



## COMMUNITY DEVELOPMENT

CITY OF ANGELS PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-1346

**DATE:** April 10, 2025

**TO:** City of Angels Planning Commission

**FROM:** Amy Augustine, AICP – City Planner

**RE:** **RESOLUTION OF INTENT 25-05 OF THE CITY OF ANGELS PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL AMENDING SECTION 17.09.120 ADDING A DEFINITION OF “LARGE FORMAT RETAIL,” REVISING ANGELS CAMP MUNICIPAL CODE SECTION 17.30.020 AND 17.30.050 REMOVING THE 80,000 SQUARE FOOT LIMIT ON LARGE FORMAT RETAIL ESTABLISHMENTS IN THE SHOPPING CENTER COMMERCIAL (SC) ZONING DISTRICT AND AMENDING SECTION 17.27.020 TO ALLOW LARGE FORMAT RETAIL ESTABLISHMENTS AS A CONDITIONAL USE IN THE COMMUNITY COMMERCIAL (CC) ZONING DISTRICT AND SUBJECT TO THE SAME LARGE FORMAT RETAIL REQUIREMENTS ESTABLISHED IN SECTION 17.30.050**

### **RECOMMENDATION**

Approve Resolution of Intent 25-05. The Planning Commission may adopt the code revisions as presented, amend them, or reject them.

### **BACKGROUND**

The City adopted large format retail provisions in 2010 (Planning Commission Resolution 2010-09, July 8, 2010). At that time, the City established a maximum size limit of 80,000 square feet for the use. In comparison, the estimated average square footage of various retailers currently is as follows:

Store	Square footage (Approximate)/a/
Walmart Superstore	99,000-250,000 (average 187,000)
Home Depot	105,000 (indoor)
Walmart	105,000 average
Target	80,000-135,000 (some to 200,000) – average 125,000
Lowe's	112,000 (average)
Safeway	47,000
Tractor Supply Company	31,000 (36,671 indoor/outdoor in Angels Camp)
Grocery Outlet	22,000
Dollar General	7,500 – 8,500 (9,100 Angels Camp)

/a/ Source: Generative AI, Google

Members of the community often express a desire for a “Target-type store that sells underwear and socks.” City Staff have asked local developers why the City has not attracted such a store to the City. The reply: “The City’s large format retail” restrictions. In response, City Staff are recommending that the City remove the size limitations for large format retailers in the Shopping Center Commercial Zoning District (the area extending



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from SR 4/49 north). Further, the Central Commercial Zoning District (CC), extends from the intersection of SR 4/49 south to the Historical Commercial zoning district. The CC zone currently does not allow large format retail structures. Because vacant lands zoned CC exist at the intersection of 4/49, staff are recommending that the large format retail use be added as a conditional use in the CC zoning district.

Finally, no definition of "large format retail" has been adopted. This proposal includes a definition.

### **ANALYSIS**

Pursuant to Angels Municipal Code Section 17.90.040, decisions pertaining to code amendments shall be made upon the following findings of fact:

- A. The proposed change or amendment is consistent with the City of Angels Municipal Code; and
- B. The proposed change or amendment is consistent with the City of Angels General Plan; and
- C. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the city.

### **Findings A– Consistency with the Angels Camp Municipal Code**

The purposes and intent of the Shopping Center Commercial District (SC) Zoning District, per Angels Municipal Code Section 17.30.010 are to:

*Provide a broad range of commercial uses for both residents and visitors. Typical uses include shopping centers, hotels, motels, restaurants, bars, department stores, specialty stores and professional offices. In addition, this designation is intended to provide live-work opportunities by allowing residential uses above, or in close association with, commercial establishments (e.g., mixed use) while maintaining the commercial use as the primary and most visible use. Generally, **permitted land uses in the SC zone may be larger and provide more opportunities for expanded and appropriately designed outdoor sales and displays than those permitted in the CC zone.** Consistent with the general plan, the SC zoning district is generally expected to extend from the intersection of SR 4 and SR 49 north to the city limits along major thoroughfares. (Ord. 516 §2 (Att. A), 2022)*

As highlighted, the SC zoning district is intended to provide for larger retail facilities. Unlike the historical commercial zoning district (HC) with its late 1800s and early 1900s buildings; the SC zone has more modern (e.g., Frog Jump Plaza, Tractor Supply) commercial structures. The addition of more modern, large-format retail in the SC zone could, therefore, be found consistent with the purposes and intent of the SC zoning district.

In contrast, the purposes and intent of the Community Commercial (CC) Zoning District, per Angels Municipal Code Section 17.27.010 are to:

*Provide a broad range of **light-to-moderate intensity commercial** uses for residents and visitors, with an*



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*emphasis on resident-serving. Typical resident-serving uses include grocery and specialty stores, schools, public facilities, multifamily housing in association with commercial uses; professional offices including real estate offices, medical offices, consulting services; small businesses; community recreational facilities. Typical visitor-serving uses include hotels, motels, restaurants, visitor centers, museums, theaters, visitor-serving recreational facilities. The zone is also intended to provide live-work opportunities by allowing upper-level residential uses above commercial establishments (e.g., mixed use). Consistent with the general plan, the CC zoning district is generally expected to extend along major thoroughfares from (but not including) the city's historical commercial (HC) zoning district northward to the intersection of SR 4 and SR 49 (i.e., the central portion of the city's commercial districts).*

As highlighted, the commercial uses in the CC Zoning District are intended to be less intensive than in the SC District. Therefore, the largest "large format retail" could be inconsistent with the character of surrounding smaller-scale commercial, institutional and public uses in that district. At the same time, vacant land within the CC Zoning District borders the intersection of SR 4 and SR 49 and could lend itself to somewhat larger commercial uses (i.e., a transition between the largest commercial centers in the SC zone and existing smaller commercial uses in the CC District). Therefore, staff are recommending that large format retail could, under particular circumstances, be appropriate in the CC zone, and is proposing that it be made a conditional use (i.e., subject to a conditional use permit) in the CC Zone.

