



Community Development Department  
**PLANNING COMMISSION**  
Staff Report

**MEETING DATE:** May 13, 2024      **GENERAL PLAN:** Commercial (C)

**TO:** Planning Commissioners      **ZONING:** General Commercial (CG)

**APPLICANT/ OWNER:** William Canning, Trustee

**PROJECT:** 956 Oregon Street, Multi-Use Residential and Commercial Project

**PROJECT DESCRIPTION:** Design Review, Site Plan, and Use Permit for a Multi-Use Residential and Neighborhood Serving Commercial Project. The project also includes a rezone from CG to C for conformity with the General Plan. The project is located at 956 Oregon Street (APN 056-106-004-000). The City is also including APN 056-106-001-000 (11 Tuolumne Street) to rezone the parcel from CG to C for conformity with the General Plan.

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**PROJECT DESCRIPTION:**

The applicant, William Canning, is seeking to develop a three-story multi-use residential and neighborhood serving commercial project on the vacant lot located at 956 Oregon Street. The project consists of one structure approximately 40 feet tall with six commercial spaces (1057 square feet per unit) located on the first floor and six two-bedroom units (1073 square feet per unit) on the second and third floors, for a total of 12 market-rate residential apartments. The commercial spaces will include a dark bronze aluminum storefront. The project also proposes 49 parking spaces, landscaping and street improvements including the widening of Oregon Street along the project site, a new fire access lane on Mariposa Street and a new encroachment/driveway onto S. Washington Street.

The applicant is seeking approval for the following entitlements for the proposed project:

- Design Review approval;
- Site Plan approval;
- A Use Permit to increase the allowable building height from 35 to 40 feet; and
- A Rezone from General Commercial (CG) to Commercial (C).

Additionally, the City has included the rezoning of the adjoining property owned by Janice L. Quinn, TR located at 11 Tuolumne Street (APN 056-106-001) from CG to C to improve conformity with the General Plan.



**Existing Site (looking west from Oregon Street)**



**Existing Site (looking east from S. Washington Street)**

**BACKGROUND:**

The development site consists of two parcels:

1. APN 056-106-004 (27,367 sq. ft.), currently owned by the Applicant; and
2. A portion of APN 056-108-015 (3,831 sq. ft.), currently owned by the City for which the Applicant is seeking to acquire from the City.

Thus, the total project area is 31,198 sq. ft. (0.716 acre). As provided in the project's conditions of approval, the City will have to approve the acquisition of this portion of APN 056-108-015 for the project to move forward as proposed.



Both parcels front S. Washington Street and Oregon Street and are currently vacant. However, a demolition permit for the residence that was on the lot owned by the applicant was issued in 1997.

The surrounding zoning includes General Commercial (CG) to the North, Limited Manufacturing (ML) to the west, Limited Multifamily Residential (R-2) to the south, and Single-Family Residential (R-1) to the east.

A portion of the property along with the City's property contains a drainage channel which is fed by City storm drains onto the site. The storm water runoff flow from areas north of the project into this channel has caused flooding north of the site in the past, primarily due to issues with blockage caused by the existing vegetation within the channel. The City's Public Works Department has cleared vegetation in this area in the past to address these issues. This clearing will continue as long as the existing conditions remain on the property. Vegetation on the project site is within this drainage channel and includes an oak, Himalayan blackberry (invasive), and willows. The project proposes to remove existing vegetation and replace the drainage channel with a culvert.



#### **Planning Commission Action:**

The project was scheduled for a public hearing at the November 13, 2023 Planning Commission meeting, but the item was continued due to the high number of comments received. After reviewing all comments, staff identified concerns about the high number of entitlements, including the proposed variance, as well as concerns due to the number of parking spaces, site conditions, and environmental considerations. For these reasons, city staff has continued working with the project applicant to address these concerns.

As a result, the previously proposed setback variance has been withdrawn and the number of parking spaces has been reduced from 54 to 49 spaces, the minimum necessary to comply with the Sonora Municipal Code (SMC) section 17.42.060. In response to these changes, the project site plan has been revised to comply with the requisite setback standards and the project will include a condition of approval limiting the number of parking spaces to 49, which will comply with the minimum standards set by code. Additionally, staff has carefully reviewed the environmental criteria under Section 15332 pursuant to the California Environmental Quality Act (CEQA). In

accordance with Section 15332, consideration was given to ensure that the project qualifies for this CEQA exemption and is further analyzed in the CEQA determination section of this report.

