- 1. The project site consists of a 25.06± acre parcel zoned AE-37 under Title 17 of the TCOC with the LDR General Plan land use designation. The project site is located approximately 200± feet northwest of 10911 Martin Terrace Court, which is located in the Gibbs Ranch Subdivision within the community of Sonora. The site of the zone change is undeveloped forested area. Trees found in the area include mainly live oak. Grey pine and Manzanita trees are sparsely populated in the area but can be found as well. The surrounding land-uses include residential development, a pond, forested slopes, and open-space. Approval of the Zone Change would allow for a lot line adjustment to be completed between Assessor's Parcel Number 033-160-064 and Assessor's Parcel Number 033-490-033.
- 2. The surrounding zonings include:

AE-37:MX:AIR	Agricultural Exclusion, 3-acre minimum, Mobilehome Exclusion Combining, Airport Combining
RE-5:MX:AIR	Residential Estate, 5-acre minimum, Mobilehome Exclusion Combining, Airport Combining
R-1:MX	Single Family Residential, Mobilehome Exclusion Combining
O	Open Space
O-1	Open Space-1 District
O-1:AIR	Open Space-1, Airport Combining
R-1:MX:AIR	Single Family Residential, Mobilehome Exclusion Combining, Airport Combining

Project Description

- 3. The proposed Zone Change is in advance of a proposed Lot Line Adjustment between APNs 033-160-064 and 033-490-033, whereby 1.0 acre of land would be taken from APN 033-160-064 and added to APN 033-490-033, currently zoned R-1. The zoning reflected on APN 033-160-064 must be modified to be appropriate for the ultimate Lot Line Adjustment, which, due to the reduction in size of APN 033-160-064, would require its remainder of 24.06± acres to be rezoned to A-20, consistent with the minimum parcel size requirements

Patterson & West

of that Zoning District. The General Plan designation for both the West and Patterson parcels is Low Density Residential (LDR), so there is no need for a General Plan Amendment.

General Plan

4. The project site contains the Low Density Residential (LDR) General Plan land use designation. The LDR designation provides for family-oriented neighborhoods that feature single-family, detached homes on individual parcels. A second dwelling unit per parcel is also permitted to provide for the caring of family members and to promote affordable housing. This designation is applied to urban or urbanizing areas suitable for single-family residential neighborhoods, with individual lots ranging in area from 7,500 square feet to two acres. Up to six dwelling units per acre is the maximum building intensity under this designation; however, additional units are possible through a density bonus for the provision of affordable/achievable housing in accordance with the California Government Code or the TCOC.
5. Table 1.3 of the Technical Background Report of the 2018 Tuolumne County General Plan indicates that the existing Low-Density Development (LDR) General Plan land use designation on the project site is compatible with the proposed A-20:MX:AIR zoning district. Therefore, the proposed project is consistent with the Tuolumne County General Plan.

Ordinance Code

6. Zone Change RZ22-002 proposes to rezone a 24.06± acre portion of APN 033-160-064 from AE-37:MX:AIR to A-20:MX:AIR. The purpose of the A-20 district is to provide for country-estate living while maintaining large areas for the commercial production of food and fiber where such agricultural uses can exist without the encroachment of incompatible land uses. Development in this zone must comply with Title 15 of this Code relative to fire safety standards. Below, Table 1 summarizes the existing development and maximum potential density without the lot line adjustment. Table 2 will summarize the site conditions after the decision of lot line adjustment.

Table 1: Existing Site Conditions

APN	Acres	Existing Zoning	Proposed Zoning	Development
033-160-064	25.06	AE-37:MX:AIR	A-20:MX:AIR	Vacant
033-490-033	1.0	R-1:MX:AIR	R-1:MX:AIR	Single-Family Dwelling

AE-37:MX:AIR = AIR (Exclusive Agricultural, 37-Acre Minimum, Mobilehome Exclusion Combining, Airport Combining)

A-20:MX:AIR = (General Agricultural, 20-Acre Minimum, Mobilehome Exclusion Combining, Airport Combining)

R-1:MX:AIR = (Single Family Residential, Mobilehome Exclusion Combining, Airport Combining)

Wildlife and Habitat

7. The Tuolumne County Wildlife Habitat Maps indicate that the mixed chaparral (mch), montane Hardwood conifer (mhc), montane hardwood (mhw) and residential park (rsp)

Patterson & West

habitats are present on site. All listed habitat types on the project site are fourth priority habitats which are considered to be relatively low value to wildlife. Most uses would be allowed without wildlife mitigation.

