

RESOLUTION NO. 08-24-2026-A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SONORA RECOMMENDING TO THE CITY COUNCIL: (A) APPROVE FORMAL VACATION OF THE RIGHT-OF-WAY AREA AT THE INTERSECTION OF OLD WARDS FERRY ROAD AND SANGUINETTI ROAD; (B) APPROVE AN AGREEMENT TO TRANSFER THE LAND TO THE ADJACENT LANDOWNER; (C) APPROVE THE REZONING OF A PORTION OF THE AREA FROM OPEN SPACE TO GENERAL COMMERCIAL; AND (D) APPROVE A GENERAL PLAN AMENDMENT TO CHANGE A PORTION OF THE AREA FROM HEAVY COMMERCIAL TO PARK/RECREATION/RESOURCE/OPEN SPACE

WHEREAS, the City of Sonora owns and controls the area of right-of-way near the intersection of Sanguinetti Road and Old Wards Ferry Road, divided by the Sierra Railroad, described as a portion of APN 056-570-059, and as further described and depicted in **Exhibit A** attached hereto (the "Property"); and

WHEREAS, the Property is composed of two parcels, "Parcel 1" of approximately 13,418 square feet south of the Sierra Railroad, and "Parcel 2" of approximately 5,868 square feet north of the Sierra Railroad. This subject Property is at the northwest corner of the Walmart shopping center area and is in total approximately 19,286 square feet (~0.44 acres); and

WHEREAS, a portion of the Property is excess right-of-way which is within the right-of-way of Old Wards Ferry Road. This intersection was realigned at the time of development of the Lowe's and Walmart shopping center; and

WHEREAS, the adjacent landowner of the Walmart shopping center ("Applicant") has expressed interest in acquiring a portion of the Property for future development; and

WHEREAS, on this date, the Planning Commission considered recommendation of the following actions to the City Council:

- (a) Finding that the proposed vacation of the Property and the associated agreement with adjacent landowner are consistent with the City of Sonora General Plan, and overall advance the public interest, health and safety, convenience, and welfare; and
- (b) An ordinance to rezone Parcel 1 from Open Space to General Commercial, as further shown in **Exhibit B** attached hereto; and
- (c) Memorializing the change in General Plan designation for Parcel 2 from Heavy Commercial to Park/Recreation/Resource/Open Space to be

consistent with the underlying zoning and use of the parcel, as further shown in **Exhibit C** attached hereto; and

WHEREAS, the Property is not used for roadway purposes and is currently developed with landscaping and used for drainage purposes. The Property is not identified as a necessary roadway, collector, arterial, or intersection alignment in the City's General Plan or circulation element. The proposed vacation, associated agreement, and rezoning of Parcel 1 further advance and are consistent with the General Plan goals, policies, and programs described in **Exhibit D** attached hereto; and

WHEREAS, under the provisions of the proposed agreement with the Applicant, Parcel 1 may be used for future development consistent with the applicable zoning, with any remainder area used for landscaping, and Parcel 2 would be restricted for landscaping to enhance the intersection of Old Wards Ferry Road and Sanguinetti Road. In addition, the Applicant will be responsible for all landscaping and maintenance obligations over the Property; and

WHEREAS, under the proposed rezoning, Parcel 1 is proposed to be rezoned from its current Open Space designation to the General Commercial designation, as described and depicted in **Exhibit B** attached hereto; and

WHEREAS, the existing General Plan designation for the Property is Heavy Commercial (HC), which is determined to authorize and be consistent with the City's General Commercial zoning district; and

WHEREAS, the Planning Commission recommends that the City Council make the following findings regarding the proposed Rezoning and General Plan Amendment:

- A. Are consistent with the objectives, policies, general land uses and programs specified in the General Plan;
- B. Are compatible with, and physically suited for, the uses authorized in, and the regulations prescribed for, the proposed zoning district in which the real property is located;
- C. Are in conformity with public convenience, general welfare and good land use practice;
- D. Will not be detrimental to the health, safety and general welfare;
- E. Will not adversely affect the orderly development of property or the preservation of property values; and

WHEREAS, the overall project involves vacation of excess right-of-way, transfer of the

Property to the adjacent landowner pursuant to the agreement included in the record of the proceedings, the rezoning of Parcel 1 from Open Space to General Commercial, and a corresponding General Plan Amendment for vertical consistency and the existing use. No physical development of the Property has been formally proposed at this time, and any such future site plan or design review would be subject to CEQA at that time. Accordingly, the proposed actions have been determined to be exempt from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines § 15061(b)(3) (Commonsense Exemption), CEQA Guidelines § 15312 (Surplus Government Property Sales), CEQA Guidelines § 15304 (Minor Alterations to Land), and CEQA Guidelines § 15301 (Existing Facilities).