**SITE PLAN CONSIDERATION/ANALYSIS:**

Section 17.52.010 requires Site Plan review for this project. In considering approval of a Site Plan, the Planning Commission must make the following findings:

- A. The proposal is consistent with all applicable provisions of the Sonora Municipal Code and other local, state and federal laws; and
- B. The proposal is consistent with the Sonora General Plan; and
- C. The project is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there will be no potentially significant adverse effects upon environmental quality and natural resources that cannot be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted; and
- D. There are adequate provisions for public and emergency vehicle access, fire and police protection, sanitation, water, and public utilities and services to ensure that the proposed development will not be detrimental to public health and safety. Adequate provisions shall mean that distribution and collection facilities and other infrastructure are installed at the time of development and in operation prior to occupancy of buildings and the land, and all development fees have been paid prior to occupancy of buildings and the land; and
- E. The subject site is:
  - 1. Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by the Sonora Municipal Code; and
  - 2. Served by streets adequate in width and surfacing type to carry the quantity and type of traffic generated by the proposed development.
- F. The use will not produce odors, gas, fumes, dust, smoke, noise, vibrations, glare, heat, electrical interference, hazardous or waste materials beyond the confines of the property onto contiguous properties or into the air or watercourses to an extent constituting a nuisance and does not constitute a physical hazard to persons or properties beyond the confines of the property by reason of fire, explosion or similar cause.

The proposed building is to be located along the eastern side of the parcel. Due to the topography of the parcel and the proposed grading, there will be retaining walls on three sides of the building. The first floor will be for the small commercial suites and will back up to these retaining walls. The 2<sup>nd</sup> and 3<sup>rd</sup> floor apartments will be at street level along Oregon Street.

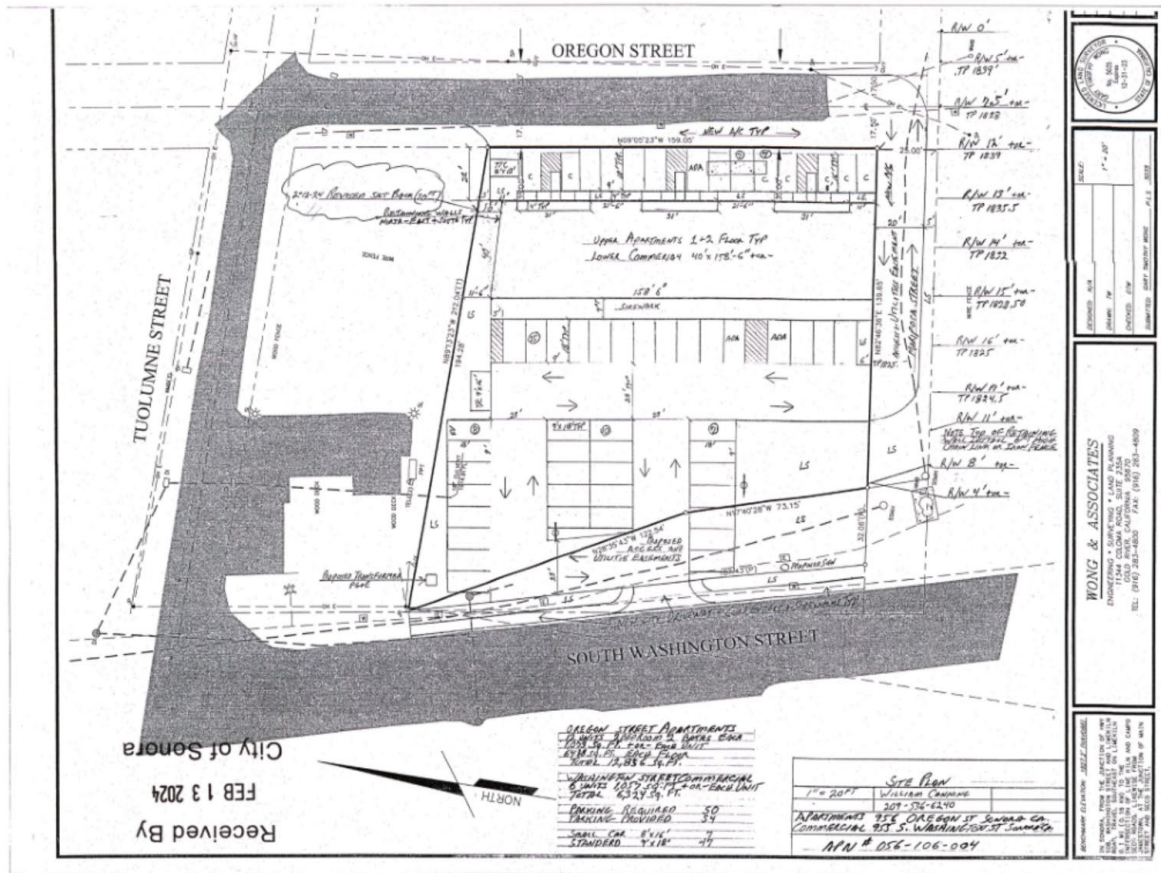
The main access for the commercial element of project will be from S. Washington Street with the main residential access from Oregon Street with required fire access from Oregon Street onto Mariposa Street. Road widening for Oregon Street is part of the project. The project includes widening the paved area of Oregon Street, along the project frontage, from 20 ft. to 31 ft. S. Washington Street is categorized as a City Minor Arterial Street. In addition to the main driveway, the frontage along S. Washington Street is to include an ADA compliant sidewalk, curbs, and gutters. The applicant is required under the conditions to submit an analysis for the encroachment and access roads to consider the existing and proposed encroachments and driveways, sight lines, access roads, and any operation and safety functions.

