



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 BOARD OF SUPERVISORS CHAMBERS, 4TH FLOOR 2 SOUTH GREEN STREET September 2, 2020 6:00 PM

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 September 2, 2020 Planning Commission 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/88555741835> (Webinar ID: 885 5574 7835)
- 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 (communityresources@tuolumnecounty.ca.gov) 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 Director no later than 4:00 PM on the afternoon of the noticed meeting.

PLANNING COMMISSION BUSINESS: 6:00 p.m.

1. COVID- 19 Public Comment Procedures
2. Reports
 - a. Commissioners and Staff
 - b. Board of Supervisors Planning Committee Representative

c. Agricultural Advisory Committee Representative

3. Minutes of the Meeting of June 17, 2020

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. **WOODWARD**, Ordinance for Zone Change RZ20-005 to rezone a 0.28 acre parcel from R-1 (Single-Family Residential) to RE-1 (Residential Estate, One Acre Minimum) District under Title 17 of the Tuolumne County Ordinance Code. (TCOC).

The project site is located at 20418 Green Acres Road, approximately 1,006 feet northwest of intersection of Green Acres Road and South Sunshine Road, in the community of Sonora. The project site is within a portion of Section 25, Township 2 North, Range 15 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 2. Assessor's Parcel Number 038-240-008

2. WHITE,

1. Resolution for Agricultural Preserve Alteration AP20-002 to enlarge Agricultural Preserve 77-6 by the addition of 884.06± acres.
2. Zone Change RZ20-003 to rezone three parcels which total 1,221.45± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) to AE-37:AP (Exclusive Agricultural, Thirty Seven Acre Minimum:Agricultural Preserve Combining) under Title 17 of the Tuolumne County Ordinance Code.
3. Application for Williamson Act Contract WA20-001 to enter into a new land conservation contract on the 1,221.45± acre site, pursuant to Tuolumne County Resolution 106-04, including approval of the Agricultural Management Plan.

The project site is located northeast of the intersection of La Grange Road/J59 and Paseo Seven Legends and southeast of the intersection of La Grange Road/J59 and Leyenda Way in the community of La Grange. The project site is located within a portion of Sections 16, 17, 20, 21, 28, and 29, Township 2 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 071-030-22, 071-030-23, and 071-060-45.

3. WHITE,

1. Resolution AP20-003 to enlarge Agricultural Preserve 00-1 by the addition of 541.09± acres.
2. Zone Change RZ20-004 to rezone seven parcels which total 541.09± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) to AE-37:AP (Exclusive Agricultural, Thirty Seven Acre Minimum:Agricultural Preserve Combining) under Title 17 of the Tuolumne County Ordinance Code.
3. Application for Williamson Act Contract WA20-002 to enter into a new land conservation contract on the 541.09± acre site, pursuant to Tuolumne County Resolution 106-04, including approval of the Agricultural Management Plan.

The project site is located along Vista Del Puerto in the community of La Grange, approximately 2,500± feet northeast of the intersection of Leyenda Way and Vista Del Puerto. The project site is located within a portion of Sections 9, 10, 15, and 16, Township 2 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 071-340-04, 071-340-05, 071-340-06, 071-340-07, 071-340-10, 071-340-11, and 071-340-13.

The Minutes, Staff Reports, and environmental documents for the items referenced in this Agenda, or other materials provided by the County to the Planning Commission prior to the meeting are available for review online at www.tuolumnecounty.ca.gov.

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).

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20, this meeting will allow members of the Planning Commissioners to participate by teleconference; and under Order N-29-20, Accessibility Requirements.



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

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

August 17, 2020

48 Yaney Avenue, Sonora
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TO: Tuolumne County Planning Commissioners
FROM: Quincy Yaley, AICP Community Development Department Director
RE: Public Hearing Procedures

In light of current COVID 19 Health Orders and the Planning Commission meeting being held via the Zoom Platform, County Counsel has advised that the Planning Commission may modify the public comment procedures for public hearings at the September 2, 2020 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 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 commissioner 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.



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
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Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

August 17, 2020

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TO: Tuolumne County Planning Commissioners
FROM: Quincy Yaley, AICP Community Development Department Director
RE: Zoom Video and Teleconference for Planning Commission Meetings

In response to increasing risks of exposure to the coronavirus (COVID-19), the Tuolumne County Planning Commission meeting will be conducted and participated via Zoom. Video conferencing via Zoom will allow the Commission 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. The Chair of the meeting will set the time length public comment at each item. You are not required to identify yourself in order to provide comments during the meeting.

Below is the Zoom link and Webinar ID needed to participate or observe the meeting:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88555741835>

Or iPhone one-tap :

US: +16699006833,,88555741835# or +13462487799,,88555741835#

Or Telephone:

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

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

Webinar ID: 885 5574 1835

International numbers available: <https://us02web.zoom.us/j/88555741835>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 60-90 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 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 Director at communityresources@tuolumnecounty.ca.gov. If you would like your comments to be included in the record, please send comments to the above email address by 4:00 p.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 above
- 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 885 5574 1835
- 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.

SURFACE/MINERAL**RIGHTS OWNER:** Steven and Tirzah Woodward**APPLICANT:** David Ragland**DATE:** August 19, 2020

PROJECT AND LOCATION

PROJECT**DESCRIPTION:** Ordinance for Zone Change RZ20-005 to rezone a 0.28± acre parcel from R-1 (Single Family Residential) to RE-1 (Residential Estate, One Acre Minimum) under Title 17 of the Tuolumne County Ordinance Code (TCOC).**LOCATION:**

The project site is located at 20418 Green Acres Road, approximately 1,006± feet northwest of the intersection of Green Acres Road and South Sunshine Road, in the community of Sonora. The project site is within a portion of Section 25, Township 2 North, Range 15 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 2. Assessor's Parcel Number 038-240-008.

GENERAL PLAN:

The project site is designated Low Density Residential (LDR) by the Tuolumne County General Plan land use diagrams. The Tuolumne County General Plan indicates that the existing R-1 and RE-1 zoning district is compatible with the LDR designation and the proposed RE-1 zoning district is 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 of a 0.28± acre portion of the site is proposed to facilitate a resubdivision to adjust property lines between two legal parcels. The resubdivision is ministerial project as defined in Section 15369 of the *State CEQA Guidelines* and is statutorily exempt from review under CEQA.

Zone Change RZ20-005 from R-1 to RE-1 is proposed to facilitate Exhibit Map T20-013, to conduct a Lot Line Adjustment between three parcels. Therefore, it can be seen with certainty that the proposed project will not have a significant effect on the environment.

RECOMMENDATION

1. Community Development Department Staff recommends approval of Zone Change RZ20-005 based upon the following findings:
 - A. The proposed Zone Change is consistent with the Tuolumne County General Plan.

WOODWARD

- 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*.
2. Community Development Department Staff recommends that the Board of Supervisors direct the Environmental Coordinator to approve the Notice of Exemption.

GENERAL INFORMATION

Project Description

- 1. On April 22, 2020 an application was submitted to the Community Development Department for Zone Change RZ20-005 to change the existing zoning of a 0.28± acre parcel from R-1 to RE-1.
- 2. The proposed Zone Change is being requested to facilitate a resubdivision to adjust property boundaries between three legal parcels (T20-013). In order to facilitate this request, Assessor's Parcel Number 038-240-008 must be rezoned for consistency with the General Plan. While the Board of Supervisors is the decision making body for the zone change, the County Surveyor will review and make the final determination on the resubdivision at a later date.

Site Description

- 3. The project site, Assessor's Parcel Number (APN) 038-240-008, is located at 20418 Green Acres Road in the community of East Sonora. The project site is currently developed with a residence, well, and on-site wastewater treatment system.
- 4. Elevations on site range from approximately 2,940± feet above mean sea level to approximately 2,980± feet above mean sea level. Vegetation on the site includes black oaks, buckeye, poison oak, annual grasses, and ornamental landscaping.
- 5. The information for the parcels involved in the resubdivision is listed below (Table 1):

Assessor's Parcel Number	General Plan	Zoning	Current Acres	Proposed Acres
038-240-008 (Proposed Parcel 2A)	LDR	R-1	0.28±	1.0±
038-240-010 (Proposed Parcel 2B)	LDR	RE-1	1.0±	1.05±
038-240-011 (Proposed Parcel 2C)	LDR	RE-1	1.91±	1.1±

Legend:

R-1 – Single Family Residential
RE-1 – Residential Estate, One Acre Minimum

LDR- Low Density Residential

General Plan

- 6. The General Plan land use designation of the project site is Low Density Residential (LDR).

WOODWARD

The Land Use Element of the General Plan states the purpose of the LDR designation is to provide for family-oriented neighborhoods that feature single-family, detached homes on individual parcels. The 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.

- The maximum residential density in the LDR designation is six dwelling units per acre. Additional units are possible through a density bonus for the provision of affordable housing in accordance with the California Government Code or the Tuolumne County Ordinance Code. The maximum FAR for buildings on parcels that are at least 7,500 square feet (net acreage) in area is 0.5.

Ordinance Code

- Section 17.06.035 of the Tuolumne County Ordinance Code states that the reconfiguration of a parcel through a lot line adjustment, resubdivision or merger shall not result in an increase in the number of primary zoning districts, except in the Open Space and Open Space-1 zoning districts may be combined with any other principal zoning district on a parcel. Because the resubdivision would have resulted in an increase in primary zoning districts, a zone change for 038-240-008 is required.
- The purpose of the RE-1 district is to provide for residential neighborhoods with a country-like character in which limited agricultural pursuits and the keeping of livestock are permitted. The RE-1 district is intended to provide for a suburban-style family living on a variety of parcel sizes at least one acre in area. Development to a density of one unit per less than two acres must be served by paved roads and public water. Development to a density of one unit per one-third acre or less must be served by public sewer.
- Currently, proposed parcel 2A is developed with a single family residence. The applicant also has an active building permit (B2020-00820) for the construction of a 2,604 square foot metal garage building. Proposed Parcel 2B is currently developed with a single-family residence and accessory structures.