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sonora, after due deliberation and based on its independent review and analysis, the staff analysis, and oral and written testimony presented at the public hearing, that the Planning Commission hereby:

1. Finds that the City’s vacation of the Property and the associated agreement with the Applicant are consistent with the City of Sonora General Plan 2020, and will serve to advance the public interest, health and safety, convenience, and welfare. The Planning Commission hereby recommends approving formal vacation of the Property and the associated agreement with the adjacent landowner.
2. Recommends that the City Council rezone Parcel 1 from Open Space to General Commercial, as shown in **Exhibit B**.
3. Recommends that the City Council amend the General Plan designation for Parcel 2 from Heavy Commercial to Park/Recreation/Resource/Open Space, to maintain consistency with the applicable Open Space zoning district, as shown in **Exhibit C**.

PASSED, APPROVED AND ADOPTED as a Resolution by the Sonora Planning Commission at a meeting held by the Planning Commission on the ____ day of _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:



Kevin Anderson,
Planning Commission Chairman

ATTEST:



Tyler Summersett, Comm. Dev. Director

EXHIBIT A

Description of Right-of-Way Area Subject to Vacation and Conveyance

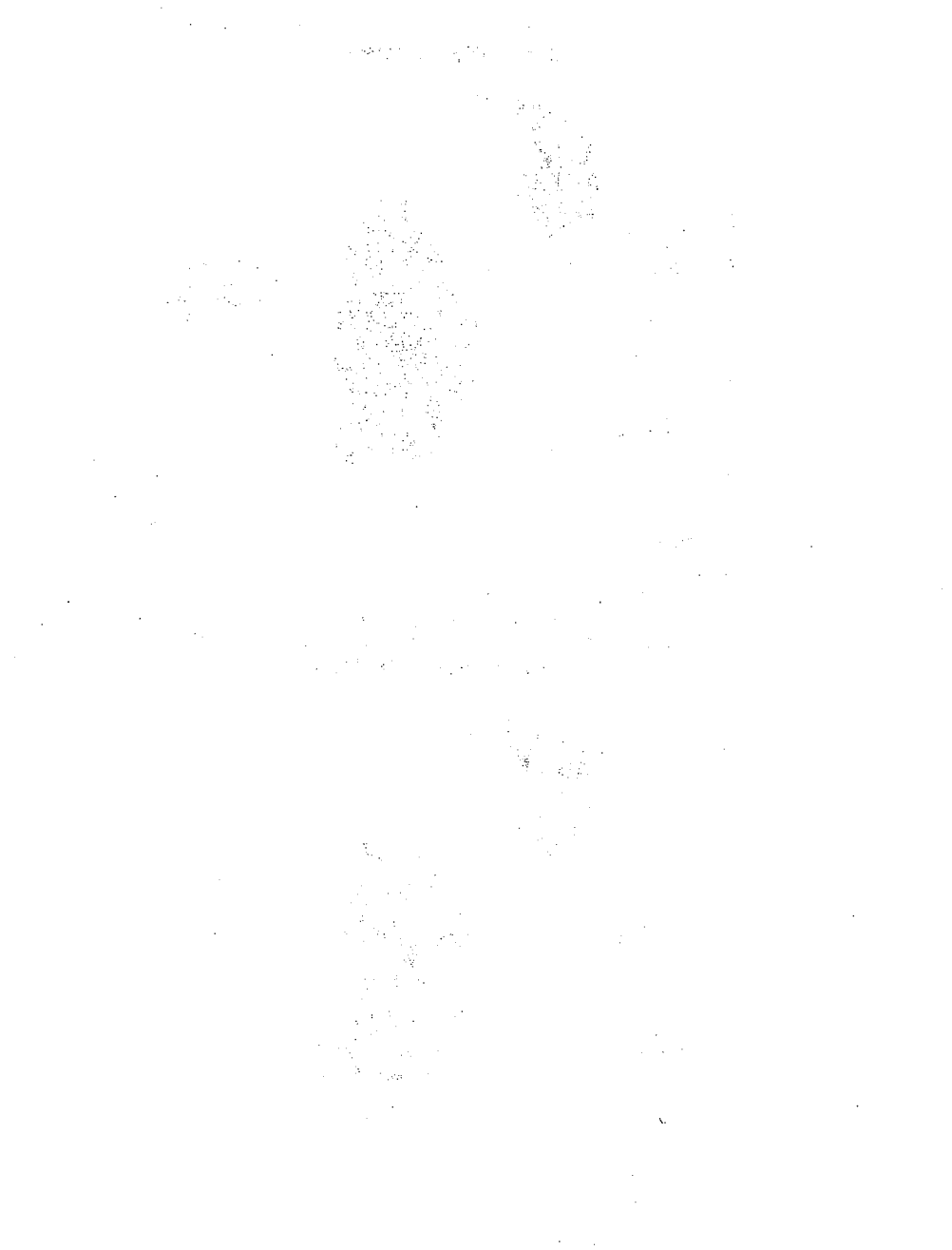


EXHIBIT A
LEGAL DESCRIPTION
Proposed Parcel 1

All that real property in Section 6, Township 1 North, Range 15 East, Mount Diablo Meridian, in the City of Sonora, State of California, more particularly described as follows:

BEGINNING at the most westerly corner of Parcel "B-1" as shown on that certain map recorded October 30, 2000 in Book 39 of Parcel Maps, at Pages 98-99, Tuolumne County Records; thence along the west line of Parcel "B-1 and "A-1 of said parcel map the following 4 courses: 1) South 18°45'22" East, a distance of 35.41 feet to a point on a non-tangent curve concave to the west and having a radius of 330.00 feet, to which a radial line bears North 71°13'06" East; 2) thence southeasterly along said curve through a central angle of 17°00'29", a distance of 97.96 feet; thence 3) South 01°46'25" East, a distance of 59.90 feet; thence 4) South 11°04'01" East, a distance of 28.42 feet; thence North 89°48'52" West, a distance of 35.73 feet to the point on a tangent curve concave to the northeast and having a radius of 30.00 feet; thence northwesterly along said curve through a central angle of 66°30'31", a distance of 34.82 feet to the point of reverse with a curve concave to the southwest and having a radius of 340.00 feet; thence northwesterly along said curve through a central angle of 12°29'37", a distance of 74.14 feet to the point on a compound curve concave to the southwest and having a radius of 3241.00 feet; thence northwesterly along said curve through a central angle of 0°14'40", a distance of 13.82 feet; thence North 30°07'31" East, a distance of 142.81 feet to the **POINT OF BEGINNING**.

CONTAINING 13,418 square feet, more or less.

SUBJECT TO all rights-of-way and easements of record.

This description was created by me or under my direction in conformance with the Professional Land Surveyors' Act.

