



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 February 16, 2022 6:00 p.m.*

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

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/84239150424> (Webinar ID: 842 3915 0424)
- 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. Adopting Resolution PC2022-001 authorizing remote teleconference meetings of TCPC for the period of February 16, 2022 to March 16, 2022.
2. 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**

3. Report from the Board of Supervisors Planning Committee Representative

4. Report from the Agricultural Advisory Committee Representative

5. Minutes of the Meeting of November 17, 2021 and December 1, 2021

6. Status on Updated Commission Procedures

7. Election of Officers

- Chair
- Vice Chair
- Board of Supervisors Planning Committee (BOSPC) Representatives (2)
- Alternate BOSPC Representative (1)
- Agricultural Advisory Committee Representative

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:

1. NONE
-

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).



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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Sonora, CA 95370
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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: Feb 16, 2022 06:00 PM Pacific Time (US and Canada)

Topic: Tuolumne County Planning Commission (TCPC)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84239150424>

Or One tap mobile :

US: +16699006833,,84239150424# or +12532158782,,84239150424#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

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

Webinar ID: 842 3915 0424

International numbers available: <https://us02web.zoom.us/j/84239150424>

1 **Tuolumne County Planning Commission (TCPC)**

2 **County of Tuolumne**

3
4 **FINDINGS OF THE TUOLUMNE COUNTY PLANNING COMMISSION (TCPC)**
5 **AUTHORIZING REMOTE TELECONFERENCE MEETINGS**
6 **OF THE TUOLUMNE COUNTY PLANNING COMMISSION (TCPC)**
7 **FOR THE PERIOD FEBRUARY 16, 2022 TO MARCH 16, 2022**
8 **PURSUANT TO THE RALPH M. BROWN ACT.**
9

10 **WHEREAS**, all meetings of Tuolumne County Planning Commission (TCPC) and its legislative
11 bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963),
12 so that any member of the public may attend, participate, and view the legislative bodies conduct their
13 business; and

14 **WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote
15 teleconferencing participation in meetings by members of a legislative body, without compliance with the
16 requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and
17 requirements; and

18 **WHEREAS**, a required condition of Government Code section 54953(e) is that a state of emergency
19 is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of
20 conditions of disaster or of extreme peril to the safety of persons and property within the state caused by
21 conditions as described in Government Code section 8558(b); and

22 **WHEREAS**, a further required condition of Government Code section 54953(e) is that state or local
23 officials have imposed or recommended measures to promote social distancing, or, the legislative body
24 holds a meeting to determine or has determined by a majority vote that meeting in person would present
25 imminent risks to the health and safety of attendees; and

26 **WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency
27 declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California
28 Emergency Services Act (Government Code section 8625); and,

1 **WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which
2 formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a
3 gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did
4 not rescind the proclaimed state of emergency; and,

5 **WHEREAS**, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set
6 expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020 and
7 other Executive Orders but did not rescind the proclaimed state of emergency; and,

8 **WHEREAS**, as of the date of this Findings, neither the Governor nor the state Legislature have
9 exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency
10 either by proclamation or by concurrent Findings the state Legislature; and,

11 **WHEREAS**, the California Department of Industrial Relations has issued regulations related to
12 COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of
13 Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the
14 measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel
15 more than six feet, especially indoors; and,

16 **WHEREAS**, the [Tuolumne County Planning Commission (TCPC)] finds that state or local
17 officials have imposed or recommended measures to promote social distancing, based on the California
18 Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title
19 8 of the California Code of Regulations, Section 3205(5)(D); and,

20 **WHEREAS**, as a consequence, the Tuolumne County Planning Commission (TCPC) does hereby
21 find that it shall conduct its meetings by teleconferencing without compliance with Government Code
22 section 54953 (b)(3), pursuant to Section 54953(e), and that such legislative bodies shall comply with the
23 requirements to provide the public with access to the meetings as prescribed by Government Code section
24 54953(e)(2).

25 ///

26 ///

27 ///

28 ///

1 **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the Tuolumne County
2 Planning Commission (TCPC) , County of Tuolumne, State of California, in regular session assembled on
3 February 2, 2022 does hereby resolve as follows:

4 Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this
5 Findings by this reference.