Table 2: Project Summary

APN	Current Acreage	Proposed Parcel & New Acreage	Zoning	General Plan	Current Development	Maximum Residential Density
038-240-008	0.28±	2A=1.0±	R-1 <u>to</u> <u>RE-1</u>	LDR	Single Family Dwelling	One Primary and one secondary SFD not exceeding 1,200 sq.ft.
038-240-010	1.0±	2B=1.05±	RE-1	LDR	Single Family Dwelling	
038-240-011	1.91±	2C=1.1±	RE-1	LDR	VACANT	

Cultural Resources

- A cultural resource study is required when specific indicators are found on a project site. No cultural resource indicators were found on the project site during site inspections by staff; therefore, a cultural resource study was not required for this project.

Adjoiner Comments

12. The Community Development Department notified property owners within 500 feet of the proposed project via mail. Notices were sent on May 12, 2020 to owners of 28 parcels in the project vicinity. The Community Development Department received no responses.

Advisory Agency Review

13. The application Zone Change RZ20-005 has been reviewed by several State and County agencies. No substantial comments were received.

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 #6 and #7 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 and demonstrated in #8, #9, #10 and in Table 2 above in this report.

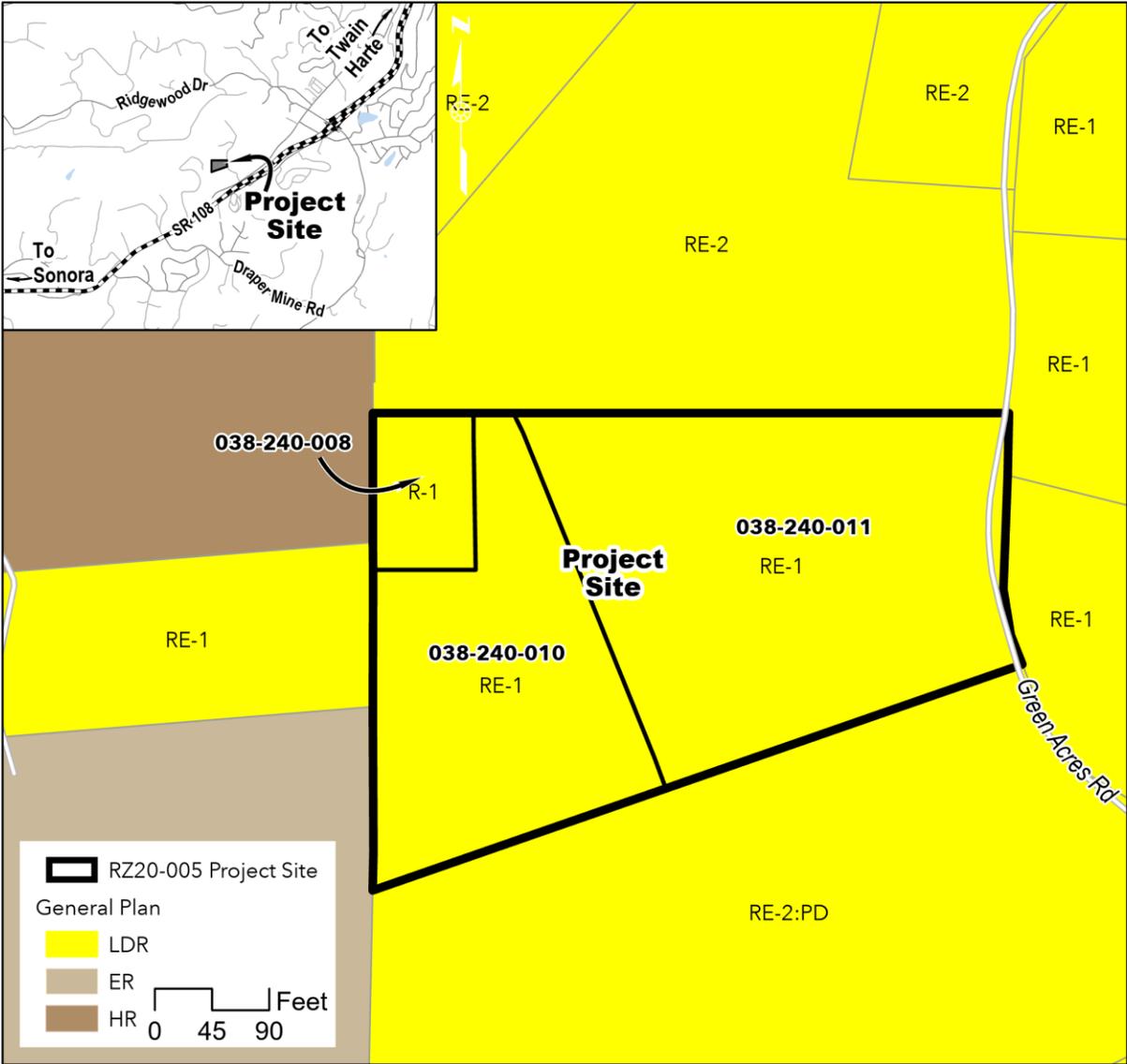
C. The project site is suited to the uses permitted under the proposed zoning district.

The existing uses on the site are consistent with the proposed RE-1 zoning district.

PREPARED BY: Cheydi Gonzales, Land Use Technician

S:\Planning\PROJECTS\Rezone\2020\RZ20-005 Woodward\Application Review\Agenda Report - Woodward.doc

Attachment 1: Agenda Map



Projects: RZ20-005
 Owner: Steven and Tirzah Woodward
 Applicant: Dave Ragland
 APNs: 038-240-008, -010, & -011
 Acres: 3.19± acres
 Current Zoning: R-1 & RE-1
 Current General Plan Designation: LDR
 Project Description: Zone Change RZ20-005 to rezone a 0.28± acre parcel from R-1 to RE-1.
 Supervisor District No. 2

Attachment 2: Zone Change Ordinance Map

Attachment 3: Exhibit Map

EXHIBIT

Of a Rezone and Resubdivision of Parcel 2A, 2B, and 2C of Record of Survey 16-41, being a portion of the S.W. 1/4 of Section 21 T.1N., R 14 E, MDB&M, in the unincorporated area of Tuolumne County, California
04/13/2020

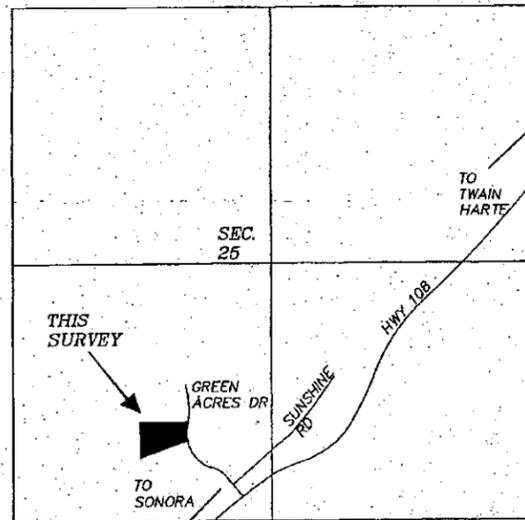
Subject Parcels:
STEVEN & TIRZAH WOODWARD
Doc. No. 2012R0002519,
2008R0008634,
2012R0002520
A.P.N. 038-240-008, 010, 011

PARCEL	CP ZONING	CURRENT ZONING	PROPOSED ZONING
2A	LDR R-1	RE-1	NO CHANGE
2B	LDR RE-1	RE-1	NO CHANGE
2C	LDR RE-1	RE-1	NO CHANGE