The project includes 49 parking spaces with 23 ft drive aisles in compliance with the Sonora Municipal Code and Fire Code requirements. Under Section 17.42.060 of the Sonora Municipal Code, the minimum number of parking spaces required is 49 spaces, as 18 parking spaces are required for the residential units and 31 spaces are required for the commercial units. Previously, the project exceeded the minimum number of parking spaces by 5 spaces. However, in response to public comments, the City incorporated a condition of approval that the project cannot exceed the minimum number of parking spaces under the City's code.



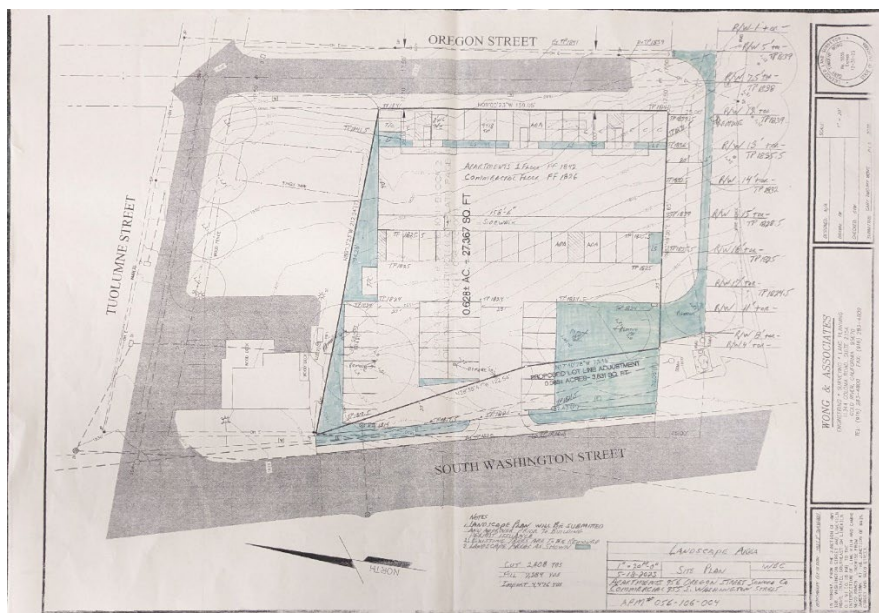
**Existing Condition (Oregon Street)**





**Preliminary Site Plan**

The areas highlighted in green below will include the landscape areas for the project. A landscape plan is to be submitted for review and approval by the Parks, Recreation, and Beautification Committee as required under SMC Section 12.20.130 and will also be subject to ongoing maintenance and the State's Model Water Efficient Landscape Ordinance (MWELO) requirements. Project conditions also require street trees along the S. Washington Street property frontage and trees within the parking lot area.