6 Section 2. State or Local Officials Have Imposed or Recommended Measures to Promote Social
7 Distancing. The Tuolumne County Planning Commission (TCPC) hereby proclaims that state officials
8 have imposed or recommended measures to promote social (physical) distancing based on the California
9 Department of Industrial Relations’ issuance of regulations related to COVID-19 Prevention through Title
10 8 of the California Code of Regulations, Section 3205(5)(D).

11 Section 3. Remote Teleconference Meetings. The Tuolumne County Planning Commission
12 (TCPC) is hereby authorized and directed to take all actions necessary to carry out the intent and purpose
13 of these Findings including, conducting open and public meetings in accordance with Government Code
14 section 54953(e) and other applicable provisions of the Brown Act.

15 Section 4. Effective Date. These Findings shall take effect immediately upon its adoption and
16 shall be effective until the earlier of (i) December 13, 2021, or (ii) such time the Tuolumne County Planning
17 Commission (TCPC) adopts a subsequent Findings in accordance with Government Code section
18 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without
19 compliance with Section 54953(b)(3).

20 ADOPTED this 16th day of February, 2022 by Tuolumne County Planning Commission (TCPC),
21 by the following vote:

22
23 YES:

24 NO:

25 ABSENT:

26 ABSTAIN:

27
28

TUOLUMNE COUNTY PLANNING COMMISSION
PROCEDURAL RULES FOR THE CONDUCT OF PUBLIC HEARINGS

For any public hearing conducted by the Tuolumne County Planning Commission, the order of business shall be the following:

1. Opening of Public Hearing and announcement by Chair of matter to be heard.
2. When a Planning Staff report exists, such report shall be made public prior to or at the beginning of the hearing and shall be a matter of public record.
3. Questions by Commission of Staff.
4. Presentation of reports or evidence by Commissioners, Staff, or other County Departments or public agencies.
5. Proponents' arguments and evidence.
6. Opponents' arguments and evidence.
7. Neutral parties' arguments and evidence.
8. Rebuttal by proponents.
9. Surrebuttal by opponents.
10. Close of Public Hearing by declaration of Chair.
11. Discussion among Commissioners and questions of Staff.
12. Entertainment of motion and second.
13. Discussion on the motion.
14. Call for the question by the Chair.
15. Vote on the motion.
16. If motion fails, the Chair will entertain a new motion.

ADDITIONAL RULES:

- A. **Quorum** – A quorum of the Commission must be present in order to conduct any business. A quorum of the Commission shall consist of not less than four (4) members of the Commission.
- B. **Voting Procedure** – Members of the Commission shall vote viva voce (by the voice). Each member shall audibly indicate his or her position on any motion before the Commission in the following manner:

"Aye", "Yea" or "Yes" shall signify an affirmative vote.
"Nay" or "No" shall signify a negative vote.
"I abstain" shall signify that the member is refraining from voting.

Commented [QY1]: Consider adding a step to allow the applicant/owner to speak, present reports or evidence.

Commented [QY2]:

Commented [QY3]: Should clarify if questions can be directed to the applicant or other members of the public during this timeframe. Often questions are redirected back to the applicant or opponents of the project, which should be approved by County Counsel.

Commented [QY4]: Have county counsel confirm this is four of the total of 7, not four of the seated members/filled seats.

A Commissioner who does not audibly indicate his or her position on any motion shall be considered to have voted affirmatively.

To be carried, a question must receive the affirmative vote of a majority of the filled positions on the Commission, or such majority as is otherwise specifically provided by law. Abstentions shall not be counted as either an affirmative or negative vote.

The minutes of the meeting shall identify the names of the Commissioners making and seconding motions and those who dissent on the vote. If the vote was unanimous, the entry need only indicate that the question was unanimously carried, and such an entry shall be prima facie evidence that the question was so carried.

Following each vote, the Chair shall declare the vote of the Commission and, unless objection shall be made at such time, the vote so declared shall be considered as correct. If an objection is made regarding the vote by any member of the Commission or Staff, the Chair shall poll the Commissioners on whether they wish to vote on the motion again. If a majority of the voting members of the Commission so agree, the Chair shall ask for another vote on the motion. Objection to the second vote on the motion shall not require further consideration by the Commission.

The Chair shall be entitled to make or second a motion and shall vote on all questions in the manner set forth herein.