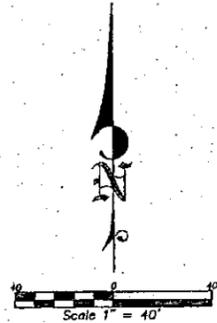
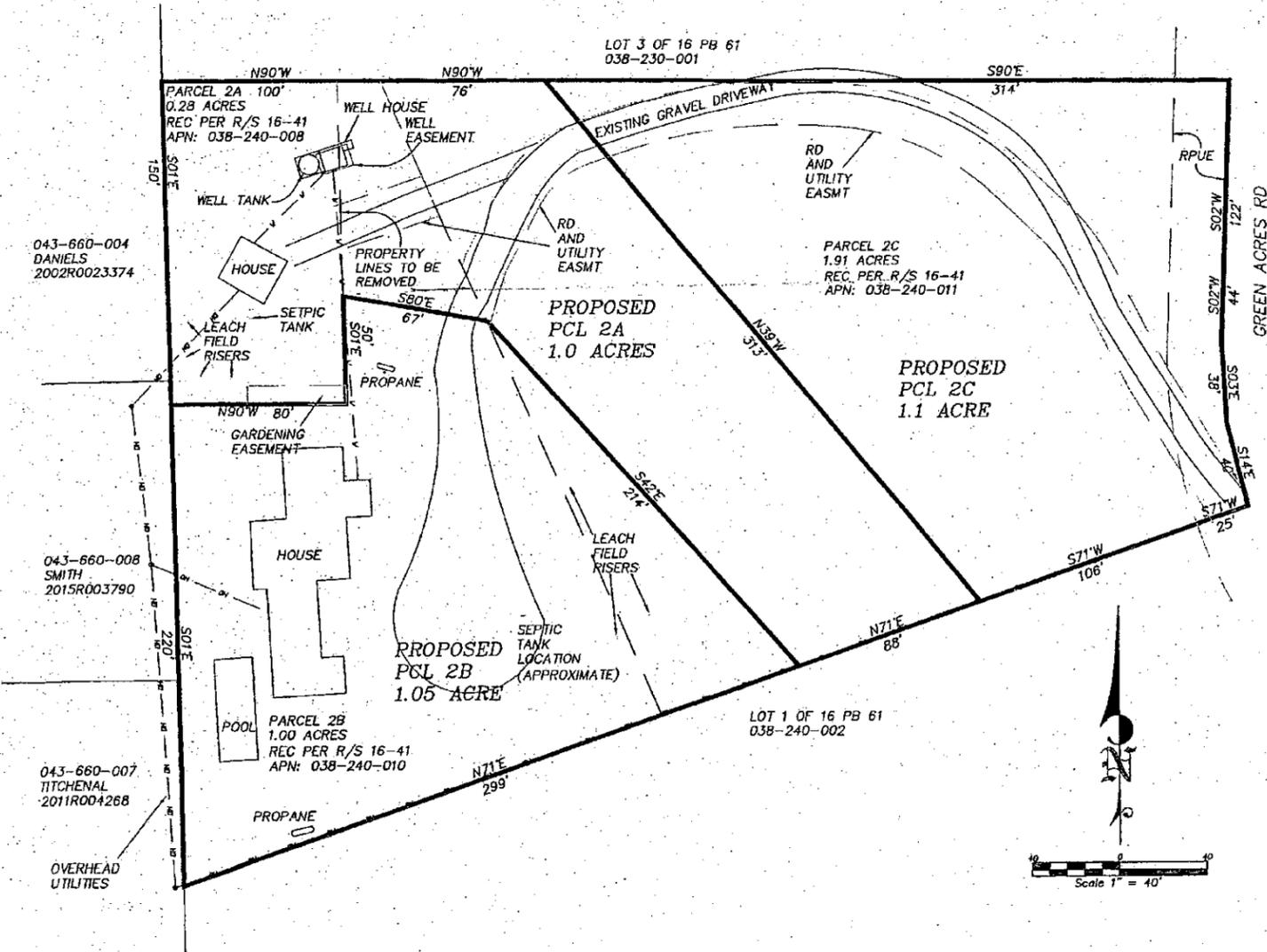
- NOTES:
- REZONE IS CONSIDERED EXEMPT FROM CEQA BECAUSE:
 - INTENT IS ONLY TO ALLOW THE LOT LINE ADJUSTMENT
 - IT IS COMPATIBLE WITH GENERAL PLAN.
 - IT IS DECREASING DENSITY
 - APPLICATIONS ARE BEING MADE SIMULTANEOUSLY FOR LLA AND REZONE.



RECEIVED
APR 22 2020
Community Development
Department



VICINITY MAP
Section 25 T.1N., R 15 E, MDB&M, in the unincorporated area of Tuolumne County, California
1"=1000





**OFFICE OF
ENVIRONMENTAL COORDINATOR**

Quincy Yaley, AICP
Environmental Coordinator

NOTICE OF EXEMPTION

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

PROJECT TITLE: Zone Change RZ20-005
PROJECT PROponent: Steven and Tirzah Woodward
LOCATION: 20418 Green Acres Road, Sonora. A portion of portion of Section 25, Township 2 North, Range 15 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 2. Assessor's Parcel Number 038-240-008.
PROJECT DESCRIPTION: Ordinance for Zone Change RZ20-005 to rezone a 0.28± acre parcel from R-1 (Single-Family Residential) to RE-1 (Residential Estate, One Acre Minimum) District under Title 17 of the Tuolumne County Ordinance Code. (TCOC).
APPROVING AGENCY: Tuolumne County

EXEMPT STATUS (check one)

- Ministerial (Sec. 21080(b)(1); 15268)
 Declared Emergency (Sec. 21080(b)(3); 15269(a))
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
 Categorical Exemption (Sec. 15061(b)(3))
 Exemption (Sec.)

RATIONALE FOR EXEMPTION: 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. The proposed Zone Change will not result in an increase in the number of parcels or an increased development potential of the site. Currently, there are three legal parcels which are able to be developed each with a primary single-family dwelling and an accessory dwelling unit (ADU) as permitted by State law. Following approval of the project, there is still a potential for a total of six single-family dwellings on the project site. No unusual circumstances exist on the project site. Therefore, it can be seen with certainty that the proposed project will not have a significant effect on the environment.

LEAD AGENCY CONTACT: Cheydi Gonzales

TELEPHONE NUMBER: (209) 533-6641

Signature: _____

Date: _____

Quincy Yaley, AICP
Environmental Coordinator

DATE: August 17, 2020

SURFACE/MINERAL

RIGHTS OWNER: Robert and Candyce White

APPLICANT: Robert White

PROJECT AND LOCATION

PROJECT

DESCRIPTION:

1. Resolution for Agricultural Preserve Alteration AP20-002 to enlarge Agricultural Preserve 77-6 by the addition of 884.06± acres.
2. Zone Change RZ20-003 to rezone three parcels which total 1,221.45± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) to AE-37:AP (Exclusive Agricultural, Thirty Seven Acre Minimum:Agricultural Preserve Combining) under Title 17 of the Tuolumne County Ordinance Code.
3. Application for Williamson Act Contract WA20-001 to enter into a new land conservation contract on the 1,221.45± acre site, pursuant to Tuolumne County Resolution 106-04, including approval of the Agricultural Management Plan.

LOCATION:

The project site is located northeast of the intersection of La Grange Road/J59 and Paseo Seven Legends and southeast of the intersection of La Grange Road/J59 and Leyenda Way in the community of La Grange. The project site is located within a portion of Sections 16, 17, 20, 21, 28, and 29, Township 2 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 071-030-22, 071-030-23, and 071-060-45.

GENERAL PLAN:

The project site is designated Agricultural (AG) by the Tuolumne County General Plan land use diagrams. The 2018 Tuolumne County General Plan indicates that the AE-37 and :AP zoning districts are consistent with the AG designation.

ENVIRONMENTAL EVALUATION

After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines because the project consists of entering into a land conservation contract under the terms of the Williamson Act. The Agricultural Preserve Alteration and Zone Change are required pursuant to Tuolumne County Resolution 106-04, in order to enter into a land conservation contract. None of the exceptions to the use of a categorical exemption found in Section 15300.2 of the *State CEQA Guidelines* apply to this project.

RECOMMENDATION

1. Community Development Department Staff recommends approval of Agricultural Preserve

Alteration AP20-002 based upon the following findings:

- A. The project is consistent with the Tuolumne County General Plan.
 - B. The project is in accordance with Tuolumne County Resolution 106-04.
 - C. The project is in accordance with Section 51200 et seq. of the California Government Code regarding agricultural land.
 - D. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the *State CEQA Guidelines*.
2. Community Development Department Staff recommends approval of Zone Change RZ20-003 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. The proposed zone change is in accordance with Tuolumne County Resolution 106-04.
 - E. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines.
3. Community Development Department Staff recommends executing a Williamson Act land conservation contract for WA20-001 under Resolution 106-04, based upon the following findings:
- A. The project is consistent with the Tuolumne County General Plan.
 - B. The project is in accordance with Tuolumne County Resolution 106-04.
 - C. The project is in accordance with Section 51200 et seq. of the California Government Code regarding agricultural land.
 - D. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines.
4. Community Resources Agency Staff recommends approval of the Agricultural Management Plan based upon the following findings:
- A. The Agricultural Management Plan is consistent with the Tuolumne County General Plan.
 - B. The Agricultural Management Plan is in accordance with the Tuolumne County Ordinance Code.

- C. The Agricultural Management Plan is in accordance with Tuolumne County Resolution 106-04.
- D. The Agricultural Management Plan is in accordance with Section 51200 et seq. of the California Government Code regarding agricultural land.
- E. Approval of the Agricultural Management Plan is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines.

GENERAL INFORMATION

Site Description

1. The project site contains 3 parcels currently zoned AE-37 and with the AG (Agricultural) General Plan Land use designation. Robert White is proposing to enter into a new Williamson Act Contract on the 1,221.45± acre site, pursuant to Tuolumne County Resolution 106-04. An intermittent stream crosses through the western half of APN 71-030-22. There are small ponds scattered throughout the project site. The project site contains annual grassland and blue oak woodland habitats. The project site is fenced and is developed with a solar water pump, corrals, and loading chutes for cattle. APN 071-030-22 is 860.72± acres in size, APN 071-030-23 is 23.34± acres in size, and APN 071-060-45 is 337.39± acres in size.
2. One of the parcels, APN 071-060-45, is currently within Agricultural Preserve 77-6, which was created on February 8, 1977 pursuant to Tuolumne County Resolution 179-76. Agricultural Preserve currently consists of 1,346± acres. Only APNs 071-030-22 and 071-030-23 would need to be added to Agricultural Preserve 77-6. The project site has been determined to be high value agricultural land with a score of 212 pursuant to the Agricultural Rating System matrix contained in the Agricultural Resources Element of the Tuolumne County General Plan.