8. The California Natural Diversity Database (CNDDB) was consulted for known locations of special status plant species and animal species. The CNDDB indicates that there are no known special status plant species known to occur within the vicinity of the project site.

No mitigation for cumulative impacts to wildlife are needed for the project. The project is not proposing any development. The project consists of a Zone Change in conjunction with a lot line adjustment and is consistent with the existing General Plan land use designation.

Cultural Resources

9. Pursuant to Table 14.10(B) of the Ordinance Code, a cultural resources study is required when certain indicators are found on a project site, which include a site containing or being adjacent to a parcel that contains known archaeological or historic sites, the presence of rock retaining walls, evidence of historic era mining, evidence of Native American habitation, structures older than 50 years, or a site within 100 meters of a river, spring, perennial or intermittent stream, as indicated by a blue line on the USGS quadrangle maps.
10. The Tuolumne County Database of Cultural Resources has been reviewed to determine the presence of known cultural resources on the project site. Per the Central California Information Center, a cultural resource was recorded in 1991 by Barbara Balen and Charla Meacham Francis. The cultural resource number TC-50 is in reference to number of cultural resources, predominantly a historic era dairy, known as the Liljedahl Dairy. In addition to the dairy, one historic era pocket mine, 4 prospecting pits, and an amorphous ditch with related reservoirs were encountered. A single isolate large retouch basalt flake was in encountered near the project's eastern boundary. No other prehistoric remains were located. As this cultural resource was previously documented and no additional indicators are present on the site, a cultural resources study is not required and no additional mitigation for cultural resources is required for the proposed project. The document is on file with the Land Use and Natural Resource Division of the Community Development Department. This document is considered confidential and can be requested for review by a qualified professional.

Adjoiner Comments

11. On March 8, 2023, 180 adjoining property owners within 1,000 feet were notified of the project via mail. The CDD received 3 responses on the proposed project. Two of the comments were neutral and in favor of the project. One of the three comments was inquiring about project details since the stakeholder owned a contiguous parcel to the northeast of the proposed project. This stakeholder ended up being a neutral about the proposed project.

Airport Land Use Commission

12. Since the zone change and lot line adjustment project is being proposed in an airport combining zone (:AIR), an ALUC review has been conducted. The proposed project was approved by the ALUC to move forward on May 18, 2023, the proposed land use having been determined to not be a hazard to normal airport operations. The purposes of the airport combining zoning district are to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports

Patterson & West

to the extent that these areas are not already devoted to incompatible uses (TCOC, Sections 17.49.010(A)). This parcel falls within the compatibility plan Zone D, which prohibits the development of schools for children, day care centers, libraries, hospitals, nursing homes, and hazards to flight (TCOC, Sections 17.49.070(4)(a)). Since the proposed project is a zone change and lot line adjustment and does not call for any development that would be hazardous to flight, it is compatible with Zone D, the Airport Combining district, and the Tuolumne County Airport Land Use Compatibility Plan.

Advisory Agency Review

13. The proposed project has been reviewed by the County of Tuolumne Public Works Department and the Tuolumne Band of Me Wuk Tribal Council.

The Department of Public Works has no comment on the proposed Zone Change but wishes to make the following comment on the layout of the Exhibit Map submitted with the application.

Based on the submitted Lot Line Adjustment Exhibit Map, if access from Martin Terrace Court is wanted for APN 033-160-064, a driveway easement from one of the adjacent parcels will be needed.

The Me Wuk Tribal Council agrees with the proposed project and has no comments on the matter.

Zone Change Findings

14. Chapter 17.70 of the TCOC requires that evidence be shown that the proposed project meets the necessary findings for a zone change. Below are the required findings, and staff's responses to each requirement:

A. The proposed Zone Change is consistent with the Tuolumne County General Plan.

Consistency with the General Plan is discussed and demonstrated in #4 and #5 above in this report.

B. The proposed Zone Change is in accordance with the Tuolumne County Ordinance Code.

Consistency with the Tuolumne County Ordinance Code is discussed in #6 and demonstrated in Table 1 above in this report.