C. Commission Unable to Take Action – In accordance with Section 17.72.050 of the County Ordinance Code, if, after concluding a hearing on a matter before it, the Commission is unable to take action, after a motion is made and seconded to approve, conditionally approve or deny the matter, with a quorum present and voting thereon, the matter shall be handled as follows:

1. For Zone Changes, Development Agreements, Tentative Subdivision Maps, Agricultural Preserves and any other entitlement which requires action by the Board of Supervisors, the matter shall be automatically referred to the Board of Supervisors and set for hearing without recommendation.
2. For Site Development Permits, Conditional Use Permits, Site Review Permits, Variances and Design Review Permits which have been appealed to the Commission or referred to the Commission by the Community Development Director, the matter shall be automatically referred to the Board of Supervisors for action.
3. For Reasonable Accommodations, Conditional Use Permits and any other entitlement for which action by the Planning Commission is required pursuant to the County Ordinance Code, the matter shall be automatically referred to the Board of Supervisors for action.
4. For matters pertaining to the General Plan or amendments thereto, the Commission is required by Section 65354 of the Government Code to make a recommendation to the Board of Supervisors; consequently, the matter shall be continued to the next regularly scheduled or special meeting of the Commission.

D. Minutes – The minutes of each meeting of the Commission shall be approved by Commission action. Approval shall be prima facie evidence of the accuracy and correctness of said minutes.

E. Zone Change Applications – When any hearing is held on an application for a change of zoning for parcels, a staff report with recommendations and the basis for such

recommendations shall be included in the record of the hearing.

F. Matters Not on the Agenda – The Commission may take action on items of business not appearing on the posted agenda under either of the conditions stated below. Prior to discussion of any items pursuant to this section, the Commission shall publicly identify the item:

1. On a determination by a unanimous vote of those Commission members present, that there is a need to take immediate action and the need for action came to the attention of the Commission subsequent to the posting of the agenda.
2. The item was posted for a prior meeting of the Commission and at the prior meeting the item was continued to the meeting at which action is being taken.

G. Public Comment – Members of the public wishing to address the Commission on any item not on the agenda will be given a total of 15 minutes prior to commencement of the first public hearing item. The Commission is prohibited from acting on any matter, but may respond to questions or place items on a future agenda.

H. Order of Agenda – The Planning Commission reserves the right to change the order of items on the agenda in order to better serve the taxpaying public.

I. Allocation of Time – Planning Commission meetings begin at 7:00 p.m. with “Planning Commission Business.” Hearings are scheduled to begin immediately after “Public Comment” and terminate no later than 11:00 p.m., unless by majority vote the Commission extends the meeting to a specific time. The Chair is responsible for allocating a fair share of time for each item on the agenda. Any item that cannot be resolved in its allocated time will be “suspended” and will resume at that point that the last item on the agenda has either been resolved, or has used up its time allocation. Any items that still cannot be resolved will be scheduled for a continued hearing at a date to be specified.

J. Continuation of Hearing – The Planning Commission may continue a public hearing to a new date, time or place to inspect the premises, allow additional interested parties to attend the hearing, gather additional evidence or to otherwise assure all parties of a fair and impartial hearing. A public hearing may be continued at any time after it has been opened by the Chair. At the discretion of the Chair, testimony may be heard prior to a continuance from persons who indicate that they will not be able to be present at the continued hearing. If a public hearing is continued, the continued hearing shall begin with the item of business that was not completed at the previous hearing and continue through each item above, after the Chair announces the matter to be heard.

K. Authority of Commission - On most matters, the Planning Commission acts as a recommending body to the Board of Supervisors and there will be a hearing by the Board before a final decision is made. Zone Changes, General Plan Amendments, Development Agreements and Tentative Subdivision Maps are automatically scheduled for a Board hearing after the Planning Commission completes its process. Interested parties should check with either the Community Development Department or the Board Clerk to learn the date of the hearing.

Actions by the Planning Commission on such matters as Use Permits, Variances, Design Review Permits, Reasonable Accommodations, Site Review Permits and Site Development Permits are final unless appealed to the Board of Supervisors. An appeal must be filed in accordance with Section 17.68.130 of the County Ordinance Code.