Project Description

3. An application for Williamson Act Contract WA20-001 to execute a new Williamson Act Land Conservation Contract on the 1,221.45± acre site was submitted to the Community Development Department on February 25, 2020. Pursuant to Tuolumne County Resolution 106-04, parcels within a Williamson Act Contract must be located within an Agricultural Preserve and contain the :AP zoning. Therefore, the application includes Agricultural Preserve Alteration AP20-002, and Zone Change RZ20-003 to ensure consistency with Resolution 106-04.

Williamson Act

4. Rule 4.A.1 of Resolution 106-04 states that to qualify for a Land Conservation Contract, land shall be in an agricultural preserve, and be comprised of a single parcel or land, or two or more contiguous or discontinuous parcels in the same preserve when such parcels are under the same ownership or are owned by immediate family members and are managed as a single unit. Following approval of the project, the entirety of the contract would be located within Agricultural Preserve 77-6. The parcels are contiguous parcels owned by Robert White.
5. Rule 3.B.1 states that parcels zoned AE-37:AP, O:AP (Open Space:Agricultural Preserve

Combining) or O-1:AP (Open Space-1:Agricultural Preserve Combining) and with any other zoning combining district may be included within an Agricultural Preserve. Land should be designated AG or Open Space (O) to be included within an Agricultural Preserve. The applicant has applied for Zone Change RZ20-003 to rezone the project site from AE-37 to AE-37:AP to meet this requirement.

6. Rule 4.A.1.c states that any proposed utilization for commercial agricultural operations, open space and other qualifying and compatible uses shall be existing at the time of recommendation of approval by the Agricultural Advisory Committee for a new land conservation contract.
7. Rule 4.A.2 states that the minimum parcel size for land conservation contracts that have a dryland grazing operation is 160 acres. The applicant indicated in the Agricultural Management Plan that they plan on running a commercial cow calf operation. The project site is 1,221.45± acres in size which would meet this requirement. Rule 4.B.2 states that an application to enter into or modify a land conservation contract shall also be deemed to be an application to rezone the subject property to an Agricultural Preserve (:AP) combining district. The applicant has applied for Zone Change RZ20-003 to rezone the project site from AE-37 to AE-37:AP.
8. Rule 8.A states that livestock pasture and grazing is a qualifying agricultural use. Any customary agricultural building and structures and necessary equipment for the maintenance and support of the agriculture use are also qualifying agricultural uses. The project site is developed with fences, solar water pump, corrals, and loading chutes to support the agricultural operation.
9. Rule 8.B.11 states that one single-family dwelling per parcel is a compatible use when the parcel meets the minimum acreage specified in Rule 4.A.2. Where all parcels under the same contract fail to meet the minimum acreage requirement, one single-family dwelling may be erected on any one of the parcels under that contract. The residential use is considered a compatible use when there is a qualifying use on the property. There are currently no residences on the project site. APNs 071-030-22 and 071-060-45 are both larger than 160 acres, so each would be able to be developed with one single-family dwelling for a total of 2 single-family dwellings on the contracted land.
10. The Agricultural Management Plan submitted with this application indicates that the property owners have a commercial agriculture operation on the project site and are applying for a contract for dryland grazing for cattle.

General Plan

11. The existing AG General Plan land use designation of the project site provides for the production of food and fiber and other productive or potentially productive lands where commercial agricultural uses can exist without creating conflicts with other land uses or where potential conflicts can be minimized. Typical land uses allowed include crop production, orchards and vineyards, grazing, pasture and rangeland, recreational farming, resource extraction activities, facilities that directly support agricultural operations and public facilities. There are active agricultural operations on the project site; therefore, the project is consistent with the AG General Plan land use designation.

Ordinance Code

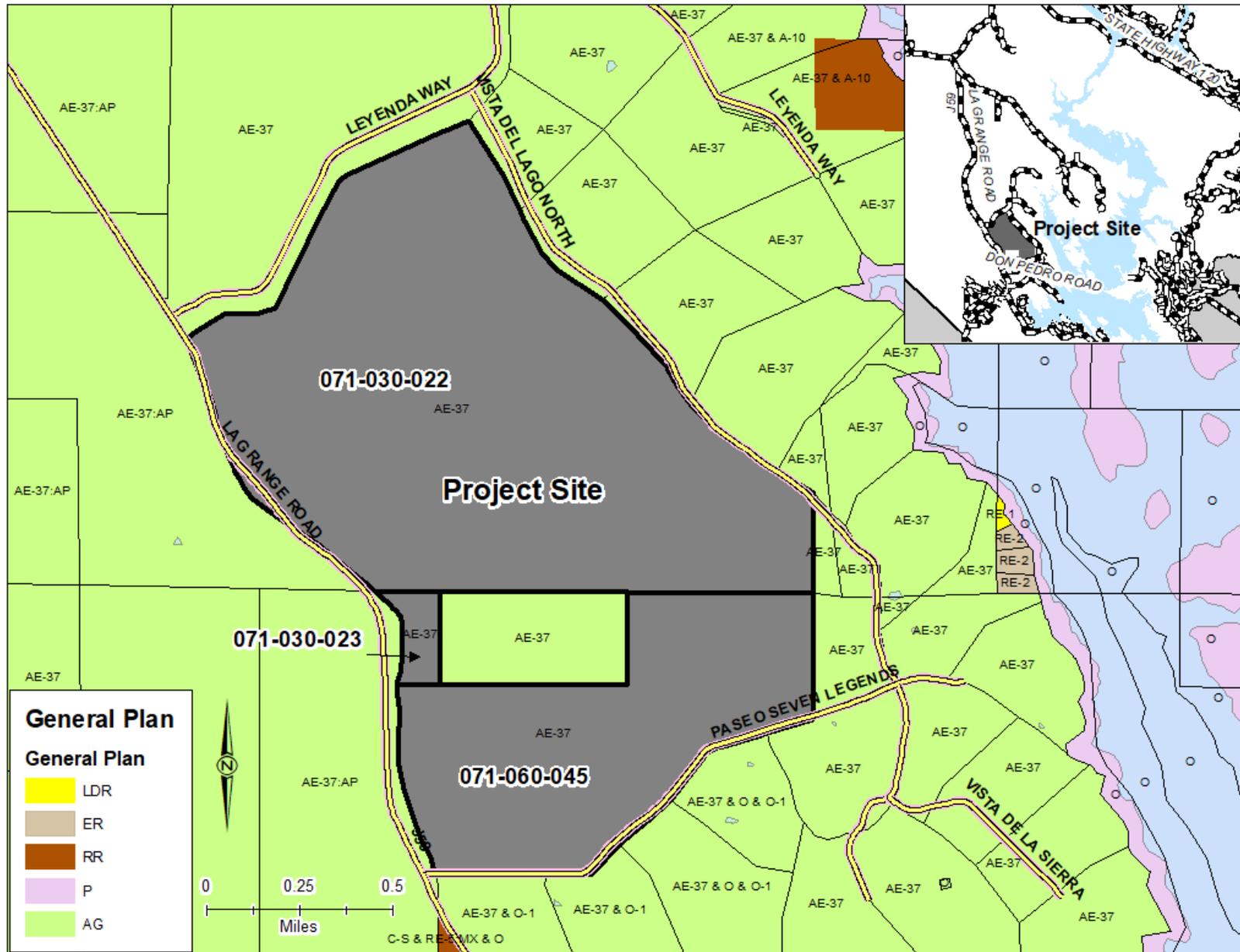
12. The project site is currently zoned AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum). The purpose of the existing AE-37 zoning district is to provide for agricultural and resource production where commercial agricultural uses can exist without encroachment of incompatible uses. The parcels within the project site are engaged in active agricultural operations, which are permitted uses in the AE-37 zoning district.
13. Zone Change RZ20-003 proposes to add the :AP zoning to the project site. The purpose of the of the :AP combining district is to implement the provisions of the California Land Conservation Act of 1965, also known as the Williamson Act, as adopted by the Board of Supervisors by resolution. The County seeks to promote agricultural productivity and the preservation and protection of agricultural or open space values from encroaching development and at the same time prevent inclusion of land in Agricultural Preserves that is not suitable for future use in the production of food, fiber, forage and livestock or wildlife habitat. The :AP zoning is consistent with the agricultural uses on site and the application for a new Williamson Act Contract.