Rodrick H. Hawkins, P.L.S. 9489
July 18, 2025

EXHIBIT B

Amendment to City of Sonora Zoning Map for Parcel 1

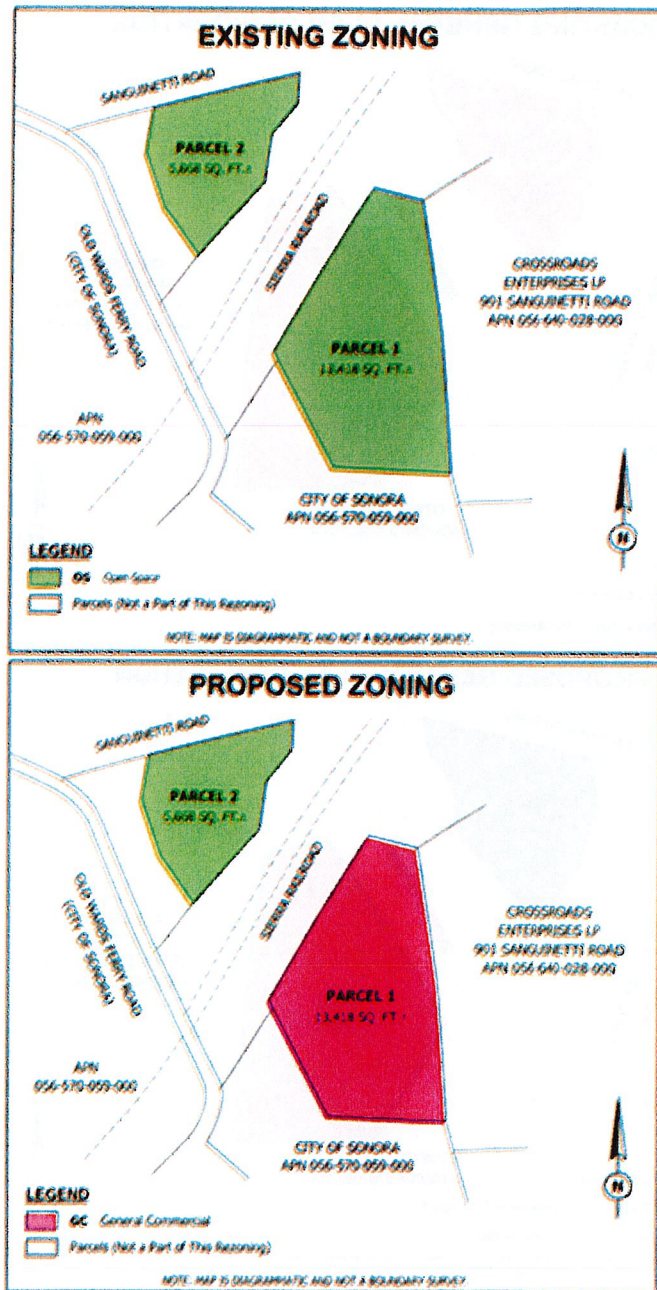


EXHIBIT C

Amendment to General Plan Designation for Parcel 2

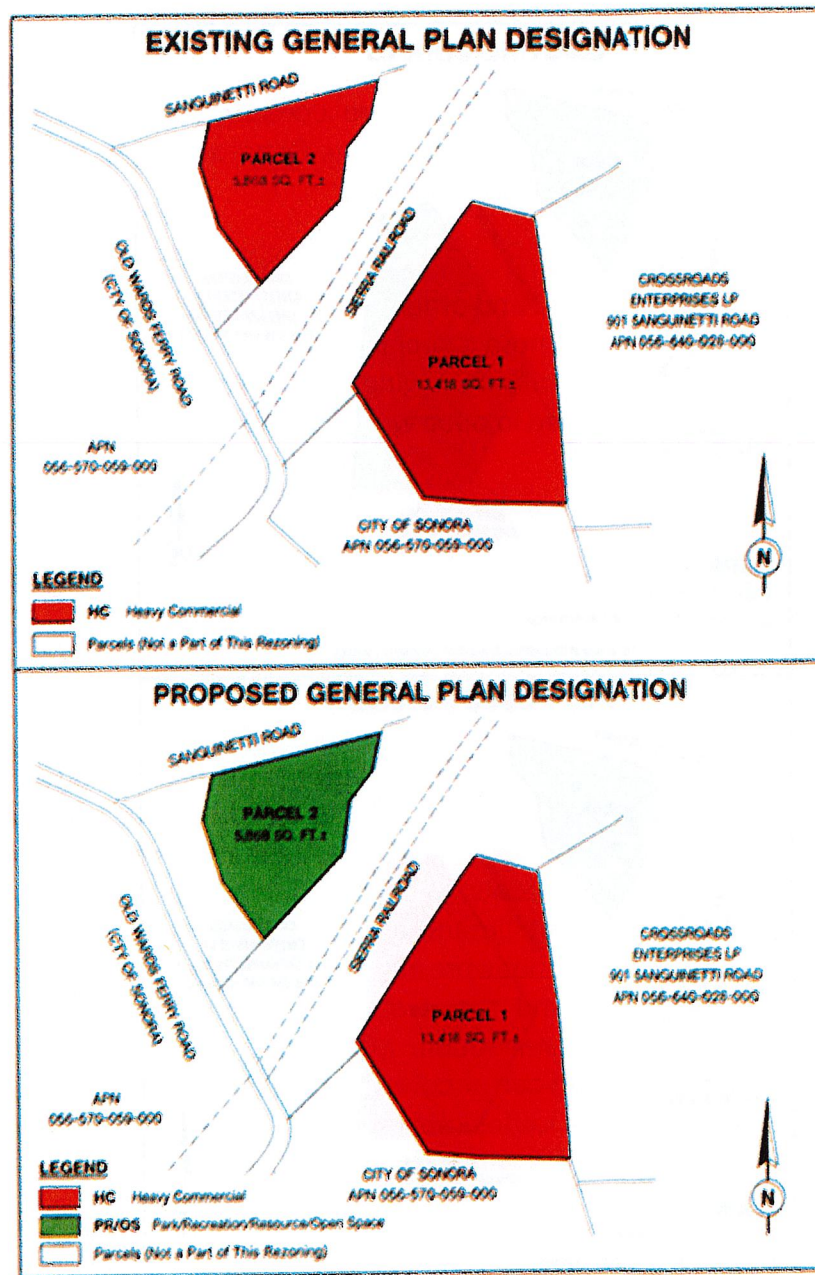


EXHIBIT D

General Plan Consistency for Vacation of Right-of-Way and Rezoning of Parcel 1 from Open Space to General Commercial

The City Council hereby finds that the proposed vacation of right-of-way, transfer of right-of-way area to the neighboring landowner and associated agreement, and the rezoning of Parcel 1 to General Commercial support and are consistent with the following goals, programs, and policies contained in the City of Sonora General Plan 2020:

Goal 1.A:

Provide a well-organized and orderly development pattern that maintains and enhances the City of Sonora's social, economic, cultural, environmental, and aesthetic resources while managing growth so that adequate facilities and services can be provided in pace with development.

Policy 1.A.3

Ensure that the extent of development shall be related to the property's environmental constraints.

Policy 1.A.d

Establish Criteria for General Plan Amendments In reviewing an application to amend the Sonora General Plan 2020 Land Use Map, the Sonora Planning Commission and Sonora City Council shall consider the overall consistency of the proposal with the goals, objectives and policies of Sonora General Plan 2020 including, but not limited to: i. ii. iii. iv. What physical, social, or economic factors exist that were not considered at the time of Sonora General Plan 2020 adoption and the evaluation of the proposal based on new information. Existing reasonable alternative sites in the vicinity that are planned for the use and can accommodate the proposal. The potential for the proposal to encourage undesirable impacts. The effect of the proposal on the fiscal health of the city.