Based on the preceding, Finding A may be made.

### **Finding B – Consistency with the General Plan**

Pertinent General Plan goals, policies, and programs include:

#### Goals

**Goal 1E** *Encourage well-designed commercial development compatible with the rural character of the community that contributes positively to both the city's economic base and the city's jobs/housing balance.*

**Goal 10A** *Maintain and enhance the city's economic vitality while conserving the city's social, cultural, environmental, and aesthetic resources.*

**Goal 10C** *Promote a wide variety of economic opportunities consistent with the city's social, cultural, environmental, and aesthetic resources.*

#### Policies

1.C.2, 11.A.5, 11.B.6 Include/Consider aesthetic considerations when reviewing development proposals.

1.C.3 Enhance and maintain the unique character of each of the city's commercial regions visible from State Routes 4 and 49 as necessary to avoid the appearance of strip commercial development and maintain and enhance the city's community character.



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*10.C.1 **Maintain** the city as the economic center of the county.*

*11.A.1 Integrate the varied local issues and needs of all sectors of the community (e.g., business, government, health, environment) in community design, to the maximum extent feasible.*

*11.D.3 Promote integrated, rather than scattered, visitor-serving commercial developments.*

*11.D.7 Avoid degeneration of the city's commercial districts resulting from vacant large, non-historic retail facilities.*

### Implementation Programs

#### 1.C.a Establish and Maintain Four Distinct Commercial Districts

Establish and maintain a general plan land use designation and consistent zoning districts as necessary to distinguish four distinct commercial areas in the city: ...

- A Community Commercial District (CC) emphasizing commercial service uses which serve the city's residents and job creation extending from the Historic District (HC) to the northern intersection of State Routes 4 and 49
- A Shopping Center Commercial District (SC) emphasizing heavy commercial uses extending north from the northern intersection of State Routes 4 and 49

#### 1.C.b, 11.D.b Establish Design Guidelines for Each of the City's Distinct Commercial Districts

##### 1.E.g, 10An, 11Dd Consider Adopting Bonding Standards for Non-Historic Large Retail Facilities

*Consider adopting a provision in the City of Angels Municipal Code to require bonding for large retail facilities sufficient to fund the removal of nonhistoric large, vacant retail space and adaptive reuse of large buildings and spaces should they become vacant.*

##### 1.E.h, 10.A.m, 11.D.e Provide a Community Forum to Establish Large Retail Facility Design Guidelines

*Provide a public forum (i.e., public meeting or community committee) to address non-historic large retail facilities and identify guidelines for design, permitting and regulatory guidelines desirable for these facilities.*

As reflected in the preceding general plan programs, the primary topics related to large retail facilities (aka large format retail) are:

1. Appearance – design consistency with the community due to size
2. Concerns that a large format retail facility could become permanently vacant and deteriorate, becoming an eyesore

In response, the City adopted its large format retail limits incorporated as Angels Municipal Code Sections 17.30.020(C) and design standards in Section 17.30.050 (See **Attachment A**).



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Because the City adopted design standards for large format retail facilities and Planning Commission design review is required; the issue of aesthetics can be addressed through design review, rather than through size limitations. This would allow the City to both achieve its economic development goals and design goals by allowing large format retail, but only subject to design standards already established in the municipal code.

The Angels Municipal Code also now includes a requirement that all large format retail be subject to a Development Agreement. The purpose of this provision is to allow the City to address future uses and developer commitments for maintaining the building and its reuse should the initial use cease to exist. Such agreements are recorded with the County and follow the property. Therefore, changes in ownership pass along the commitment for building maintenance.

Based on the preceding, B may be made.

**Finding C. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the city.**

As noted above, “general welfare” in the form of abandonment of a large building or inconsistency with the surrounding design of other buildings in the area are the primary concerns. As noted, because the large format retail uses require Planning Commission review, concerns related to large format retail project appearance would be regulated for consistency with community character through design. Further, the use also requires a development agreement which allows the City to regulate how a large format retail structure would be reused or removed should it become vacant.

Based on the preceding, Finding C can be made.

**FISCAL IMPACT:**

Removing the restriction on size for large format retail in the SC zone could allow for increased retail sales and increased sales tax revenues for the city.

**ENVIRONMENTAL FINDING:**

Individual large format retail projects would be subject to review pursuant to the Angels Municipal Code based on individual project design and location at such time as a specific project and location is proposed. Until such time as a project is proposed, no direct or indirect physical changes to the environment may be determined and the project is therefore exempt pursuant Section 15378 (Definition of a Project) of the State and City guidelines for the implementation of the California Environmental Quality Act (CEQA). In addition, square footage limits for commercial districts were not contemplated as part of the Environmental Impact Report for General Plan 2020; therefore, the proposed amendment would remain consistent with the EIR certified for General Plan 2020.

**ATTACHMENT:**

- A. Resolution of Intent 25-05 with Proposed Code Amendments