Adjoinder Comments

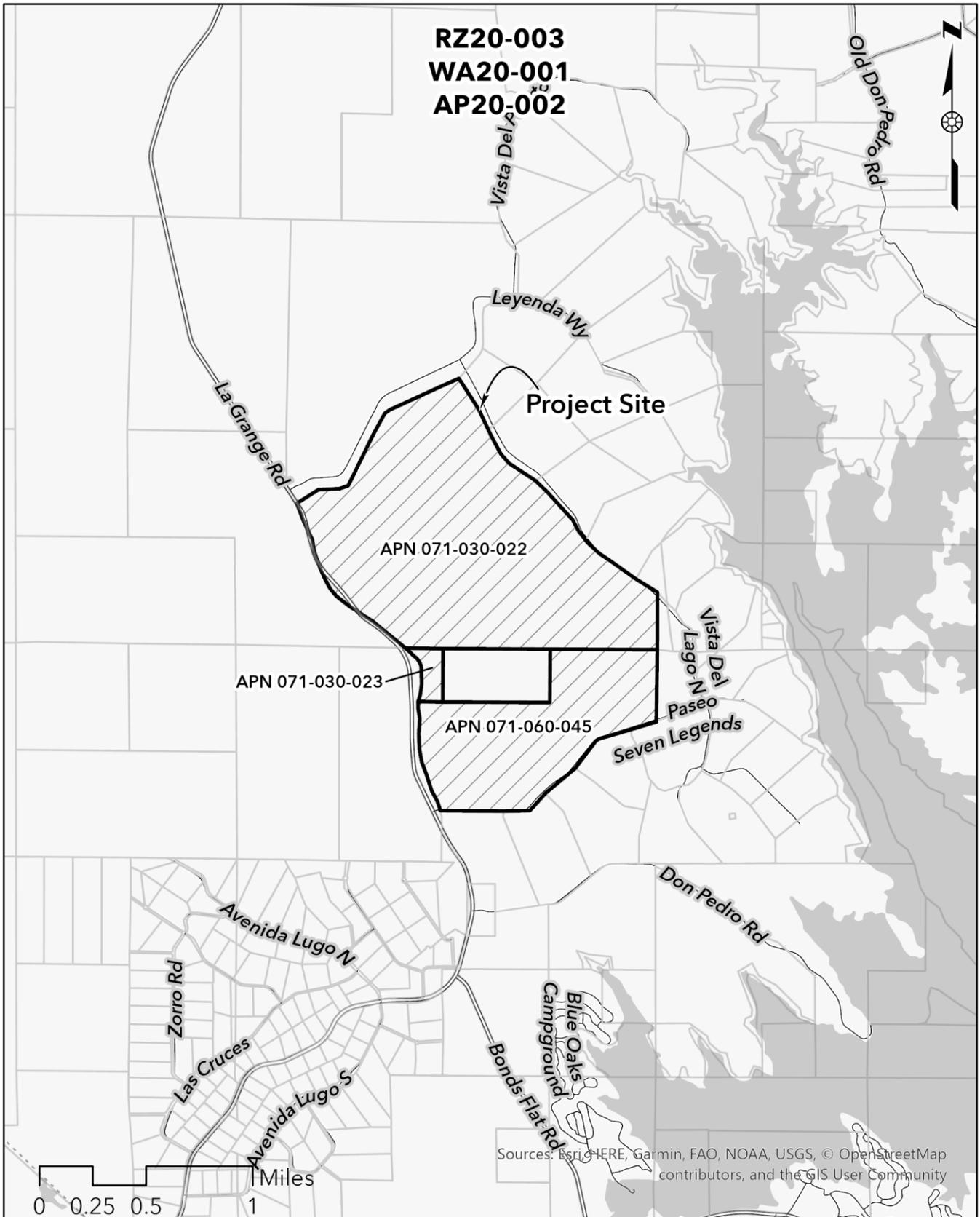
10. The owners of 10 adjoining properties were notified of the project via mail in March 2020. No responses were received.

Agency Review

11. The application for Agricultural Preserve Alteration AP20-002, Zone Change RZ20-003 and Williamson Act Contract WA20-001 has been reviewed by various State and County agencies. No substantial comments were received.

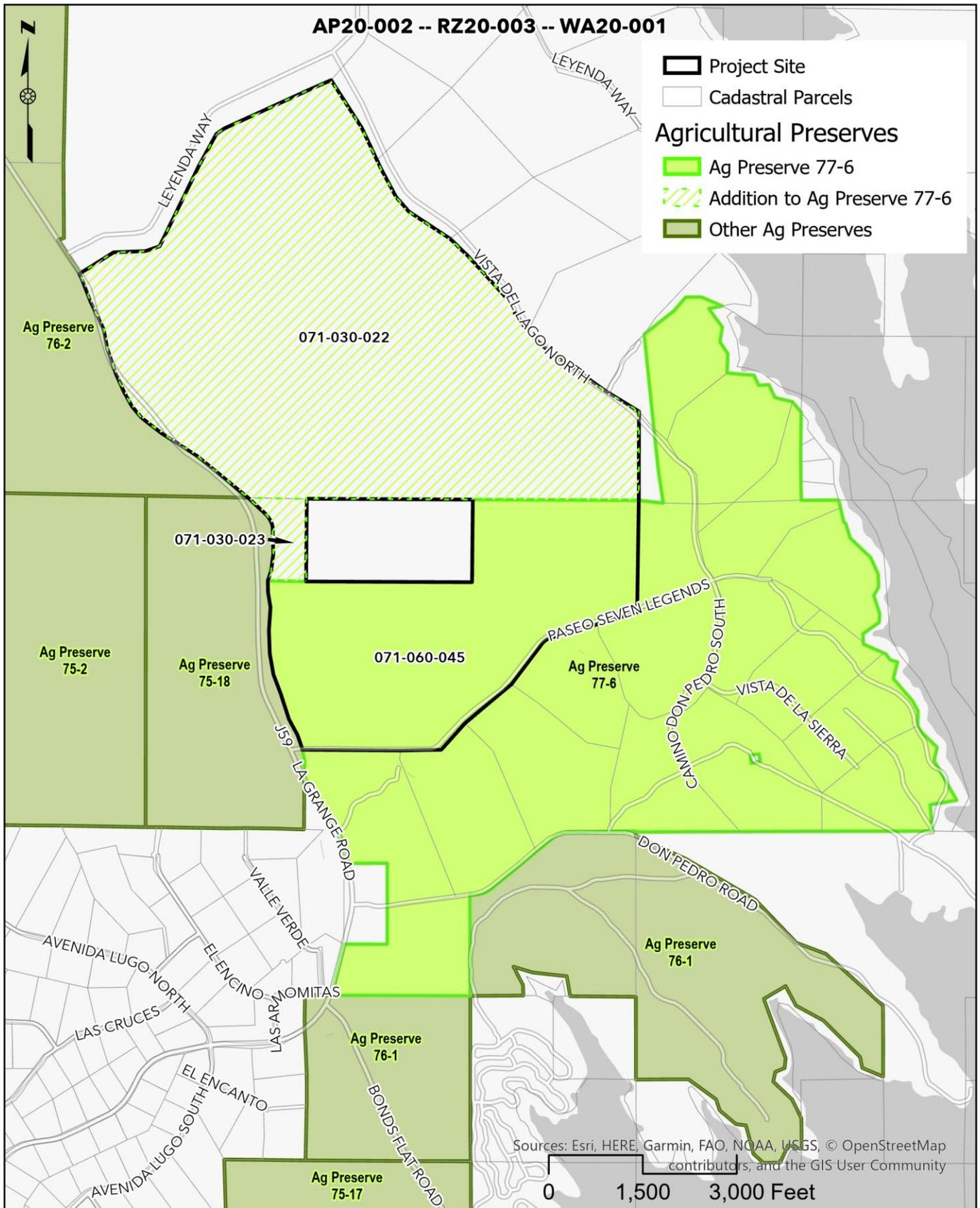


Attachment 2: Vicinity Map



Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

Attachment 3: Agricultural Preserve Map





**OFFICE OF
ENVIRONMENTAL COORDINATOR**

Quincy Yaley, AICP
Environmental Coordinator

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

NOTICE OF EXEMPTION

PROJECT TITLE: Agricultural Preserve Alteration AP20-002, Zone Change RZ20-003, and Williamson Act Contract WA20-001

PROJECT PROPONENT: Robert White

LOCATION: The project site is located northeast of the intersection of La Grange Road/J59 and Paseo Seven Legends and southeast of the intersection of La Grange Road/J59 and Leyenda Way in the community of La Grange. The project site is located within a portion of Sections 16, 17, 20, 21, 28, and 29, Township 2 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 071-030-22, 071-030-23, and 071-060-45.

COUNTY: Tuolumne

PROJECT DESCRIPTION:

1. Resolution for Agricultural Preserve Alteration AP20-002 to enlarge Agricultural Preserve 77-6 by the addition of 884.06± acres.
2. Zone Change RZ20-003 to rezone three parcels which total 1,221.45± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) to AE-37:AP (Exclusive Agricultural, Thirty Seven Acre Minimum:Agricultural Preserve Combining) under Title 17 of the Tuolumne County Ordinance Code.
3. Application for Williamson Act Contract WA20-001 to enter into a new land conservation contract on the 1,221.45± acre site, pursuant to Tuolumne County Resolution 106-04, including approval of the Agricultural Management Plan.

AGENCY: Tuolumne County

EXEMPT STATUS (check one)

- Ministerial (Sec. 21083, 21084; 15303(d))
 Declared Emergency (Sec. 21080(b)(3); 15269(a))
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
 Categorical Exemption (Sec. 15317)
 Exemption (Sec.21083, 21084; 15303(d), 15304(a); 15304(b))

RATIONALE FOR EXEMPTION: After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines because the project consists of entering into a land conservation contract under the terms of the Williamson Act. The Agricultural Preserve Alteration and Zone Change are required pursuant to Tuolumne County Resolution 106-04, in order to enter into a land conservation contract. None of the exceptions to the use of a categorical exemption found in Section 15300.2 of the *State CEQA Guidelines* apply to this project.

LEAD AGENCY CONTACT: Natalie Rizzi

TELEPHONE NUMBER: (209) 533-5633

Signature: _____
Quincy Yaley, AICP, Environmental Coordinator

Date: _____

DATE: August 17, 2020

SURFACE/MINERAL

RIGHTS OWNER: Robert and Candyce White

APPLICANT: Robert White

PROJECT AND LOCATION

PROJECT

DESCRIPTION:

1. Resolution AP20-003 to enlarge Agricultural Preserve 00-1 by the addition of 541.09± acres.
2. Zone Change RZ20-004 to rezone seven parcels which total 541.09± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) to AE-37:AP (Exclusive Agricultural, Thirty Seven Acre Minimum:Agricultural Preserve Combining) under Title 17 of the Tuolumne County Ordinance Code.
3. Application for Williamson Act Contract WA20-002 to enter into a new land conservation contract on the 541.09± acre site, pursuant to Tuolumne County Resolution 106-04, including approval of the Agricultural Management Plan.