Policy 1.B.2

Encourage development which complements and blends in with its surroundings.

Policy 1.B.4

Conserve the city's natural, scenic and cultural resources along designated scenic transportation routes through and adjacent to the city.

Policy 1.C.1

Encourage the retention, rehabilitation and restoration of historic structures.

Policy 1.C.2

Preserve the contextual setting of the city's historic neighborhoods and historic districts.

Goal 1.E

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.

Policy 1.E.7

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.

Goal 4.C

Sustain and enhance the natural, scenic and cultural resources and rural character of Sonora to preserve and enhance the city's quality of life and tourism economy.

Policy 4.C.1

Sustain the city's natural scenic resources along designated scenic transportation routes through and adjacent to the city.

Policy 4.C.2

Sustain and enhance the city's natural scenic resources at designated gateways to Sonora.

Policy 4.C.4

Encourage new development to blend with the existing landforms and vegetation.

It is further found that vacating this segment of right-of-way will not conflict with following:

- 2.A.1 Maintain existing streets and highways in the City and regional transportation system to meet projected needs and planned functions.
- 2.A.4 Safeguard lands identified for future transportation corridors and facilities to ensure their future use.
- 2.C Reduce impacts on the City's roadways and provide a wide variety of alternative methods of transportation for the City's residents and visitors of all income levels.
- 2.C.1 Encourage the maintenance and expansion of public transportation opportunities for the citizens of the City of Sonora and Tuolumne County.