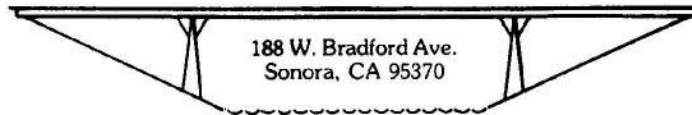


GJF Engineering



September 15, 2026

Tyler Summersett, Community Development Director
Sonora City Hall
94 N. Washington Street
Sonora, California 95370
via email tsummersett@sonoraca.org

Subject: Comments in regard to the Rezoning and Vacation of Public Right of Way Public Hearing before the Sonora City Council advertised for September 21, 2026

Tyler,

Attached please find as an attachment to this letter a copy of an email sent to you on August 17, 2026 in regard to the proposed the Rezoning and Vacation of Right of Way which was before the Planning Commission on August 24, 2026. The attachment includes a copy of City Ordinance 793 as well as the City Council Minutes of 05-03-2010 and 05-17-2010 which was not included in the agenda package for the Planning Commission meeting and was handed out at the meeting.

Please include the enclosed attachment in the Agenda Package for the City Council Hearing on September 21, 2026 hearing along with a copy of this comment letter. My comments as a resident of Sonora (since 1970) and former contract Sonora City Engineer (45 years) on the proposed Rezoning and Vacation of Public Right of Way, are as follows:

1. Lawsuit Settlement: The Lowes project which included the Old Wards Ferry Realignment was held up for over three years by a lawsuit which required a full EIR. As part of an Lawsuit Settlement with Citizens for Responsible Growth, the City adopted Resolution 05-03-2010-A and City Ordinance 793 which changed the General Plan for the triangular area bounded by the realigned Old Wards Ferry Road, Sanguinetti Road and Crossroads Shopping Center property to PRO (Parks Recreation and Open Space), and the Zoning to OS (Open Space). The purpose was to preserve and replace the open space and rural character of the Sanguinetti Ranch area that was removed by the realigned and widened Old Wards Ferry Road as an EIR mitigation measure.
2. Changing a portion of the triangular piece of property shown in the Ordinance 793 exhibit now from Open Space to General Commercial for some unspecified commercial use would violate the original lawsuit settlement and mitigation measure. The change in zoning would also be inconsistent with the General Plan as amended in 2010 by Resolution 05-03-2010-A. There is nothing in the subject public hearing notice that indicates a revision to the General Plan.
3. The description of the property and exhibit in the subject public hearing notice is in error and misleading. A division of the City property by the Sierra Railroad does not exist. Sierra Railroad only owns an easement to operate and maintain a railroad over the City property and public right of way to

California Public Utility standards and setbacks. The 100 foot railroad right of way does not exist over public road property and setbacks to the rail lines are much less, and consistent with the exhibit in Ordinance 793.

Additionally, there is a mistake in the description of the property with reference to the proposed parcels as being a portion of APN 056-570-059. The subject Assessor Parcel is the 1.17 acre parcel deeded to the City for the Old Wards Ferry Road realignment and does not include the older right of way of Old Wards Ferry Road. Yet the proposed parcels exhibit and descriptions include the older Old Wards Ferry right of way. This is a mistake .

In summary on this item, any descriptions of property should be professionally done, and based up a field survey, record maps and deeds, backed by a Title Report. It is in apparent in the documents presented to the Planning Commission that this was not done.

4. If there is to be a Vacation of Right of Way, it should be based upon a precise surveyed boundary and legal description. A Parcel Map should be filed, if it is to be divided. There are numerous utilities within the subject right of way, and there will need to be specific notifications to each utility in regard to existing utilities and future plans. Other agencies including the Tuolumne County Transportation Council should be contacted. I would suggest that the roadbed and sidewalk along the older Old Wards Ferry Road be retained as an easement for a future bicycle and pedestrian path as part of a project connecting the Justice Center with Sanguinetti Road and beyond. Similar to what is being planned through Woods Creek Rotary Park.

5. In regard to surplus and deeding the property out to a private developer and without any public review of the proposed use, I think that City staff should have legal advice of the procedures. Perhaps the property and portions surplus should be competitively offered to other property owners in the vicinity or perhaps to another public agency. It seems very odd that we are giving away the property to one property owner and rezoning it to General Commercial, and without any indication of the proposed use.

In summary, I would recommend that the proposed rezoning and vacation of right of way be not considered or denied. Let's continue the preservation of the property as a park based upon the Settlement Agreement and EIR Mitigation of the Lowes Project and Old Wards Ferry Road Realignment of only 16 years ago.