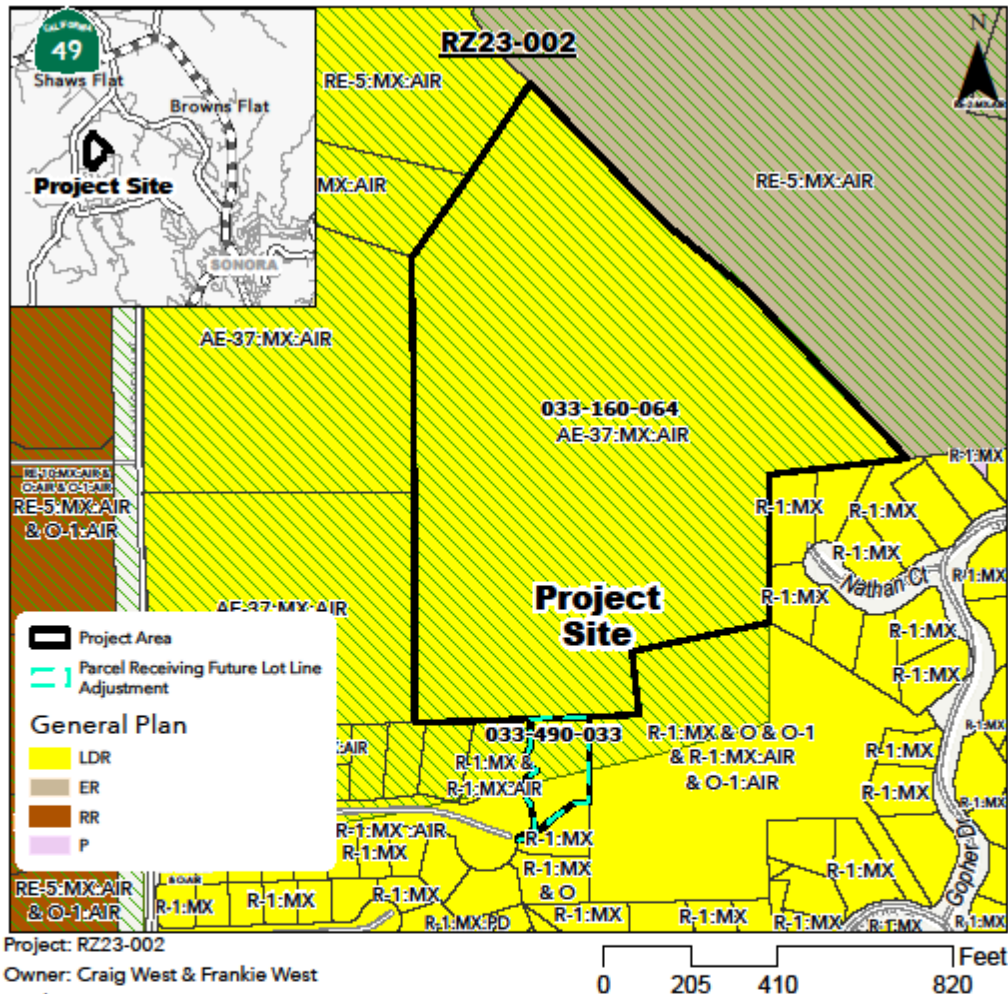
C. The project site is suited to the uses permitted under the proposed zoning district.

The project and site are discussed in #1 and #2 above in this report. The General Plan land use designation of Low Density Residential (LDR) for the site is consistent with the proposed zoning as posed in the project description above.