LOCATION:

The project site is located along Vista Del Puerto in the community of La Grange, approximately 2,500± feet northeast of the intersection of Leyenda Way and Vista Del Puerto. The project site is located within a portion of Sections 9, 10, 15, and 16, Township 2 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 071-340-04, 071-340-05, 071-340-06, 071-340-07, 071-340-10, 071-340-11, and 071-340-13.

GENERAL PLAN:

The project site is designated Agricultural (AG) by the Tuolumne County General Plan land use diagrams. The 2018 Tuolumne County General Plan indicates that the AE-37 and :AP zoning districts are consistent with the AG designation.

ENVIRONMENTAL EVALUATION

After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines because the project consists of entering into a land conservation contract under the terms of the Williamson Act. The Agricultural Preserve Alteration and Zone Change are required pursuant to Tuolumne County Resolution 106-04, in order to enter into a land conservation contract. None of the exceptions to the use of a categorical exemption found in Section 15300.2 of the *State CEQA Guidelines* apply to this project.

RECOMMENDATION

1. Community Development Department Staff recommends approval of Agricultural Preserve

Alteration AP20-003 based upon the following findings:

- A. The project is consistent with the Tuolumne County General Plan.
 - B. The project is in accordance with Tuolumne County Resolution 106-04.
 - C. The project is in accordance with Section 51200 et seq. of the California Government Code regarding agricultural land.
 - D. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the *State CEQA Guidelines*.
2. Community Development Department Staff recommends approval of Zone Change RZ20-004 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. The proposed zone change is in accordance with Tuolumne County Resolution 106-04.
 - E. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines.
3. Community Development Department Staff recommends executing a Williamson Act land conservation contract for WA20-002 under Resolution 106-04, based upon the following findings:
- A. The project is consistent with the Tuolumne County General Plan.
 - B. The project is in accordance with Tuolumne County Resolution 106-04.
 - C. The project is in accordance with Section 51200 et seq. of the California Government Code regarding agricultural land.
 - D. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines.
4. Community Resources Agency Staff recommends approval of the Agricultural Management Plan based upon the following findings:
- A. The Agricultural Management Plan is consistent with the Tuolumne County General Plan.
 - B. The Agricultural Management Plan is in accordance with the Tuolumne County Ordinance Code.

- C. The Agricultural Management Plan is in accordance with Tuolumne County Resolution 106-04.
- D. The Agricultural Management Plan is in accordance with Section 51200 et seq. of the California Government Code regarding agricultural land.
- E. Approval of the Agricultural Management Plan is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines.

GENERAL INFORMATION

Site Description

- 1. The project site contains 7 parcels currently zoned AE-37 and with the AG (Agricultural) General Plan Land use designation. The parcels are located within the Seven Legends Subdivision. Robert White is proposing to enter into a new Williamson Act Contract on the 541.09± acre site, pursuant to Tuolumne County Resolution 106-04. Two intermittent streams, West Fork Big Creek and Big Creek, cross the project site and flow into Don Pedro Reservoir. The project site is adjacent to a portion of Don Pedro Reservoir. The project site contains the annual grassland and blue oak woodland habitat types. The project site is developed with fencing. The 7 parcels are as follows:

APN	Acreage
71-340-04	57.22
71-340-05	78.81
71-340-06	73.29
71-340-07	71.22
71-340-010	126.00
71-340-11	62.14
71-340-13	72.41

- 2. The project site is adjacent to Agricultural Preserve 00-1, which was established on December 19, 2000 by Resolution 161-00. Agricultural Preserve 00-1 consists of 1,864.6± acres. The projects site has been determined to be high value agricultural land with a score of 212 pursuant to the Agricultural Rating System matrix contained in the Agricultural Resources Element of the Tuolumne County General Plan.

Project Description

- 3. An application was received on February 25, 2020 for a new Williamson Act Contract WA20-002. Pursuant to Tuolumne County Resolution 106-04, parcels within a Williamson Act Contract must be located within an Agricultural Preserve and contain the :AP zoning. Therefore, the application includes Agricultural Preserve Alteration AP20-003, and Zone Change RZ20-004 to ensure consistency with Resolution 106-04. The contract would be for dryland grazing and a commercial cow calf operation on the 541.09± acre site.

Williamson Act

- 4. Rule 4.A.1 of Resolution 106-04 states that to qualify for a Land Conservation Contract, land shall be in an agricultural preserve, and be comprised of a single parcel or land, or two or

more contiguous or discontinuous parcels in the same preserve when such parcels are under the same ownership or are owned by immediate family members and are managed as a single unit. The parcels are contiguous are owned and operated by Robert White. Following approval of the project, the parcels would be located within Agricultural Preserve 00-1.

5. Rule 3.B.1 states that parcels zoned AE-37:AP, O:AP (Open Space:Agricultural Preserve Combining) or O-1:AP (Open Space-1:Agricultural Preserve Combining) and with any other zoning combining district may be included within an Agricultural Preserve. Land should be designated Agricultural (AG) or Open Space (O) to be included within an Agricultural Preserve. Rule 4.B.2 states that an application to enter into or modify a land conservation contract shall also be deemed to be an application to rezone the subject property to an Agricultural Preserve (AP) combining district. The applicant has applied for Zone Change RZ20-004 to rezone the project site from AE-37 to AE-37:AP. The applicant has applied for Zone Change RZ20-004 to rezone the project site from AE-37 to AE-37:AP to meet these requirements.
6. Rule 4.A.1.c states that any proposed utilization for commercial agricultural operations, open space and other qualifying and compatible uses shall be existing at the time of recommendation of approval by the Agricultural Advisory Committee for a new land conservation contract.
7. Rule 4.A.2 states that the minimum parcel size for land conservation contracts that have a dryland grazing operation is 160 acres. The applicant indicated in their Agricultural Management Plan that they are running a commercial cow calf operation. The project site is 541.09± acres in size which would meet this requirement.
8. Rule 8.A states that livestock pasture and grazing is a qualifying agricultural use. Any customary agricultural building and structures and necessary equipment for the maintenance and support of the agriculture use are also qualifying agricultural uses. The project site is currently developed with fencing to support the agricultural operation.
9. Rule 8.B.11 states that one single-family dwelling per parcel is a compatible use when the parcel meets the minimum acreage specified in Rule 4.A.2. Where all parcels under the same contract fail to meet the minimum acreage requirement, one single-family dwelling may be erected on any one of the parcels under that contract. A residential use is considered a compatible use when there is a qualifying use on the property. There are currently no residences on the project site. Because each parcel is less than 160 acres, only one single-family dwelling may be constructed on the contracted land in the future. Only one single-family dwelling for the entire contract may be permitted.
10. The Agricultural Management Plan submitted with this application, indicates that the property owners have a commercial agriculture operation on the project site and are applying for a contract for dryland grazing for cattle.

General Plan

11. The existing AG General Plan land use designation of the project site provides for the production of food and fiber and other productive or potentially productive lands where commercial agricultural uses can exist without creating conflicts with other land uses or where potential conflicts can be minimized. Typical land uses allowed include crop production, orchards and vineyards, grazing, pasture and rangeland, recreational farming, resource extraction activities, facilities that directly support agricultural operations and public facilities.

There are active agricultural operations on the project site; therefore, the project is consistent with the AG General Plan land use designation.