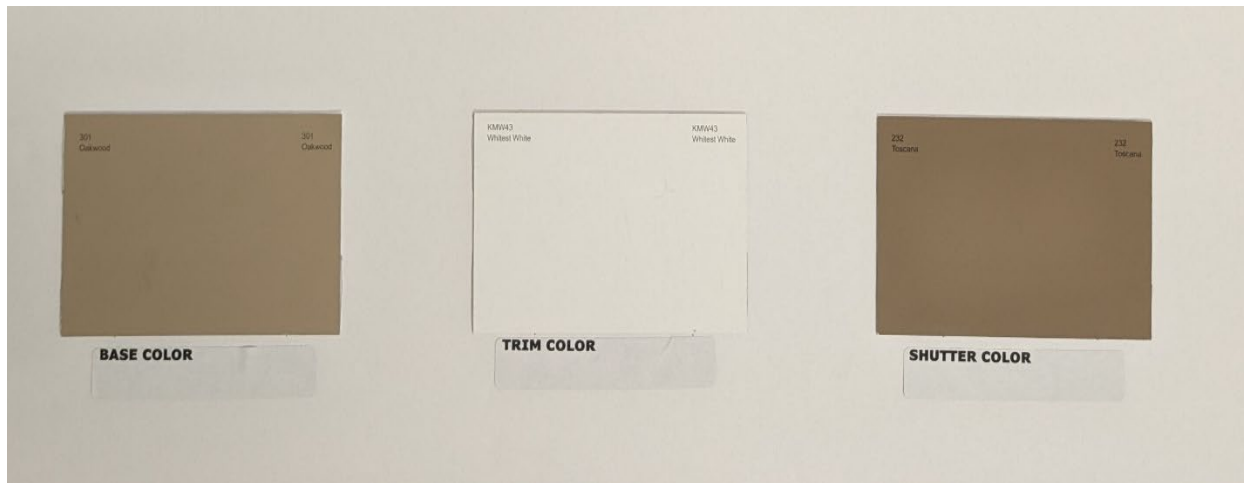


The project is subject to Design Review under Section 17.32.070 of the Sonora Municipal Code. When considering the plans for structures outside of the historic area the Planning Commission shall consider the following finding in their review of a project:

- The project design includes a 3-story mixed-use structure with 6 commercial units on the first floor and 6 two-bedroom apartments on both the second and third floor (a total of 12 residential units). The commercial storefronts will be a dark bronze system with 1" insulated safety glazing as shown below. The exterior of the commercial area will be smooth face concrete masonry. The exterior of the residential portion of the building will be 8" cement lap siding. The proposed colors indicated below include Oakwood for all siding, Whitest White for all trim, and Toscana for the shutters. The windows for the residences will be from the Milgard Tuscany Series and will be white vinyl single hung.







**Exterior Color Palette**



**Proposed Storefronts**

### **USE PERMIT CONSIDERATION/ANALYSIS:**

Under Section 17.60.030 of the Sonora Municipal Code, a building or structure may exceed thirty-five feet in height if the Planning commission grants a Use Permit. When considering the request for the Use Permit, the Planning Commission shall consider the following finding in their review of a project:

1. The increase in height is necessary and desirable after having considered the impact on surrounding buildings and on public safety.

To accommodate the three-story structure, the Applicant is seeking a Use Permit to exceed the maximum building height of 35 ft. by an additional 5 ft. not to exceed a total height of 40 ft. This request is based on the need for the additional space to accommodate the ducting HVAC and duct work, and the required fire suppression system between the commercial and the residential units. Staff finds the impact on surrounding buildings and public safety to be insignificant given the increase is only 5 feet and the surrounding area is sparsely populated with low-density residential and commercial uses.

### **CONSISTENCY WITH ZONING:**

{CW137759.2}



The project site is currently zoned as General Commercial (CG) and is proposed to be rezoned as Commercial (C). While the Commercial and General Commercial zoning districts are similar in that they both allow service-oriented land uses, where they differ is in the intensity of allowed uses. The CG Zone allows for a greater intensity of commercial uses, such as industrial land uses, whereas the C zone is more restricted to commercial/retail-oriented land uses. The project as proposed would be allowed in the C zoning district, but not in the GC zoning district because it does not allow mixed-use development. The commercial zoning district is also more compatible with the site's General Plan Designation of Commercial. A rezone from CG to C will reduce the intensity of allowed uses and ensure project consistency with the applicable zoning district.

Under the Commercial Zoning District, multi-family dwellings above ground level commercial with no maximum limitation of the number of units is a permitted use allowed by right subject to land and structure regulations under the Tourist and Administrative (CO) Zoning District. The project meets all the land and structure regulations under the CO Zoning District.

#### **CONSISTENCY WITH GENERAL PLAN:**

The project site is designated Commercial (C) per the Sonora General Plan 2020. The present zoning of the project site is General Commercial (CG). Zoning is tool to implement the vision and policies laid out on the General Plan. It is not uncommon for cities to update the zoning for properties to ensure vertical consistency with the General Plan. The rezoning to C will better reflect the goals and vision laid out in the General Plan. Rezoning the site will ensure greater consistency between the zoning for the property and the City's General Plan.

Under the General Plan 2020, the purpose of the C land use designation is to:

“Maintain and enhance the present and future needs of city and county residents and visitors while maintaining and enhancing the city's economic base and conserving the city's social, economic, cultural, environmental, and aesthetic resources.”

The Commercial designation promotes the inclusion of multi-family dwelling units above ground level. The purpose of the allowance of multi-family units above commercial is to support the City's historical development style, which can be seen throughout the City's downtown area along Washington Street. The project site is along the commercial corridor that connects into the historic downtown area. The project will be a continuation of the look and feel of the downtown area while being compatible with the existing pattern of development in the area; which includes a mix of existing residential and commercial uses.

The project conforms to the applicable Goals/Policies of the General Plan, including:

1.C.c: Continue to maintain a provision within the city's municipal code allowing residential uses as permitted uses above ground level within all commercial zones, including those within historic commercial districts.