L. Presentation During Hearing – Persons making a presentation during a public hearing

Commented [QY5]: This should clarify that the entire public comment period is to last 15 minutes, and can be extended with consensus. Also should clarify the chair can set the time limit for each speaker.

shall give their name and town of residence and shall state whether they are appearing as individuals or representatives of a group. All members of the audience shall be given an opportunity to address the Commission, but shall not address one another without permission from the Chair. The Chair reserves the right to limit the amount of time given to each speaker. If, in the opinion of the Chair, the matter has been thoroughly covered by verbal, written or visual evidence and further presentations are merely repetitious, the Chair may terminate the discussion and entertain a motion for disposition of the matter. Any person making a verbal presentation is encouraged to submit a written statement also.

Commented [QY6]: This is not accurate and should be removed. Individuals do not have to state their name.

M. Disorderly Conduct – In the event that any meeting is willfully interrupted by an individual, a group or groups of persons, so as to render the orderly conduct of such meeting infeasible, the Commission may order the removal of the individual or individuals willfully interrupting the meeting. If order cannot be restored by the removal of the individual or individuals willfully interrupting the meeting, the Commission may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session and duly accredited members of the press and other news media, except those participating in the disturbance, shall be allowed to attend. During such a session, the Commission may re-admit an individual or individuals if it finds that person or persons not responsible for willfully disturbing the orderly conduct of the meeting and such re-admission will not disrupt the continued orderly conduct of business.

N. Election of Officers – At the first meeting after February 15th of each year, the Commission shall elect a Chair and Vice Chair to serve in those respective offices for one year or until a successor is elected. The Commission shall also elect other officers or representatives to committees as provided by County regulations or the Board of Supervisors. Currently, the Planning Commission provides representation as follows: two representatives to the Board of Supervisors Planning Committee and one alternate representative to the Board of Supervisors Planning Committee. Elections of officers and representatives shall be in the following manner:

1. Announcement of the election of officers and representatives by the Chair.
2. The Chair shall call for nominations for the office of Chair from the Commissioners present.
3. The Chair shall ask if the nominee wishes to accept the nomination. Any Commissioner may decline to serve in any office if nominated.
4. The Chair shall call for any other nominations for the office of Chair. If no other nominations are made, the Chair shall call for a motion to close the nominations for Chair. The Chair shall call for a second to the motion to close the nominations. The Chair shall then call for a vote on the motion. The motion must pass to close the nominations.
5. After closing the nominations for Chair, the Chair shall call for discussion of the nominations by the Commission.
6. After discussion, the Chair shall call for the vote on the nominations by asking for those in support of the first nominee, then those in support of the second nominee, until votes have been taken for each of the nominees for that office.
7. If there is a tie vote, the Chair shall call for a vote between the tied nominees and ask for discussion of the nominations by the Commission.
8. After discussion, the Chair shall call for the vote as provided above in N.6.

9. If there is still a tie vote, the Chair shall continue the election of that office to the next regularly scheduled or special meeting of the Commission unless one of the nominees withdraws from the election.
10. Upon a withdrawal of a nominee, the Chair shall call for a new election for Chairman in accordance with procedures listed herein.
11. If there is a majority vote for one nominee, the Chair shall declare that nominee to be the new Chair and hand the gavel to the new Chair.
12. The new Chair shall conduct the election of the other officers and representatives in the same manner as prescribed above for the Chair.
13. Elected officers' and representatives' positions shall become effective upon declaration by the Chair that a Commissioner has been elected to the respective position.

O. Recording/Transcript/Minutes – An audio tape recording, official verbatim transcript, or minutes of the proceedings of any such hearing shall be available at cost to anyone who requests such recording, transcript, or minutes as follows:

1. For a verbatim transcript, a request must be submitted in writing at least ten (10) days prior to the hearing to the Community Development Department accompanied by a cash deposit equal to one day's salary of a court reporter. Such deposit is non-refundable but shall be applied toward the cost of the completed transcript.
2. For an audio tape recording, a request may be submitted orally to the Community Development Department before or after the hearing. After such a request is made, a duplicate copy of each cassette tape made during the entire meeting of the Planning Commission will be made; duplicates of portions of the meeting will not be made. The fee for duplicating each cassette tape shall be equal to the County's cost to prepare the tape. Currently the fee is \$16.50 per cassette tape. Tape recordings of regular and special meetings of the Commission shall be retained for two (2) years.
3. For minutes of the meeting, a request may be submitted orally to the Community Development Department before or after the hearing. The fee for the minutes shall be equal to the County's cost for photocopying. Currently, the fee is \$.10 per page.