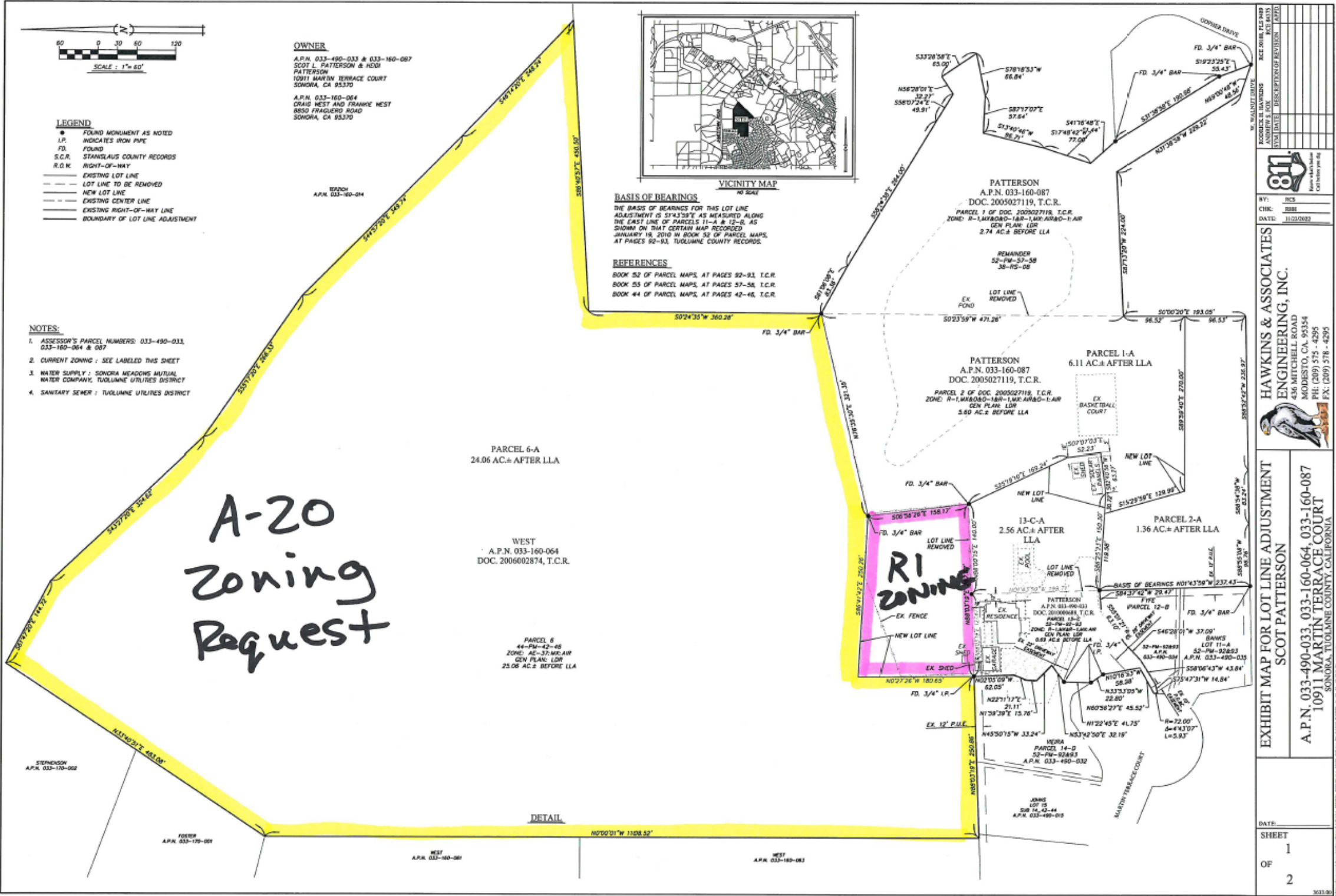
D. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State CEQA Guidelines.

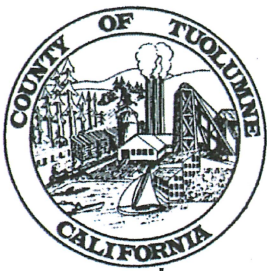
PREPARED BY: Clark Sintek, Planner

Attachment 1: Agenda Map



Attachment 2: Exhibit Map





Department of Public Works

Kim MacFarlane, P.E.
Director

48 W. Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
209.533.5601
www.tuolumnecounty.ca.gov

MEMORANDUM

ADMINISTRATION

Assistant to the
Department Head
Emma Hawks
209.694.2718

AIRPORTS

209.533.5685

BUSINESS

Business Manager
Janelle Kostlivy
209.533.5972

ENGINEERING

Supervising Engineer
Blossom Scott-Heim, P.E.
209.533.5904

FLEET SERVICES

Fleet Services Manager
Mike Young
209.536.1622

GEOGRAPHIC INFORMATION SYSTEMS

GIS Coordinator
Madeline Amlin
209.533.6592

ROAD OPERATIONS

Road Superintendent
Mike Cognetti
209.533.5609

SOLID WASTE

209.533.5588

SURVEYING

County Surveyor
Warren Smith, L.S.
209.533.5626

Date: May 3, 2023

To: Clark Sintek, Planner

From: Juan Maya, Engineer I **JM**
Blossom Scott-Heim, P.E., Supervising Engineer