Ordinance Code

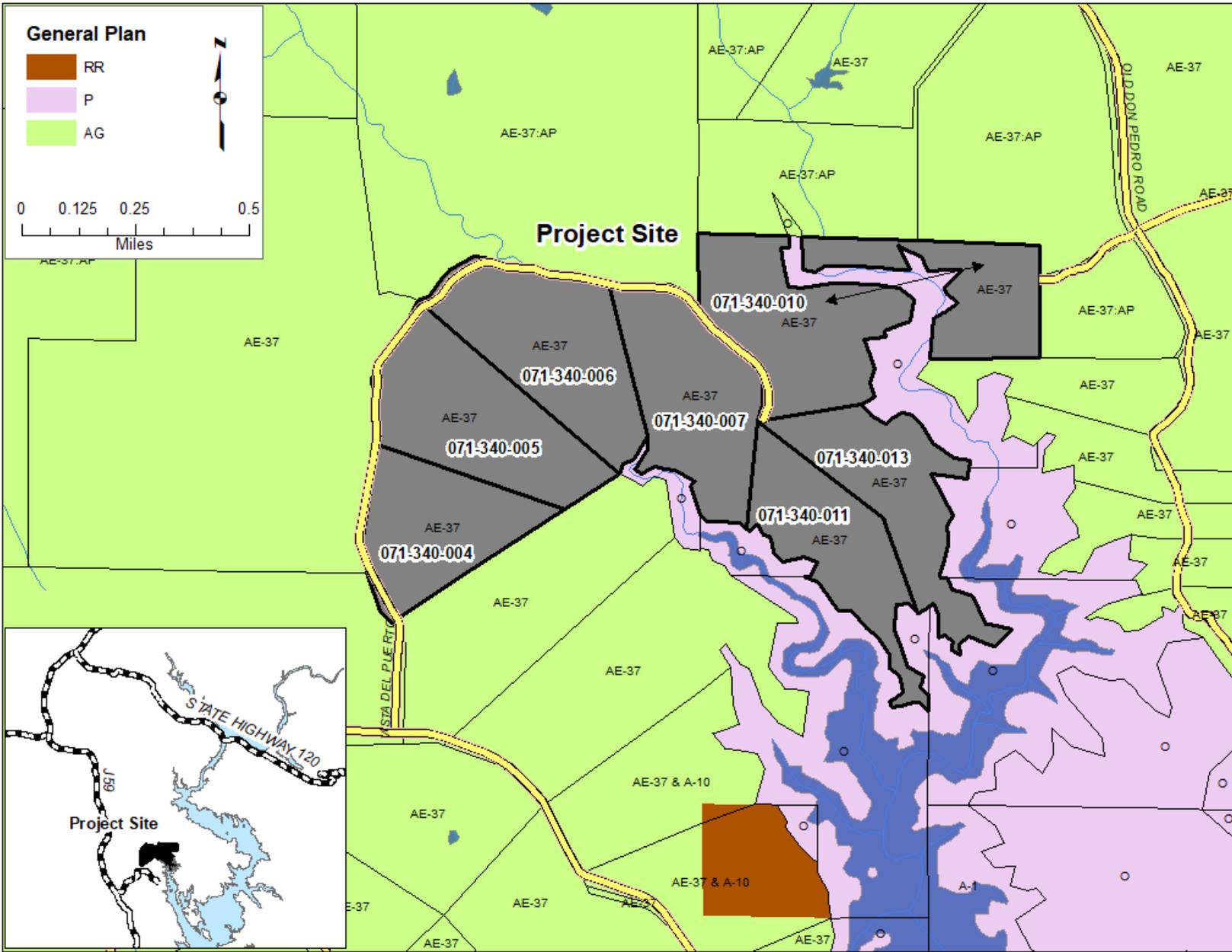
12. The project site is currently zoned AE-37:AP (Exclusive Agricultural, Thirty-Seven Acre Minimum: Agricultural Preserve Combining). The purpose of the existing AE-37 zoning district is to provide for agricultural and resource production where commercial agricultural uses can exist without encroachment of incompatible uses. The parcels within the project site are engaged in active agricultural operations, which are permitted uses in the AE-37 zoning district.
13. The purpose of the of the :AP combining district is to implement the provisions of the California Land Conservation Act of 1965, also known as the Williamson Act, as adopted by the Board of Supervisors by resolution. The County seeks to promote agricultural productivity and the preservation and protection of agricultural or open space values from encroaching development and at the same time prevent inclusion of land in Agricultural Preserves that is not suitable for future use in the production of food, fiber, forage and livestock or wildlife habitat. The :AP zoning is consistent with the agricultural uses on site and the application for a new Williamson Act Contract.

Adjoinder Comments

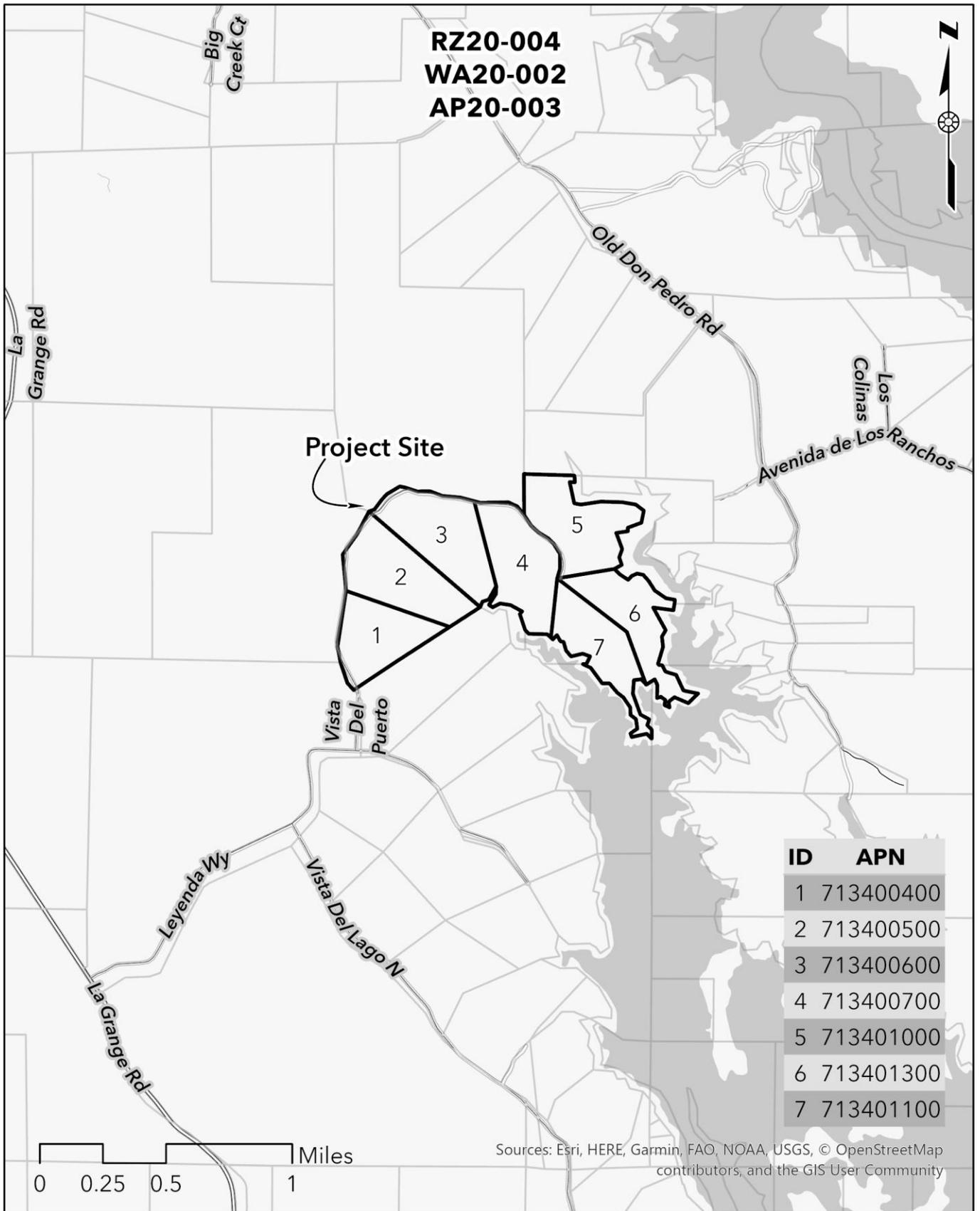
10. The owners of 8 adjoining properties were notified of the project via mail in March 2020. No responses were received.

Agency Review

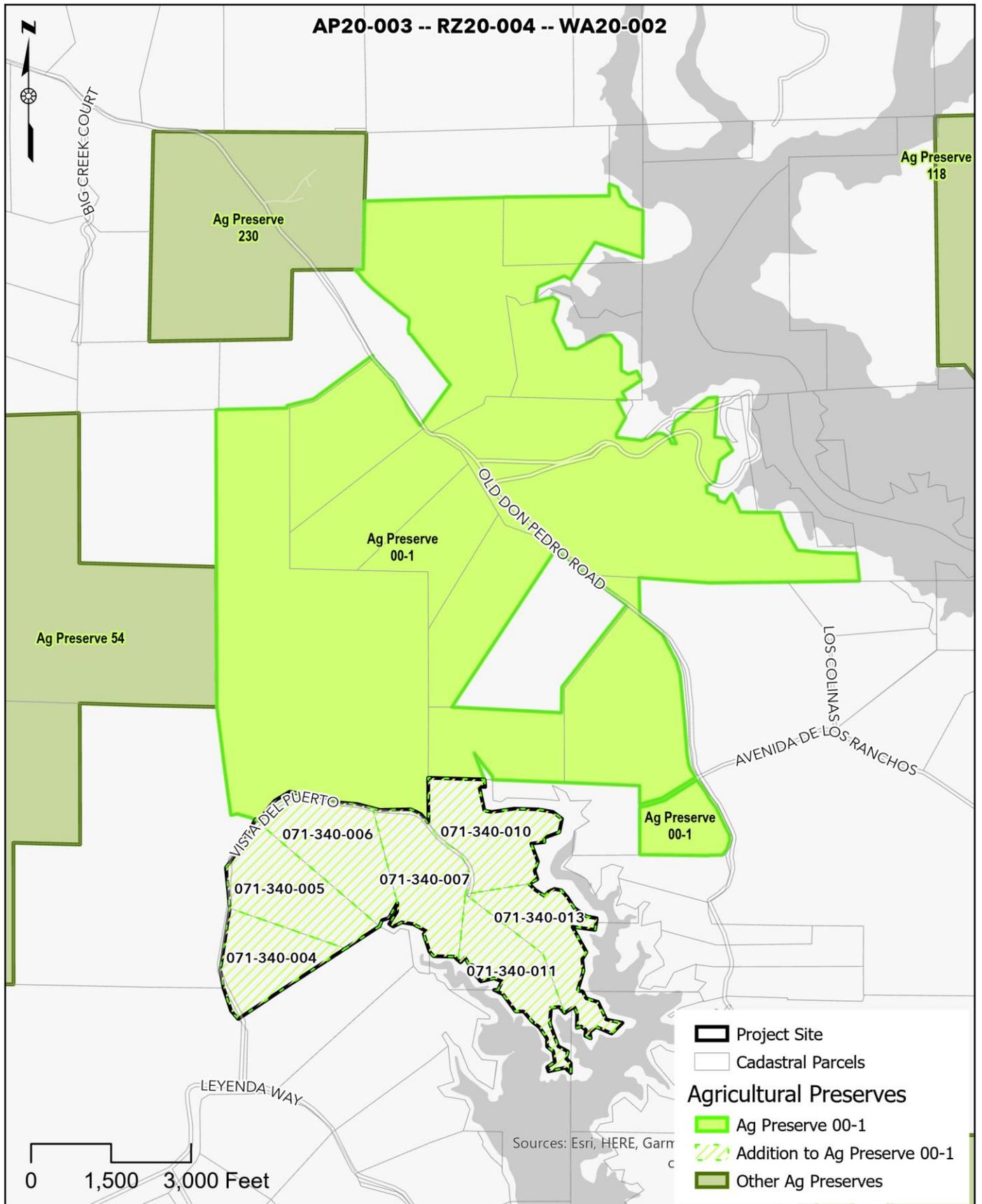
11. The application for Agricultural Preserve Alteration AP20-002, Zone Change RZ20-003 and Williamson Act Contract WA20-001 has been reviewed by various State and County agencies. The Turlock Irrigation District and Modesto Irrigation District (TID/MID) commented on the project and indicated that the parcels are adjacent to the TID/MID Don Pedro dam and reservoir project, which operates under a license issued by the Federal Energy Regulatory Commission (FERC). The response included conditions that limit public access as indicated by the FERC license. The conditions indicated that adjacent property owners may access the reservoir by foot only, boats may only be launched at designated launch ramps, no motorized vehicles or trailers are permitted outside developed recreation areas, and no trails, structures, or docks may be constructed on the Don Pedro property. The proposed project would not impact any of these conditions of the FERC license.