Commented [QY7]: This section can be updated now that we have meetings recorded on zoom...staff can address this section and options.

Commented [QY8]: Recommend adding a section on allowing a "report" item on the agenda. Also recommend adding details in procedures about what constitutes a "report". Often times these turn into discussions which would be a Brown Act violation.

(These procedures have been adopted pursuant to Section 65804 of the Government Code and Section 2.32.070 of the Tuolumne County Ordinance Code by the Tuolumne County Planning Commission on November 11, 1995, and as amended on May 15, 2002, July 17, 2002, and July 18, 2007.)



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

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

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TUOLUMNE COUNTY PLANNING COMMISSION MEETING MINUTES

November 17, 2021

PRESENT: Chair Mike Gustafson, Vice-Chair Jerry Morrow, and Commissioners Jim Jordan, Catherine Santa Maria, Larry Bei, Linda Emerson, Kara Bechtle

ABSENT: Kara Bechtle

STAFF: Quincy Yaley, Community Development Department Director; Natalie Rizzi, Senior Planner; Cheydi Gonzales, Land Use Technician

CALL TO ORDER/WELCOME:

Chair Gustafson called the meeting of November 17, 2021, to order at 6:00 p.m. and led the Commission and audience members in the Pledge of Allegiance.

Chair Gustafson asked staff to roll call the Commission.

Chair Gustafson: Present
Vice-Chair Morrow: Absent
Commissioner Beil: Present
Commissioner Emerson: Present
Commissioner Santa Maria: Present
Commissioner Jordan: Present
Commissioner Bechtle: Absent

Chair Gustafson indicated that there was a quorum.

PLANNING COMMISSION BUSINESS:

- 1. Adopting Resolution PC2021-001 authorizing remote teleconference meetings of TCPC for the period of November 17, 2021 to December 17, 2021.**

It was moved by Commissioner Santa Maria and seconded by Commissioner Beil to approved Resolution PC2021-001 authorizing remote teleconference meetings for TCPC for the period of November 17, 2021 to December 17, 2021.

Chair Gustafson asked staff to roll call for the vote.

Chair Gustafson: Aye
Vice-Chair Morrow: Absent
Commissioner Beil: Aye
Commissioner Jordan: Abstain
Commissioner Emerson: Abstain
Commissioner Santa Maria: Aye

Commissioner Bechtle: Absent

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

Motion carried: 5 – 0 – 0 With Vice-Chair Morrow and Commissioner Bechtle being absent.

2. Reports

a. Commissioners and Staff

None

b. Report from the Board of Supervisors Planning Committee Representative

Commissioner Beil noted that there was a Board of Supervisors Planning Committee meeting. He noted that the Committee is reviewing the Title 17 Update along with the permitting processes and wireless towers. He noted that he has a conflict that will prevent him from being a representative.

Ms. Yaley responded that they will address new representation at the next Tuolumne County Planning Commission meeting.

c. Report from the Agricultural Advisory Committee Representative

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

3. Minutes of the meeting of September 1, 2021

It was moved by Commissioner Santa Maria and seconded by Commissioner Emerson to approve the minutes of September 1, 2021 with modifications.

Chair Gustafson asked staff to roll call for the vote.

Chair Gustafson: Aye

Vice-Chair Morrow: Absent

Commissioner Beil: Aye

Commissioner Jordan: Abstain

Commissioner Emerson: Abstain

Commissioner Santa Maria: Aye

Commissioner Bechtle: Absent

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

Motion carried: 5 – 0 – 0.

Motion carried: 5 – 0 – 0 With Vice-Chair Morrow and Commissioner Bechtle being absent.

Vice-Chair Morrow arrived to the meeting after the votes on the minutes.

PUBLIC COMMENT:

Chair Gustafson 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.