Re: RZ23-0002, Patterson
Assessor's Parcel No.: 033-160-064
Martin Terrace Court, Sonora

The proposed Zone Change, RZ23-002, seeks to rezone a 25.06± acre parcel as follows:

Acres	Existing Zone	Proposed Zoning
24.06	AE-37	A-20
1.00	AE-37	R-1

AE-37 R-1 AE-37 = Exclusive Agricultural, Thirty-Seven Acre Minimum

A-20 = General Agricultural, Twenty Acre Minimum

R-1 = Single Family Residential

The Department of Public Works has no comment on the proposed Zone Change items but wishes to make the following comment on the layout of the Exhibit Map submitted with the application.

Based on the submitted LLA Exhibit Map, if access from Martin Terrace Court is wanted for Parcel No. 033-160-064, a driveway easement from one of the adjacent parcels will be needed.



TUOLUMNE ME-WUK TRIBAL COUNCIL

Post Office Box 699

TUOLUMNE, CALIFORNIA 95379

Telephone (209) 928-5300

Fax (209) 928-1677

March 20, 2023

Clark Sintek

Tuolumne County Community Development Department

2 South Green Street

Sonora, California 95370

RE: Zone Change RZ23-002

Assessor's Parcel Number: 033-160-064

Dear Mr. Sintek,

The Tribe is in receipt of your communication dated March 8, 2023, regarding the above referenced projects. Upon reviewing said documentation the Tribe agrees with the proposed zone changes for the above referenced parcels. We have no further concerns or comments currently.

Thank you for keeping us updated.

Best regards,

Kyle Cox

Cultural Resource Manager

(209) 928-5300

RECEIVED
MAR 24 2023
Community Development
Department

From: Michael Terzich

To: Clark Sintek

Subject: Fw: Zoning Change: 033-160-064, Comments

Date: Friday, March 24, 2023 12:59:48 PM

See below. Misspelled your name.

----- Forwarded Message -----

From: Michael Terzich <michael_terzich@yahoo.com>

To: "csintek@co.tuolumne.ca.us" <csintek@co.tuolumne.ca.us>

Cc: "michellekelley@olypen.com" <michellekelley@olypen.com>;

"scot@calgold.us" <scot@calgold.us>

Sent: Friday, March 24, 2023, 12:47:29 PM MST

Subject: Zoning Change: 033-160-064, Comments

Clark Sintek,

Thanks for talking with me the other day regarding this zoning change.

I am responding to this issue for the Terzich Family Trust, owner of the 32 acres (033-160-014-000) adjacent to the "West" property.

I have discussed this with my sister, Michelle Kelley (Trustee), and we have the following comments.

From discussions with you we understand that Scot Patterson is proposing this change so that he can have the additional piece of property added to his as an increased buffer and otherwise is not planning to have a single family dwelling added to it. Generally our family would like to preserve the aspect of development to 2 to 5 acre units or larger in this area. If our assumptions above are correct we do not have any objections to this zoning change.

If you have any questions, please contact me.

Michael Terzich

Michael_Terzich@yahoo.com

928-522-5969

Please return your comments to the CDD by **March 27, 2023**.

Staff Contact: Clark Sintek, phone: (209) 533-5614, email: csintek@co.tuolumne.ca.us

AGENCY/NAME: _____

NEIGHBOR

RECEIVED

MAR 23 2023

COMMENTS: _____

I APPROVE

Community Development
Department

All property owners within 300 feet of the proposed project and agencies/organizations will be notified of future public hearings. Property owners do not need to request future notification. Please note that all comments that are submitted are part of the public record for the project.

Signed by: _____

[Signature]

Agency: _____

NEIGHBOR

Date: _____

3-19-23

Please return your comments to the CDD by **March 27, 2023**.