Gerard J. Fuccillo (Jerry)
Sonora Resident
Civil Engineer RCE 22007
209-206-0512 (cell)

Attachment: Comments to the Planning Commission 8-17-2026 -6 pages

cc: Chris Gorsky, City Administrator

Subject: Comments on the Proposed Rezoning and Vacation of Public Right of Way, APN 056-570-059

From: "Gerard J. Fuccillo" <gjffeng@sbcglobal.net>

Date: 8/17/2026, 12:35 PM

To: Tyler Summersett <tsummersett@sonoraca.org>

Tyler,

I have reviewed the advertisement for the August 24, 2026 Sonora Planning Commission public hearing concerning the subject rezoning and vacation of public right of way of City property located near the intersection of Old Wards Ferry Road and Sanguinetti Road, and would like to comment as follows:

1. Attached please find a copy of City Ordinance 793 along with minute excerpts of the City Council meetings of May 03, 2010 and May 17, 2010 whereby the City adopted Ordinance 793. Ordinance 793 rezoned and changed the General Plan of the triangular piece of city property bordered by the realigned Olds Wards Ferry Road and Sanguinetti Road and adjacent shopping center (as shown in the ordinance exhibit) to OS (Open Space) zoning and to an PRO (Parks, Recreation and Open Space) General Plan designation. The triangular property shown in the ordinance exhibit consists of excess property deeded to the City for the realignment of Old Wards Ferry Road, the older Old Wards Ferry Road City right of way, as well as a portion of the right of way of Sanguinetti Road. The exhibit of the ordinance is the Offsite Landscape Plan of the Lowes project which was required by the City along with the realignment of Old Wards Ferry to be done by Lowes.
2. As is indicated in the ordinance adoption minutes, the original change of Zoning and General Plan were part of a lawsuit settlement with Tuolumne County Citizens for Responsible Growth. Changing it now after only 16 years could bring back litigation to the City.
3. The statement in the notice that the Sierra Railroad divides the City property into 2 parcels is incorrect. The railroad does not own a parcel that divides the City property. The Sierra Railroad only owns an easement over City property for railroad purposes pursuant to Public Utilities Commission requirements and setbacks. The actual width of the railroad easement is much less than the original right of entry width for construction in the 1890's shown on the Assessors maps. The width of the easement as shown in the Ordinance 793 exhibit is correct and matches the fence lines created with relocation of the Old Wards Ferry RR crossing.
4. If there is to be a Vacation of Right of Way, it should be based upon a surveyed boundary and legal description. It should be noted there are existing public utilities in the older right of way of Old Wards Ferry Road and across the City property which would need to be preserved or relocated. The normal procedure is to do an official notice to utilities with an exact map or legal description of the right of way to be vacated.
5. If the property is to remain as a public park there is no need to Vacate the Right of Way, as the utilities remain as easements over or under public property. I feel the right of way along the section of Old Wards Ferry Road should be retained for the future. It would be useful for a future off road bicycle and pedestrian path to future County and State requirements.

In summary, I would recommend the proposed rezoning and vacation be not considered, or denied.

Gerard J. Fuccillo (Jerry)

Sonora Resident

Former Sonora Contract City Engineer

— Attachments:

Ord793zoning5-17-2010wCCminutes.pdf

231 KB

ORDINANCE NO. 793

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA
AMENDING THE ZONING MAP OF THE CITY OF SONORA

The City Council of the City of Sonora does hereby ordain as follows:

Section One: Section 17.10.010 of the Sonora Municipal Code, providing for the zoning map of the City of Sonora, is hereby amended from C, Commercial and ML, Limited Manufacturing to OS, Open Space for the triangular shaped area located generally southwest of the intersection of Sanguinetti Road and the existing Old Wards Ferry Road, as shown on the attached exhibit map comprising approximately 0.7 acres,

Introduced and read as an ordinance of said City at a regular meeting held on May 3, 2010, and passed and adopted at a regular meeting held on May 17, 2010, by the following vote:

AYES: Ron Stearn, Gary Anderson, Bill Canning, Hank Russell

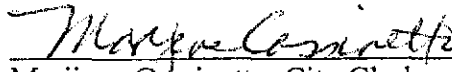
NOES: None

ABSENT OR ABSTAIN: David Sheppard



Ronald E. Stearn, Mayor

ATTEST:



Marijane Cassinetto, City Clerk

Approved as to Form:



Richard Matranga, City Attorney

Publish: The Union Democrat, Sonora
May 27, 2010

Old Wards Ferry Road Realignment General Plan/Zone Change.

This was the time and place set for a Public Hearing to consider the City of Sonora initiated amendment to the City of Sonora General Plan Land Use Map from Heavy Commercial, Public/Quasi-Public, and undesignated right-of-way area to PRO, Parks, Recreation and Open Space; and amendment to the City of Sonora Zoning Map from C, Commercial and ML, Limited Manufacturing to O, Open Space. Said property is generally located at the intersection of Sanguinetti Road and the existing Old Wards Ferry Road, and is approximately 0.7 acres.

Community Development Director Wyllie informed Council that this project is being implemented in follow-up to last year's approval of the Old Wards Ferry Road Realignment Project, and consistent with the subsequent settlement agreement with Tuolumne County Citizens for Responsible Growth (TCCFRG) to "create space in this area for a monument, landscape beautification, and highlighting the rural heritage of the property with items retained from the old Sanguinetti Ranch." When the Old Wards Ferry Road Realignment Project was approved by the City Council, it was with the knowledge that there would be excess right-of-way area to the east of the new alignment. The City Council and TCCFRG agree that the excess area be retained as a low maintenance, natural landscape area. By putting the area into PRO on the general plan land use map and with OS zoning, the City confirms its intent to provide for the area as noted in the settlement agreement.