PUBLIC HEARING:

1. **KALWAY**, Ordinance for Zone Change RZ21-003 to rezone a 9,064± square foot parcel from R-3:MX:AIR (Multiple-Family Residential: Mobilehome Exclusion: Airport combining) district to R-1:MX:AIR (Single-Family Residential: Mobilehome Exclusion: Airport combining) district under Title 17 of the Tuolumne County Ordinance Code.

The project site is located at 19333 Oak Grove Circle in the community of Groveland. Approximately 32± feet northeast of the intersection of Oak Grove Circle and Mueller Drive within Pine Mountain Lake Subdivision. The project site is located within a portion of Section 16, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Number: 090-250-044.

Cheydi Gonzales, Land Use Technician, gave a PowerPoint Presentation on the proposed project description and location.

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

It was moved by Vice-Chair Morrow and seconded by Commission Santa Maria to recommend approval of Rezone RZ21-003 based on Findings A through D.

Chair Gustafson asked staff to roll call for the vote.

Chair Gustafson: Aye
Vice-Chair Morrow: Aye
Commissioner Beil: Aye
Commissioner Jordan: Aye
Commissioner Emerson: Aye
Commissioner Santa Maria: Aye
Commissioner Bechtle: Absent

Chair Gustafson called for the vote. 6; Ayes, 0; Noes, 0; Abstain,

Motion carried: 6 – 0 – 0 With Commissioner Bechtle being absent.

2. **SMITH/RASMUSSEN**, Ordinance for zone Change RZ21-005 to rezone a 0.13 acre parcel to M-U:D:HDP:MX and a 0.42 acre parcel to M-U:D:H:HDP:MX.

The project site is located at 18201 and 18189 Seco Street, approximately 150± feet northeast of the intersection of Main Street and Seco Street in the community of Jamestown. A portion of Section 10, Township 1 North, Range 14 East, Mount Diablo Baseline & Meridian. Assessor's Parcel Numbers 003-181-012 and 003-181-013. Supervisorial District Number 5.

Cheydi Gonzales, Land Use Technician, gave a PowerPoint presentation on the proposed project location and description.

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

It was moved by Commissioner Santa Maria and seconded by Commissioner Beil to recommend approval of Zone Change RZ21-005 based on Findings A through D.

Chair Gustafson asked staff to roll call for the vote.

Chair Gustafson: Aye
Vice-Chair Morrow: No
Commissioner Beil: No
Commissioner Jordan: Aye
Commissioner Emerson: No
Commissioner Santa Maria: Aye
Commissioner Bechtle: Absent

Chair Gustafson called for the vote. 6; Ayes, 0; Noes, 0; Abstain,

Motion passed: 6 – 0 – 0 With Commissioner Bechtel being absent.

3. **VALLEY VISTA SUBDIVISION**, Tentative Subdivision Map (T10-010(1)), Planned Unit Development (PUD10-002(1)), and Conditional Use Permit (CUP10-004(1)) to revise the “Valley Vista Project” to allow for the development of up to 229 primary residential units on 92.7 acres and grant exemptions from the application of development regulations due to the public benefit of the project.

The project site is located on the north side of Golf Links Road, east of Jamestown Road and west of McKibbin Drive, Jamestown. Site of the former Sonora Golf Course. A portion of Sections 2 and 3, Township 1 North, Range 14 East. Assessor’s Parcel Number 59-020-46. Within Supervisorial District 5.

Quincy Yaley, Community Development Department Director, gave a PowerPoint presentation on the proposed project location and description.

Chair Gustafson asked if the Commission had any questions of staff.

Vice-Chair Morrow asked for clarification regarding Caltrans traffic light determination.

David Ruby, Public Work Engineer, noted that the traffic requirements would be triggered at different phases of the development process.

Linda Emerson asked if the proposed fire station is a Cal fire station and been approved by the County.

Andrew Murphy, Assistant Chief for County Fire noted that the proposed area is a designation of space for a future fire station.

Commissioner Beil asked for clarification regarding the Caltrans threshold calculations in conjunction with the projects phased out development.

Mr. Ruby noted that the adopted 2010 conditions of approval defined 7.5 trips per single family residential builds and 5.4 trips per condominium or apartment unit. He noted that based on that ratio, 540 trips per day would be generated by phase one build out. He noted that phase one would trigger the first three thresholds of the required road improvements.