Staff Contact: Clark Sintek, phone: (209) 533-5614, email: csintek@co.tuolumne.ca.us

AGENCY/NAME: Leslie C Nelson

COMMENTS: I live just below the pond
& am concerned about the impact
this will have on the integrity of
the dam & banks & of the water
traffic

All property owners within 300 feet of the proposed project and agencies/organizations will be notified of future public hearings. Property owners do not need to request future notification. Please note that all comments that are submitted are part of the public record for the project.

Signed by: Leslie C Nelson

Agency: home owner

Date: 3-22-23



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

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

UNAPPROVED

TUOLUMNE COUNTY

PLANNING COMMISSION MEETING

MINUTES

April 5, 2023

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

PRESENT: Chair Linda Emerson, Vice-Chair Catherine Santa Maria, and Commissioners Jim Jordan, Jerry Morrow, Wesley Brinegar, Kara Bechtle, and Jim Cherry

ABSENT: None

STAFF: Dave Ruby, Planning Manager; Natalie Rizzi, Senior Planner; Taryn Vanderpan, Administrative Technician

* * * * *

CALL TO ORDER/WELCOME:

Chair Morrow called the meeting of April 5, 2023, to order at 6:00 p.m. and led the Commission and audience members in the Pledge of Allegiance.

PLANNING COMMISSION BUSINESS:

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****

Chair Morrow introduced the new Tuolumne County Planning Commissioners, Jim Cherry and Wesley Brinegar.

Dave Ruby, Planning Manager, gave an update on some of the large-scale projects that the Planning Division has been working on.

Chair Morrow asked staff for an update on the Twain Harte Shopping Center and when the project would come before the Commission.

Mr. Ruby indicated that the level of Environmental Review under CEQA is still being evaluated based on the project scope; therefore, a projected timeframe is unavailable.

Mr. Ruby gave a report on the disbandment of the Board of Supervisors Planning Committee (BOSPC).

2. Report from the Agricultural Advisory Committee Representative

Commissioner Bechtle noted that there was no meeting; therefore, there was nothing to report.

3. Minutes of the meeting of January 18, 2023

It was moved by Commissioner Santa Maria and seconded by Commissioner Cherry to approve the minutes of the January 18, 2023, meeting with correction.

Staff roll called for the vote:

Chair Morrow: Aye
Vice-Chair Emerson: Aye
Commissioner Cherry: Aye
Commissioner Santa Maria: Aye
Commissioner Bechtle: Aye
Commission Jordan: Aye
Commissioner Brinegar: Aye

Chair Morrow called for the vote. 7; Ayes, 0; Noes, 0; Abstain

Motion carried: 7 – 0 – 0

4. Election of Officers

- **Chair**

It was moved by Commissioner Jordan and seconded by Chair Morrow to appoint Linda Emerson to the position of Chair of the Tuolumne County Planning Commission.

Staff roll called for the vote:

Chair Morrow: Aye
Vice-Chair Emerson: Aye
Commissioner Cherry: Aye
Commissioner Santa Maria: Aye
Commissioner Bechtle: Aye
Commission Jordan: Aye
Commissioner Brinegar: Aye

Chair Morrow called for the vote. 7; Ayes, 0; Noes, 0; Abstain

Motion carried: 7 – 0 – 0

- **Vice-Chair**

It was moved by Commissioner Morrow and seconded by Commissioner Jordan to appoint Jim Jordan to the position of Vice-Chair of the Tuolumne County Planning Commission.

Staff roll called for the vote:

Chair Emerson: Aye
Commissioner Santa Maria: No
Commissioner Cherry: Abstain
Commissioner Morrow: Aye
Commissioner Bechtle: No
Commission Jordan: Aye
Commissioner Brinegar: Abstain

Chair Emerson called for the vote. 3; Ayes, 2; Noes, 2; Abstain

Motion failed: 3 – 2 – 2 with Commissioners Bechtle and Santa Maria voting no and Commissioners Cherry and Brinegar abstaining.

It was moved by Commissioner Bechtle and seconded by Commissioner Morrow to appoint Catherine Santa Maria to the position of Vice-Chair.