Attachment 2: Vicinity Map



Attachment 3: Agricultural Preserve Map





OFFICE OF ENVIRONMENTAL COORDINATOR

Quincy Yaley, AICP
Environmental Coordinator

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

NOTICE OF EXEMPTION

PROJECT TITLE: Agricultural Preserve Alteration AP20-003, Zone Change RZ20-004, and Williamson Act Contract WA20-002

PROJECT PROPONENT: Robert White

LOCATION: The project site is located along Vista Del Puerto in the community of La Grange, approximately 2,500± feet northeast of the intersection of Leyenda Way and Vista Del Puerto. The project site is located within a portion of Sections 9, 10, 15, and 16, Township 2 South, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 4. Assessor's Parcel Numbers 071-340-04, 071-340-05, 071-340-06, 071-340-07, 071-340-10, 071-340-11, and 071-340-13.

COUNTY: Tuolumne

PROJECT DESCRIPTION:

1. Resolution for Agricultural Preserve Alteration AP20-003 to enlarge Agricultural Preserve 00-1 by the addition of 541.09± acres.
2. Zone Change RZ20-003 to rezone seven parcels which total 541.09± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) to AE-37:AP (Exclusive Agricultural, Thirty Seven Acre Minimum:Agricultural Preserve Combining) under Title 17 of the Tuolumne County Ordinance Code.
3. Application for Williamson Act Contract WA20-002 to enter into a new land conservation contract on the 541.09± acre site, pursuant to Tuolumne County Resolution 106-04, including approval of the Agricultural Management Plan.

AGENCY: Tuolumne County

EXEMPT STATUS (check one)

- Ministerial (Sec. 21083, 21084; 15303(d))
 Declared Emergency (Sec. 21080(b)(3); 15269(a))
 Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
 Categorical Exemption (Sec. 15317)
 Exemption (Sec.21083, 21084; 15303(d), 15304(a); 15304(b))

RATIONALE FOR EXEMPTION: After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15317 of the State CEQA Guidelines because the project consists of entering into a land conservation contract under the terms of the Williamson Act. The Agricultural Preserve Alteration and Zone Change are required pursuant to Tuolumne County Resolution 106-04, in order to enter into a land conservation contract. None of the exceptions to the use of a categorical exemption found in Section 15300.2 of the *State CEQA Guidelines* apply to this project.

LEAD AGENCY CONTACT: Natalie Rizzi

TELEPHONE NUMBER: (209) 533-5633

Signature: _____
Quincy Yaley, AICP, Environmental Coordinator

Date: _____



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 MEETING MINUTES

48 Yaley 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

June 17, 2020

PRESENT: Chair Mike Gustafson, Vice-Chair Charlotte Frazier, and Commissioners Larry Beil, Dick Pland, Matt Nutting, and Ryan Relei

ABSENT: None

STAFF: Quincy Yaley, Community Development Department Director; Natalie Rizzi, Land Use Coordinator; Terrilyn Turner, Land Use Technician

* * * * *

CALL TO ORDER/WELCOME:

Chair Gustafson called the meeting of June 17, 2020, 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: Aye
Commissioner Pland: Absent
Commissioner Beil: Aye
Vice-Chair Frazier: Aye
Commissioner Relei: Aye
Commissioner Nutting: Aye

Chair Gustafson indicated that there was a quorum.

Chair Gustafson welcomed everyone to the meeting. He gave an overview of the COVID-19 procedures and Zoom instructions for the meeting.

The Commissioners asked staff questions regarding the Zoom instructions for the meeting.

PLANNING COMMISSION BUSINESS:

1. Reports:

None

2. Report from the Board of Supervisors Planning Committee Representative

Commissioner Gustafson said there was no meeting; therefore there was nothing to report.

3. Report from the Agricultural Advisory Committee Representative

Commissioner Nutting was not in attendance; therefore there was nothing to report.

4. Minutes of the meeting of May 20, 2020.

It was moved by Commissioner and seconded by Commissioner to approve the minutes as presented.

Chair Gustafson asked staff to roll call for the vote.

Chair Gustafson: Aye
Commissioner Pland: Absent
Commissioner Beil: Aye
Vice-Chair Frazier: Aye
Commissioner Relei: Aye
Commissioner Nutting: Absent

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

Motion carried: 5 – 0 – 0 With Commissioner Pland being absent.

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. He set a three minute time limited for public comment. No members of the public addressed the Commission.

PUBLIC HEARING:

1. **GATEWAY HUB, LLC**, Resolution for General Plan Amendment GPA20-002 to change the General Plan land use designation of a 4.962± acre parcel from Public (P) to General Commercial (GC).

The project site is located on the southeast side of State Highway 120, approximately 1,000± feet northeast of the intersection of State Highway 120 and Wards Ferry Road, in the community of Groveland. The project site is within the northwest ¼ of Section 29, Township 1 South, Range 16 East, Mount Diablo Baseline and Meridian and is within Supervisorial District 4. Assessor's Parcel Number 066-140-022.

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

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

Chair Gustafson opened the public comment period 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 and seconded to recommend approval of General Plan Amendment based on Findings A through D.

Chair Gustafson asked staff to roll call for the vote.

Chair Gustafson: Aye
Commissioner Pland: Aye
Commissioner Beil: Aye
Vice-Chair Frazier: Aye
Commissioner Relei: Aye
Commissioner Nutting: Aye

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

Motion carried: 5 – 0 – 0 With Commissioner Pland being absent.

Commissioner Pland joined the meeting.

2. GARDELLA/DIETRICH,

1. Ordinance for Zone Change RZ18-006 to rezone 137.5± acres from AE-37 (Exclusive Agricultural, Thirty-Seven Acre Minimum) and MU:MX (Mixed Use:Mobile Home Exclusion Combining) under Title 17 of the Tuolumne county Ordinance Code (TCOC) as follows:

Proposed Zoning	Acreage
RE-5	26.82±
A-10	64.26±
MU	19.27±
O	27.47±

2. Tentative Parcel Map T18-024 to divide a total of 137.5± acres into four parcels and a remainder as follows:

Parcel	Proposed Acreage
1-A	18.30±
1	10.57±
2	26.82±
3	36.47±
Remainder	45.18±

The project site is located at 19920 and 19930 Kelly Drive and 13050 Fir Drive in the community of Sonora. The project site has two access roads, one is approximately 1120± feet southwest of the intersection of Cabezut Road and Kelly Drive and the second access is 800 feet north of Mono Way. The project site is located within a portion of Section 32, Township 2 North, Range 15 East, Mount Diablo Base and Meridian and within Supervisorial District 1. Assessor's Parcel Numbers 044-590-001 and 044-590-003.

Natalie Rizzi, Land Use Coordinator gave a PowerPoint presentation on the proposed project location and description.

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

Commissioner Beil questioned why the project was exempt from the California Environmental Quality Act (CEQA).

Ms. Rizzi noted the project was exempt from environmental review under CEQA pursuant to Section 15162 of the State CEQA Guidelines. She explained that the proposed rezone and land division is consistent with the existing General Plan. She noted that the General Plan EIR adequately addressed environmental impacts related to the proposed density and growth patterns.

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

There were two members of the public who raised concerns regarding Kelly Drive access, due to the parcels not being a part of the HOA, therefore do not pay road maintenance fees.

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

A discussion ensued on the proposed zoning.

The Planning Commission recommended revising the zoning of Parcel 2 from RE-3 to RE-2 and revise the zoning of Parcel 3 from RE-5 to RE-10.

It was moved and seconded to recommend approval of Zone Change RZ18-006 based on Findings 1.A through 1.D.

Chair Gustafson asked staff to roll call for the vote.

Chair Gustafson: Aye
Commissioner Pland: Aye
Commissioner Beil: Aye
Vice-Chair Frazier: Aye
Commissioner Relei: Aye
Commissioner Nutting: Aye

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

ADJOURNMENT:

Chair Gustafson adjourned the meeting at 7:21 p.m.

Respectfully,

Quincy Yaley, AICP
Community Development Department Director

QY:tv