Commissioner Beil noted that once the development was completed the trips generated would trigger a traffic analysis to determine if a signal would be warranted on Highway 108. He raised concerns that a possible third traffic light would create more traffic in the Jamestown area.

Mr. Ruby explained that traffic volumes and patterns may change between now and when the project would be fully developed.

Commissioner Beil questioned why Tuolumne Utilities District (TUD) would be providing sewer to the proposed project instead of Jamestown Sanitary District (JSD). He raised concerns regarding the overlapping proximity of service lines.

Ms. Yaley responded that the proposed project is within both TUD and JSD's boundaries. She noted that TUD had the capacity and the willingness to provide sewer service.

Discussion ensued regarding which public service district would provide service to the proposed project.

Chair Gustafson invited the project applicant to speak for 15 minutes.

Ron Kopf and John Anderson discussed the history of the project and described the project and amenities.

Chair Gustafson opened the public comment period and asked if there was anyone who wished to speak on the proposed project.

There were five members of the public who spoke in favor of the proposed project citing the need for housing for the Community.

There were three members of the public who spoke in opposition to the proposed project whose raised concerns regarding road improvements and oak wildlife mitigation measures not adequate. They noted that the current project had less conditions than previous entitlement. They spoke on their concerns with the level of traffic analysis in correlation to a possible traffic signal. The raised issues with the projects lack of age restrictive housing for seniors.

There was one member of the public who spoke neutrally.

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

It was moved by Vice-Chair Morrow and Commissioner Jordan to recommend approval of Planned Unit Development Permit PUD10-002(1) based on Findings A through G and subject to Conditions 1 through 14; recommend approval of Vesting Tentative Subdivision Map T10-010(1) based on Findings a through C and subject to Conditions 1 through 133; recommend approval of Conditional Use Permit CUP10-004(1) based on Findings A through E and subject to Conditions 1 through 14; and recommend approval of CEQA 2021 Addendum for Planned Unit Development Permit PUD10-002(1), Vesting Tentative Subdivision Map T10-010(1), and Conditional Use Permit CUP10-004(1), based on Findings A through C.

Chair Gustafson: Aye

Vice-Chair Morrow: Aye

Commissioner Beil: Aye

Commissioner Jordan: Aye

Commissioner Emerson: Aye

Commissioner Santa Maria: Aye

Commissioner Bechtle: Absent

Chair Gustafson called for the vote. 6; Ayes, 0; Noes, 0; Abstain,

Motion carried: 6 – 0 – 0 With Commissioner Bechtle being absent.

Commission Beil again raised concerns regarding Jamestown Sanity District.

ADJOURNMENT:

Chair Gustafson adjourned the meeting.

Respectfully,

Quincy Yaley, AICP
Community Development Department Director

QY:tv



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

December 1, 2021

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 533-5616 (Fax)
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PRESENT: Chair Mike Gustafson, Vice-Chair Jerry Morrow, and Commissioners Jim Jordan, Catherine Santa Maria, Larry Beil, Linda Emerson, Kara Bechtle

ABSENT: None

STAFF: Quincy Yaley, Community Development Department Director

MEETING RECORDING:

https://us02web.zoom.us/rec/share/k2CSchJ_vkC1ojGv2H4StSWWQP6_1d8HzHdQSjZvjmfD90Fy0bukqgpNGJ_wlexN.wod29EcuFcP4cGzA

ACCESS PASSCODE: tuolumnecounty!123

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CALL TO ORDER/WELCOME:

Chair Gustafson called the meeting of December 1, 2021, to order at 6:00 p.m. and led the Commission and audience members in the Pledge of Allegiance.

Chair Gustafson asked staff to roll call the Commission.

Chair Gustafson: Present
Vice-Chair Morrow: Present
Commissioner Beil: Present
Commissioner Emerson: Present
Commissioner Santa Maria: Present
Commissioner Jordan: Present
Commissioner Bechtle: Present

Chair Gustafson indicated that there was a quorum.

PLANNING COMMISSION BUSINESS:

1. Reports

a. Commissioners and Staff

Quincy Yaley, Community Development Department Director, asked the Commission to ensure quick responses when staff is requesting quorum numbers.