Staff roll called for the vote:

Chair Emerson: Aye
Commissioner Santa Maria: Aye
Commissioner Cherry: Abstain
Commissioner Morrow: Aye
Commissioner Bechtle: Aye
Commission Jordan: Aye
Commissioner Brinegar: Abstain

Chair Emerson called for the vote. 5; Ayes, 0; Noes, 2; Abstain

Motion failed: 5 – 0 – 2 with Commissioner Cherry and Brinegar abstaining.

- **Agricultural Advisory Committee Representative**

It was moved by Chair Emerson and seconded by Commissioner Cherry to appoint Commissioner Morrow to the position of the Agricultural Advisory Committee Representative.

Staff roll called for the vote:

Chair Emerson: Aye
Vice-Chair Santa Maria: Aye
Commissioner Cherry: Aye
Commissioner Morrow: Aye
Commissioner Bechtle: Aye
Commission Jordan: Aye
Commissioner Brinegar: Aye

Chair Emerson called for the vote. 7; Ayes, 0; Noes, 0; Abstain

Motion carried: 7 – 0 – 0

NEW BUSINESS:

PUBLIC COMMENT:

Chair Emerson opened the 15-minute public comment period, during which anyone wishing to could come forward and address the Commission on any item not on the Agenda. Seeing no one, she closed the public comment period.

PUBLIC HEARING:

1. SCHOPFER & MOULTRHOP,

1. Resolution for General Plan Amendment GPA22-006 to amend the General Plan land use designation of a 0.19± acre parcel from Low Density Residential (LDR) to Estate Residential (ER).
2. Ordinance for Zone Change RZ22-011 to rezone a 0.19± acre parcel (APN 041-190-028) from R-1:MX (Single Family Residential:Mobile Home Exclusion Combining) to RE-3:MX (Residential Estate, Three Acre Minimum:Mobile Home Exclusion Combining) and to rezone

an 8.08± acre parcel (APN 041-150-015) from RE-5:MX (Residential Estate, Five Acre Minimum:Moible Home Exclusion Combining) to RE-3:MX under Title 17 of the Tuolumne County Ordinance Code (TCOC).

The project site consists of two parcels totaling 8.99± acres located in the community of Twain Harte. APN 041-190-028 is a 0.91± acre parcel located at 19460 Middle Camp Sugar Pine Road, approximately 600 feet east of the intersection of Middle Camp Sugar Pine Road and Confidence South Fork Road in Twain Harte. APN 041-150-015 is an 8.08± acre parcel located along South Fork Road, approximately 1,600 feet east of the intersection of South Fork Road and Confidence South Fork Road, in Twain Harte. The project site is located within a portion of Section 4, Township 2 North, Range 16 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 3. Assessor's Parcel Numbers 041-190-028 and 041-150-015.

Natalie Rizzi, Senior Planner, gave a PowerPoint presentation on the proposed project location and description.

Commissioner Morrow questioned the adjoiner comment that was received indicating concerns with the removal of trees.

Ms. Rizzi noted that the adjoiner's concerns were with regards to the adjacent property, which is under the jurisdiction of the US Forest Service. She noted that no trees were proposed to be removed within the boundaries of the project site.

Chair Emerson inquired about the utilization of the railroad grade as a walking trail and the status of that project.

Mr. Ruby responded that there are currently no plans for that segments of the railroad grade to be a public walking trails due to topography and private ownership issues.

Chair Emerson asked if there were any additional questions of staff. Seeing none, she opened the public comment period and asked if there was anyone who wished to speak on the proposed project.

Rick James, Land and Structure, spoke in favor of the proposed project.

Chair Emerson asked if there was anyone else who wished to speak on the proposed project. Seeing no one, she closed the public comment period and referred the item back to the Commission.

It was moved by Commissioner Jordan and seconded by Vice-Chair Santa Maria to recommend approval of General Plan Amendment GPA22-006 based on Findings 1.A through 1.D and recommend approval of Zone Change RZ22-011 based on Findings 2.A through 2.D.