1.D.2: Encourage higher density housing in areas served by a full range of urban services, preferably along collector, arterial, and major arterial streets, and within walking distance of shopping areas.

1.D.3: Recognize the need to supply affordable housing in close proximity to commercial centers to serve the city and county's high number of service-oriented, minimum wage workers.

1.E.5: Encourage a mixture of uses and activities that will maintain the vitality of the downtown area.

1.E.6: Promote integrated, rather than scattered, visitor-serving commercial developments.

2.B.5: Promote and encourage pedestrian-oriented development.

### **ADVISORY/PUBLIC COMMENTS**

Advisory agencies were notified of the proposed project in September of 2023. At that time, staff received project comments from the City Engineer, Sonora Fire Chief, Tuolumne Heritage Committee, and TUD. Copies of written comments are attached to the staff report and conditions have been included.

Prior to the November 2023 All property owners within 300 feet of the properties were also provided notification about the meeting and project. Staff received 13 comment letters from members of the public. After the November 2023 Planning Commission Meeting, Staff received an additional letter. Comment letters were received from the following individuals:

- Bill Allie
- Fred Buess
- Judith Chalmers
- Janette De Giobbi
- Linda Fuller
- Veronica Hemphill
- Therese Mallen
- David Pagni
- Lee Pagni (provided 2 separate submittals and email correspondence)
- Sharon Pagni
- Arlene Paxton
- Kayla Weldon

In advance of the May 2024 Planning Commission Meeting, all property owners within 300 feet of the properties were also provided notification about the meeting and project. At the time of the report preparation, Staff have received XX written comments. If additional comments are received, they will be presented to the Planning Commission at the meeting.

### **CEQA DETERMINATION**

#### Class 15332 In-Fill Exemption

Article 19, Section 15332 of CEQA exempts certain in-fill development projects from environmental analysis, which are consistent with the exemption criteria. In general, in-fill development is defined as projects that develop vacant or underutilized land in urban areas. Under Section 15332 of CEQA, the project must meet the following five criteria:

CEQA In-Fill Criteria	956 Oregon Street In-Fill Criteria Analysis
1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.	Yes. The project is consistent with the General Plan as described in this report. The proposed project rezone will improve alignment between the General Plan and zoning district. After the rezone, the proposed

	project will be consistent with all applicable zoning requirements, as described in previous sections.
2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.	Yes. The project is within the City of Sonora and located on an approximately 0.72-acre site substantially surrounded by commercial and residential uses.
3. The project site has no value as habitat for endangered, rare or threatened species	Yes. There is no valuable habitat for endangered, rare, or threatened species. Special status species are most widely associated with the wetland habitats along Woods Creek, Sonora Creek, and Dragoon Gulch, which are outside of the project area. The project area is substantially surrounded by other urban uses. The site is mostly vacant and the vegetation on the site is not considered valuable habitat for endangered or threatened species.
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality	Yes. As described in the discussion which follows, the project would not result in any significant impacts for traffic, noise, air quality and water quality.
5. The site can be adequately served by all required utilities and public services.	Yes, the proposed project would be adequately served by existing dry and wet utilities, including water supply, sewer service, and solid waste services. The project site is within the service area of applicable utilities and surrounding parcels are all served by adequate utilities.

The following provides an evaluation and justification for why the 956 Oregon Project meets the infill exemption requirements for traffic, noise, air quality, and water quality.

### Traffic

In 2021, Sonora adopted seven “screening criteria” to exempt projects from traffic analysis under CEQA. These criteria were developed to assist complying with Senate Bill 743, which requires using the “Vehicle Miles Traveled” metric, which measures the total miles induced by a project, for all traffic CEQA analysis. The purpose of screening tools is to quickly identify projects that could be determined to have a less than significant impact. To be exempted from CEQA analysis, a project must meet at least one of the following criteria:

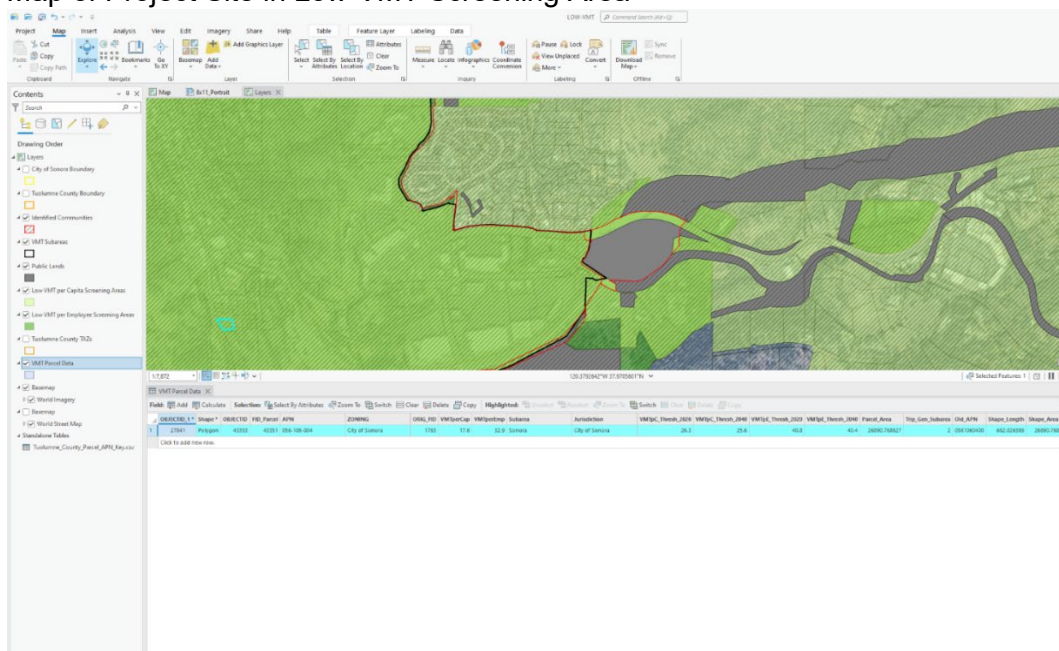
Sonora Screening Criteria for Traffic CEQA Analysis	Does Project Meet Criteria?
1. Residential or Employment-Based Office/Commercial/Industrial Projects Located within a Low VMT Area: Residential or employment-based office/commercial/industrial projects located within a low-VMT area.	<input checked="" type="checkbox"/>
2. Small Project: Projects that would generate less than 110 trips per day and are consistent with the City General Plan.	<input checked="" type="checkbox"/>
3. Local-Serving Retail: Local-serving retail projects that are 50,000 square feet or less.	<input checked="" type="checkbox"/>
4. Local-Serving Public Facility: Public facility projects that serve the local community or operate as passive facilities. Public facilities that serve the local community include	<input type="checkbox"/>



public K-12 schools, local parks, libraries, post offices, police stations, fire stations, transit centers, and park-and-ride lots. Public facilities that operate as passive facilities include utility, communication, water sanitation, and waste management buildings.	
5. Affordable Housing: Projects that consist of 100% affordable housing.	<input checked="" type="checkbox"/>
6. Mixed-Use Project: Each project land use type should be considered separately and compared against the appropriate screening criteria above. It is possible for some land use types in a mixed-use project to be screened out, and other land use types to not be screened out and require additional analysis. When applying the “Small Project” screening criteria to a mixed-use project, the criteria should only be applied to the trip generation for the portion of the mixed-use project that is not screened out due to other screening criteria.	<input checked="" type="checkbox"/>
7. Redevelopment Project: Projects that would generate less total VMT than the existing land use they are replacing, unless the project is replacing affordable housing with other land use types.	<input checked="" type="checkbox"/>

Using the City of Sonora’s VMT Screening procedure above, a project located in a low-VMT area can be determined exempt from CEQA analysis. In 2021, Sonora and Tuolumne County created a map that identified low-VMT areas in the County. Using the map of low-VMT areas, staff identified that the proposed project is located in a low-VMT area, as pictured below.

#### Map of Project Site in Low-VMT Screening Area



Furthermore, in addition to meeting criteria 1, the proposed project also meets screening criteria 2,3, and 6 due to the fact that the project proposes 6,342 sq ft of neighborhood serving commercial and the estimated traffic generated for 12 units of residential would be less than 110 trips based on annual daily traffic, adjusted for A.M and P.M. trips.

In addition to meeting the City's screening criteria, staff utilized the "Tuolumne County Vehicle Miles Traveled (VMT) Sketch Tool" which was developed for conducting traffic analysis under CEQA. Adopted by the City 2021, the VMT Sketch Tool determines what quantity of VMT constitutes a significant impact under CEQA. After applying the VMT sketch tool to this project, the proposed project location does not meet the threshold for significant impacts.

According to the established criteria, the proposed project would not create a significant destination land use that would exacerbate VMT and the parcel is not identified as high traffic area.

#### Noise

Staff reviewed the proposed project against the city's noise standards and evaluated the potential impacts generated by the project's proposed land uses against the existing surrounding land uses. Based on this analysis, the project will not rise to the level of a CEQA significant impact. Analysis on the construction and operational noise impacts are provided below.

#### Construction

The applicant will comply with the existing noise ordinance on construction noise, Section 8.20.04 of the Sonora Municipal Code. This measure is reflected in the staff report as a condition of approval. Therefore, construction noise impacts will not rise to a threshold of significance under CEQA.

