



# CITY COUNCIL AGENDA REPORT

**MEETING DATE:** October 5, 2020  
**TO:** City Council Members  
**FROM:** Rachelle Kellogg, Community Development Director  
**SUBJECT:** Ordinance 872 – Zoning Map Amendment

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## RECOMMENDATION

Introduce by title Ordinance No. 872, amending the Zoning Map through the rezoning of Assessor's Parcel Numbers 002-090-35, 36, & 37, 001-241-005, 014, 015, 016, 031, & 032, from Commercial (C) to Tourist and Administrative (CO), and waive the first reading.

## DISCUSSION

The City received an application from the owner of 237 W. Stockton Street, Joette Louise Lucco, requesting the rezoning of her property to allow for a single family residence. The current zoning of her property is Commercial which does not allow new single family residential within the district. In analyzing the request, staff looked at adjoining parcels to evaluate uses in the area and determine parcels that could benefit by being included within the rezoning project area. Based on this analysis, staff is recommending an additional eight parcels, as shown in the chart below, be included in the rezone project area.

APN	Owner	General Plan Designation	Current Zoning
002-090-035	Lori & Richard Christian	Commercial (C)	Commercial (C)
002-090-036	Joette Louise Lucco	Commercial (C)	Commercial (C)
002-090-037	Corrine E. Boyd	Commercial (C)	Commercial (C)
001-241-005	RLNS Properties LLC	Historic Mixed Use (HMU)	Commercial (C)
001-241-014	Randy & Julianne Panietz	Commercial (C)	Commercial (C)
001-241-015	Erik L. & Robin Witt TR	Commercial (C)	Commercial (C)
001-241-016	Erik L. & Robin Witt TR	Commercial (C)	Commercial (C)
001-241-031	RLNS Properties LLC	Historic Mixed Use (HMU)	Commercial (C)
001-241-032	Patrick & Meredith McBride	Historic Mixed Use (HMU)	Commercial (C)

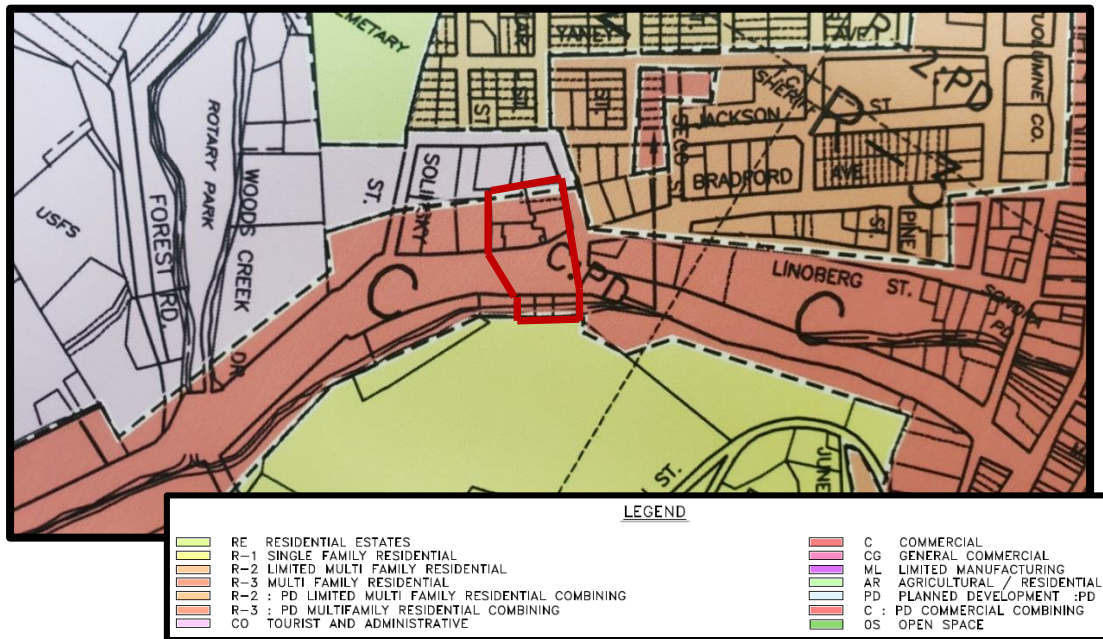
These parcels are currently developed with older multifamily, single family and commercial structures. The Commercial (C) district does not allow, as a permitted use, single family residential or ground level multifamily residential. Therefore, the existing properties that have residential uses are legal non-conforming uses which means that while the use may be continued under the (C) zone as a non-conforming use, if the structure is less than 50 years old it may not be restored or rebuilt if damaged for more than half the current replacement cost or if abandoned for a period of a year or more. The City recently amended Chapter 17.58, Nonconforming Uses and Structures, to assist owners of historic structures and uses to be able to restore the older structures/uses if damaged but it does not allow the expansion of that use. However, the existing legal non-conforming uses are allowed by right within the

(CO) zoning district. Letters were sent to all of the property owners informing them of the situation and of the proposed rezoning. Those that contacted staff with questions were in agreement with the proposed rezoning of their property.

### Project Area



### Zoning Map



The area proposed for rezoning is within both the Historic Mixed Use (HMU) and Commercial (C) Land Use Designations under the General Plan 2020 the Land Use Designations are compatible the Tourist and Administrative (CO) Zoning District. As such, the proposed rezoning from C to CO is consistent

with the general purposes and intent of the Historic Mixed Use and Commercial General Plan Land Use designations pursuant to General Plan 2020.

The proposed project includes the rezoning of nine (9) parcels from Commercial (C) to Tourist and Administrative (CO). The primary purposes of the proposed rezoning is to change existing non-conforming status for the residential properties to a permitted use by right, allow a transition zone between the heavier Commercial district and the adjacent residential district, and to provide a consistent zoning district in this area to avoid “spot” zoning.

At their September 14, 2020 Planning Commission Meeting, Commissioners reviewed the proposed zoning changes for the identified parcels and approved Resolution No. 9-14-2020-A recommending to the Sonora City Council approval of an ordinance as described within the attached Resolution and included within Ordinance No. 872.

**CEQA DETERMINATION:**

The Text Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) – Common Sense Exemption.

**FISCAL IMPACT**

None