Wyllie reported Staff and Planning Commission recommendation for approval. In taking this action, it is recommended that Resolution 5-3-2010-A be approved, and the first reading of Ordinance No. 793 be waived, and the Ordinance be introduced.

Mayor Stearn opened the Public Hearing at 5:21 p.m. Barbara Farkas, President of TCCFRG, read correspondence which was provided to the Councilmembers reiterating the provisions of the settlement agreement, and that TCCFRG supports the General Plan amendment. There being no further appearances, the Public Hearing was closed at 5:24 p.m.

NEW BUSINESS

Amendment to General Plan Land Use Map; Adoption of Resolution and Introduction of Ordinance Relating to Property at Sanguinetti Road and Old Wards Ferry Road. In consideration of the information provided at the above Public Hearing, **MOTION** by Councilmember Canning, second by Mayor Pro-Tem Anderson, and unanimously carried that Resolution No. 05-03-2010-A, a Resolution related to an amendment of the City of Sonora

General Plan Land Use Map, be approved and adopted. MOTION by Mayor Pro-Tem Anderson, second by Councilmember Canning, and unanimously carried that Ordinance No. 793 be introduced with the first reading waived; said Ordinance amends the City of Sonora Zoning Map.

PUBLIC APPEARANCES

Public Appearance by Stephanie Suess, Representing the Youth Sports Foundation of Tuolumne County, was continued to the next Council Meeting per her request.

PUBLIC APPEARANCES (Non-Agenda)

None.

UNFINISHED BUSINESS

Ordinance No. 791. The Council engaged in consideration of waiving the second reading and adopting Ordinance No. 791 which repeals Section 15.28.135 of the Sonora Municipal Code and amends Section 15.28.165(A) of the Sonora Municipal Code which will repeal/amend the requirements for sign design review. Community Development Director Wyllie reviewed background information and recommended approval. Wyllie reported that the proposal comes forth as a result of the Council's Special Session Meeting on March 3, 2010, which was held for the purpose of discussing ways to streamline City processes, and that sign design review was brought up for discussion. Adoption of Ordinance No. 791 will provide that sign design review would no longer be required; the Planning and Building Staff would review signs for the historic area as it does for signs throughout the City utilizing the criteria from Ordinance No. 779 adopted in 2007.

MOTION by Councilmember Russell, second by Mayor Pro-Tem Anderson, and unanimously carried that the second reading of Ordinance No. 791 be waived and the same be adopted.

NEW BUSINESS

Endorsement of Tuolumne County Economic Development Authority (TCEDA) Preliminary Fiscal Year 2010-2011 Budget. The Council engaged in consideration of endorsing TCEDA's preliminary Fiscal Year 2010-2011 Budget. Administrator Applegate reported that in accordance with the Tuolumne County Joint Powers Authority Agreement for the TCEDA, the City is required to receive and review TCEDA's preliminary budget estimate. Councilmembers Canning and Russell, TCEDA City

providing for the zoning map of the City of Sonora. At its meeting of May 3, 2010, the Council approved the application by Mark Fray to rezone a portion of AP# 56-650-05 from RE, Residential Estate to Open Space:Design Review Combining. Ordinance No. 792 will amend the Municipal Code providing for said rezoning.

MOTION by Councilmember Canning, second by Councilmember Russell, and unanimously carried that the second reading of Ordinance No. 792 be waived and the same be adopted as presented.

Ordinance No. 793. The Council engaged in consideration of waiving the second reading and adopting Ordinance No. 793 which amends Section 17.10.010 of the Sonora Municipal Code providing for the zoning map of the City of Sonora. At its meeting of May 3, 2010, the Council approved the City of Sonora initiated amendment to the City of Sonora General Plan Land Use Map from Heavy Commercial, Public/Quasi-Public, and undesignated right-of-way area to PRO, Parks, Recreation and Open Space; and amendment to the City of Sonora Zoning Map from C, Commercial and ML, Limited Manufacturing to O, Open Space. Said property is generally located at the intersection of Sanguinetti Road and the existing Old Wards Ferry Road, and is approximately 0.7 acres. Ordinance No. 793 will amend the Municipal Code providing for approval of the above-referenced amendment.

MOTION by Councilmember Russell, second by Mayor Pro-Tem Anderson, and unanimously carried that the second reading of Ordinance No. 793 be waived and the same be adopted as presented.

NEW BUSINESS

Personnel Transition Plan. The Council engaged in consideration of approving the City's Personnel Transition Plan. Administrator Applegate presented Staff's proposed Personnel Transition Plan which sets forth a series of personnel actions which need to be implemented to help ensure a seamless transition based upon the following upcoming retirements: (1) City Administrator, (2) Community Development Director, (3) Administrative Analyst/Deputy City Clerk, and (4) Public Works Specialist - One Position. The Administrator's Staff Report inclusive of the Personnel Transitional Plan is attached hereto as **Exhibit "A"**, and incorporated herein and made a part hereof for reference.