Staff roll called for the vote:

Chair Emerson: Aye
Vice-Chair Santa Maria: Aye
Commissioner Cherry: Aye
Commissioner Morrow: Aye
Commissioner Bechtle: Aye
Commission Jordan: Aye
Commissioner Brinegar: Aye

Chair Emerson called for the vote. 7; Ayes, 0; Noes, 0; Abstain

Motion carried: 7 – 0 – 0

2. VACCAREZZA,

1. Resolution for General Plan Amendment GPA22-002 to amend the General Plan land use designation of a 0.84± acre portion of a 10.23± acre parcel from Rural Residential (RR) to Homestead Residential (HR).
2. Ordinance for Zone Change RZ22-008 to rezone a 0.84± acre portion of a 10.23± acre parcel from RE-5 (Residential Estate, Five Acre Minimum) to RE-3 (Residential Estate, Three Acre Minimum) under Title 17 of the Tuolumne County Ordinance Code (TCOC).

The project site is located at 10144 Bell Mooney Road in the community of Jamestown, approximately 900± feet west of the intersection of Jacksonville Road and Bell Mooney Road. The project site is located within a portion of Section 15, Township 1 North, Range 14 East, Mount Diablo Baseline and Meridian and within Supervisorial District 5. Assessor's Parcel Number 059-080-087.

Natalie Rizzi, Senior Planner, gave a PowerPoint presentation on the proposed project location and description.

Chair Emerson inquired about the strip of Public designated land that cuts through APN 059-080-006.

Ms. Rizzi clarified that the portion of land in question is the right of way for the railroad and is utilized in conjunction with Rail Town 1987 State Historic Park.

Chair Emerson asked if there were any additional questions of staff. Seeing none, she opened the public comment period and asked if there was anyone who wished to speak on the proposed project.

Rick James, Land and Structure, spoke in favor of the proposed project.

Chair Emerson asked if there was anyone else who wished to speak on the proposed project. Seeing no one, she closed the public comment period and referred the item back to the Commission.

It was moved by Commissioner Cherry and seconded by Vice-Chair Santa Maria to recommend approval of General Plan Amendment GPA22-002 based on Findings 1.A through 1.D and to recommend approval of Zone Change RZ22-008 based on Findings 2.A through 2.D.

Staff roll called for the vote:

Chair Emerson: Aye
Vice-Chair Santa Maria: Aye
Commissioner Cherry: Aye
Commissioner Morrow: Aye
Commissioner Bechtle: Aye
Commission Jordan: Aye
Commissioner Brinegar: Aye

Chair Emerson called for the vote. 7; Ayes, 0; Noes, 0; Abstain

Motion carried: 7 – 0 – 0

3. McCURLEY,

1. Resolution for General Plan Amendment GPA22-003 to amend the General Plan land use designation of a 3.0± acre portion of a 4.68± acre parcel from Homestead Residential (HR) to Estate Residential (ER).

2. Ordinance for Zone Change RZ22-009 to rezone a 1.7± acre portion of a 4.68± acre parcel from RE-1 (Residential Estate, One Acre Minimum) to RE-2 (Residential Estate, Five Acre Minimum) to RE-2 under Title 17 of the Tuolumne County Ordinance Code.

The project site is located at 18258 Old Wards Ferry Road in the community of Sonora, approximately 33 feet southwest of the intersection of Lambert Lake and Old Ferry Road. The project site is located within a portion of Section 15, Township 1 North, Range 15 East, Mount Diablo Baseline and Meridian and within Supervisorial District 4. Assessor's Parcel Number 056-430-016.

Dave Ruby, Planning Manager, gave a PowerPoint presentation on the proposed project location and description.

Commissioner Morrow noted that he walked the property with the applicant.

Commissioner Bechtle asked for clarification if the project site has a structure.

Mr. McCurley clarified that the site does have a well, but no structure.

Chair Emerson asked if there were any additional questions of staff, seeing none, she opened the public comment period and asked if there was anyone who wished to speak on the proposed project. Seeing no one, she closed the public comment period and referred the project back to the Commission.

It was moved by Commissioner Morrow and seconded by Commissioner Jordan to recommend approval

Staff roll called for the vote:

Chair Emerson: Aye
Vice-Chair Santa Maria: Aye
Commissioner Cherry: Aye
Commissioner Morrow: Aye
Commissioner Bechtle: Aye
Commission Jordan: Aye
Commissioner Brinegar: Aye

Chair Emerson called for the vote. 7; Ayes, 0; Noes, 0; Abstain

Motion carried: 7 – 0 – 0

ADJOURNMENT:

Chair Emerson adjourned the meeting.

Respectfully,

Quincy Yaley, AICP
Community Development Department Director

QY:tv

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