#### Operation

Currently, the project site is located near noise generators such as highway 108 and an operational Sierra Pacific Rail line which are in close proximity to general commercial, commercial, and residential uses. Although the project's proposed uses will be developed at a higher density than the existing setting, the site proposes similar low-intensity uses. The proposed project includes six units of neighborhood-serving commercial (total of 6,342 sqft) and 12 units of residential (total of 12,876 sqft) that could impact noise in the existing neighborhood. The six commercial units of neighborhood-serving uses will be small-scale retail such as eating/drinking establishments, professional offices, and professional services. Unlike large-scale retail, it will not be a large destination or create significant noise impacts, when compared to industrial uses, manufacturing uses, or full-service restaurants or large shopping centers. Similarly, the 12 units of residential uses will be small, two-bedroom apartments that will generate similar noise levels to the existing residential in the vicinity of the project. Therefore, operational noise impacts will not rise to a significant impact under CEQA.

#### Air Quality

The proposed project will not include any significant land uses that will contribute to air pollution, such as industrial land uses. Air quality impacts caused by the project would most likely be limited to fuel combustion emissions from space and water heating, fuel combustion emissions from landscape maintenance equipment, volatile organic compounds (VOC) emissions from periodic repainting of interior and exterior surfaces, and standard uses of natural gas. Due to the less than significant impacts generated by traffic, it is unlikely that significant air quality impacts would be generated by vehicle trips. Therefore, air quality impacts will not be significant under CEQA.

#### Water Quality

To prevent impacts to water quality, the project conditions require approval of a drainage plan prior to approval of grading permits. With the development of a drainage plan that addresses

project run-off and the effect to drainages, it is unlikely that significant impacts to water quality would occur.

In reviewing the proposed project, staff finds that the project is exempt under CEQA pursuant to 15332, In-fill Development Projects (Class 32).

CEQA Guidelines, § 15061(b)(3) (Commonsense Exemption)

The rezone to the adjacent parcel at 11 Tuolumne Street is proposed by the City to improve conformity with the corresponding General Plan designation. No development is proposed on this parcel. This change in zoning does not have potential to cause significant impact to the environment. The rezoning reduces the allowed uses on the parcel and improves conformity with the General Plan. As a result of the rezone, the parcel will be more restricted to commercial/retail-oriented land uses. Any future development application received for the site will be subject to further review at that time.

**RECOMMENDATION:**

Based on the preceding, it is recommended that the City Planning Commission approve the Design Review Permit, Site Plan Permit, and Use Permit with the findings above and subject to the following project conditions. Staff also recommends that the City Planning Commission adopt the attached Resolution 5-13-2024-A recommending to the Sonora City Council approval of the attached ordinance rezoning APN's 056-106-004 and 056-106-001 from General Commercial (CG) to Commercial (C), based on the findings included within the Resolution.



**Design Review Permit, Site Plan Permit, Zoning Amendment, and Use Permit  
956 Oregon Street**

**GENERAL CONDITIONS:**

1. The Design Review Permit, Site Plan Permit, Zoning Amendment, and Use Permit are issued for a Multi-Use Residential and Commercial Project. Project plans, design and construction shall be in accordance with the plans approved by the Sonora Planning Commission on May 13, 2024. The Community Development Director may approve minor changes to the project that are in substantial compliance with the plans approved by the Planning Commission.
2. Acquisition and transfer of the portion of APN 056-108-015 included within the project area shall be subject to approval from the City and after compliance with the Surplus Land Act.
3. The number of parking stalls shall not exceed the minimum required under SMC 17.42.060. The project shall incorporate 18 parking stalls allocated to the proposed residential units and 31 stalls allocated to the proposed commercial units. The final parking layout shall not change the total number of residential designated stalls and commercial designated stalls.
4. A City Encroachment Permit shall be obtained from the Community Development Department prior to any work within all City right-of-ways or lane closures.
5. Applicant shall comply with Section 8.20.040, Construction Noise, of the Sonora Municipal Code.
6. City streets adjacent to the construction site shall be cleaned as necessary to limit track out and prevent fugitive dust.
7. The Applicant and contractors shall be responsible for dust abatement during grading, construction and development operations. A water truck or other approved watering device shall be on the project site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used at the end of each day and at other intervals as needed to control dust.
8. Mariposa Street shall be designed and maintained by the Applicant to support the imposed loads of fire apparatus and shall be paved to provide all-weather driving capabilities. Mariposa Street shall not be blocked in any manner including the parking of vehicles.
9. Project-related improvements to Oregon Street cannot impede future access to the adjacent parcels south of the project area.
10. The property owner or authorized applicant, their successors and assigns, will defend, indemnify, and hold harmless the city and its agents, officers, attorneys and employees from any claim, action, or proceedings brought against the city or its agents, officers, attorneys or employees within the applicable statute of limitations to:
  - a. Attack, set aside, void, or annul any action approving an application (including any action to provide environmental clearance in compliance with the California Environmental Quality Act (CEQA), by city staff any city planning or advisory agency, any city appeal board, or the city council; or

- b. Seek damages for property damage or personal injuries resulting from development authorized by the city pursuant to the application. [SMC Section 17.69.010 (Ordinance 776)]
- 11. Applicant shall comply with all local, state and federal regulations, permitting, and requirements.