Vice-Chair Morrow gave a report on the California Planning Commissioners Conference that several

some Commission members attended.

b. Report from the Board of Supervisors Planning Committee Representative

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

c. Report from the Agricultural Advisory Committee Representative

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

2. Minutes of the meeting of November 17, 2021

Quincy Yaley, Community Development Department Director, noted that there were no minutes attached. She informed the Commission that they would review the November 17, 2021 minutes at the next scheduled meeting.

PUBLIC COMMENT:

Chair Gustafson 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.

PUBLIC HEARING:

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.

Ms. Yaley gave a PowerPoint presentation on the proposed project description and location.

Chair Gustafson asked if the Commission had any questions of staff.

Vice-Chair Morrow questioned mitigations in related to oak tree impacts.

Ms. Yaley responded that the proponents would be required to pay an oak woodland impact mitigation fee which totals close to seven thousand dollars.

Charlie Simpson, Base Camp Environmental, noted that the total acreage of woodland removal is 1.47 which breaks down into 0.6 acres of interior live oak woodlands, 0.26 acres of mixed oak woodland, and 0.57 acres of Valley Oak Woodland.

Vice-Chair Morrow asked if there were any cultural resources found on the property.

Mr. Simpson responded that the entire property was surveyed along with a complete record search with the California Information Center and no cultural resources were found.

Commissioner Emerson asked if the property was sold to Visionary Home Builders.

Ms. Yaley replied that currently the parties have not finalized the property transfer since Visionary Home Builders are working on obtaining the entitlements, however, they are in negotiations to purchase the property from Adventist Health/Sonora Regional Hospital.

Carol Ornelas, from Visionary Home Builders, gave an overview of their company and the proposed project. She noted that the project design was very sensitive to the onsite wetlands and natural environment in designing this community.

Dan Penick, architect for Visionary Home Builders, gave an overview of the design and layout of the proposed project.

Vice-Chair Morrow asked what the average rent would be for their units.

Ms. Ornelas responded that for a one bedroom it would be around \$254.00 a month and for a three bedroom it would be around \$565.00 a month.

Vice-Chair Morrow inquired about the traffic study.

Ms. Yaley responded that the proposed project did not generate enough trips to do a Level III traffic study, and that a transportation safety review was completed.

Discussion ensued on the project's traffic study and circulation issues.

Chair Gustafson opened the public comment period and asked if there was anyone who wished to speak on the proposed project.

Joshua Varinsky, Counsel for the City of Sonora, noted concerns regarding the project's impacts to city fire and police force resources, as well as local parks, roadways, and intersections. He noted that there is an agreement between the City and County for required coordination when approving projects in areas within the Sphere of Influence.

Rochelle Kellogg, Community Development Director for the City of Sonora, raised concerns on the conflicting turning movements coming out of the project onto Greenley Road. She noted that with proposed programs like Head Start being open to the public, additional trips would be generated by the project than initially identified. She noted that these additional trips should trigger a full traffic study.

Antonio Ramirez, Tuolumne Utilities District, expressed support of adding a condition to expand the utility easements from 10 feet to 15 feet and to relocate a sewer line if it in conflict with one of the structures.

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

The Commission discussed the concerns raised by the City of Sonora. Staff responded to the topics including questions related to runoff, traffic, and parking. The Planning Commission did not alter any of the proposed Conditions of Approval of the project. Additional discussion ensued regarding oak woodlands, drainage, the proposed gate for the project, and the proposed early education center.

It was moved by Commissioner Jordan and seconded by Commissioner Santa Maria to recommend approval of the Initial/Study/Mitigated Negative Declaration prepared for this project based on Findings A through E; recommend approval of Site Development Permit SDP21-008 based on Findings A through D and Conditions 1 through 52; recommend approval of General Plan Amendment GPA21-003 based on Findings A through C; recommend approval of Zone Change RZ21-010 based on Findings A through D.

Chair Gustafson asked staff to roll call for the vote.

Chair Gustafson: Aye
Vice-Chair Morrow: Aye
Commissioner Beil: Aye
Commissioner Jordan: Aye
Commissioner Emerson: Aye
Commissioner Santa Maria: Aye
Commissioner Bechtle: Aye

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

Motion passed: 7 – 0 – 0

ADJOURNMENT:

Chair Gustafson adjourned the meeting.

Respectfully,

Quincy Yaley, AICP
Community Development Department Director

QY:tv