**CONDITIONS TO BE MET PRIOR TO GRADING PERMIT ISSUANCE:**

- 12. The applicant shall prepare and submit a drainage plan that addresses the following:
  - a. The entire project site including the parking lot drainage.
  - b. The increased runoff and effect to downstream drainages, culverts and adjacent property.
  - c. Culvert along S. Washington Street sized to accommodate the water flow from the City's storm drain system that currently flows into and through the existing drainage channel.
  - d. Drainage improvements shall be installed in accordance with the approved drainage plans.
- 13. The applicant shall submit an erosion control plan.
- 14. The applicant shall submit an engineered grading plan which clearly shows the proposed parking lot and roadway grades, cuts and fills as well as retaining walls, on a topographic map.

**CONDITIONS TO BE MET PRIOR TO BUILDING PERMIT ISSUANCE:**

- 15. The applicant shall prepare a parking and circulation site plan subject to review and approval by the Community Development Director. The parking and circulation site plan shall include the following:
  - a. How parking stalls will be assigned for residents and allocated for commercial spaces.
  - b. A path of travel clearly denoting pedestrian access points; including how the public could access the commercial spaces fronting Washington from Oregon Street.
- 16. Civil plans to show that all utilities will be installed underground onsite.
- 17. The applicant shall submit an analysis for the encroachment and access roads prepared by a qualified professional and approved by the City Engineer. The analysis will consider the existing and proposed encroachments and driveways, sight lines, access roads, and any operation and safety functions.
- 18. The applicant shall submit an engineered site plan which clearly shows the proposed parking lot and roadway grades, cuts and fills, and retaining walls. Plans shall address internal traffic circulation, stall layout, striping/markings and signage.
- 19. All parking areas and traveled ways on the site shall be paved.
- 20. The applicant shall ensure the turning radius is met for the local fire apparatus within the parking lot, access off S. Washington, and Mariposa Street onto Oregon Street.

21. Project is to include ADA-compliant sidewalk, curb and gutters along the S. Washington Street frontage along with any additional non-motorized improvements included within approved/adopted transportation plans.
22. A lighting plan shall be submitted prior to the installation of any exterior lighting. Exterior lighting is to direct the light downward to the area to be illuminated, install shields to direct light and reduce glare. The lighting plan shall comply with the International Dark Sky Association standards.
23. A landscape plan is to be submitted for review and approval by the Parks, Recreation, and Beautification Committee as required under SMC Section 12.20.130 including ongoing maintenance and MWELo requirements. Landscape plan is to include street trees along the S. Washington Street property frontage, trees within the parking lot area, and details on the design of the retaining wall.
24. The applicant shall meet 904.3.1.1 (a full NDPA 13 system) to ensure that there are fire sprinklers throughout the building, including attic space and void spaces.
25. Project is approved with the Authority having Jurisdiction (AHJ) for FDC/riser location.
26. Project will be required to meet fire flow and hydrant spacing per CFC Chapter 5 and Appendix B and C.
27. The applicant shall coordinate with TUD regarding the water and sewer connections and capacity at the site and in the surrounding lines. TUD engineers shall approve the plan. The project shall subject to all conditions and standards required by TUD as shown in the comment letter attached.

**CONDITIONS TO BE MET PRIOR TO OCCUPANCY:**

28. The project is to include a centralized garbage and recycling area which is to be screened from public view. Containers are to be continuously closed, watertight and vector-resistant that are of adequate size and in sufficient numbers to contain all refuse without overflowing or impact to the storm drain system. The garbage and recycle area, and containers, shall be kept in good repair and sanitary condition.
29. Landscape permit is issued and all landscaping is installed and approved by the City. Landscape Maintenance Agreement and bonding (Section 12.20.135 of the SMC) has been executed and MWELo requirements have been complied with.
30. The applicant will pay all impact fees that are due prior to building permit or occupancy, as applicable.

**Attachments:**

- |                |                                    |
|----------------|------------------------------------|
| Attachment 1 – | Resolution No. 5-13-2024-A         |
| Attachment 2 – | Ordinance 893                      |
| Attachment 3 – | Site Plan                          |
| Attachment 4 – | Elevations                         |
| Attachment 5 – | TUD Advisory Notice Comment Letter |



Attachment 6 – City Engineer Comment Letter

Attachment 7 – Tuolumne Heritage Committee Comment Letter