



CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541

SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: September 21, 2026

TO: Honorable Mayor and Members of the City Council

FROM: Tyler Summersett, Community Development Director
Josh Varinsky, City Attorney's Office

SUBJECT: Right-of-Way Vacation near Old Wards Ferry Road and Sanguinetti Road; Agreement for Land Transfer, Maintenance, and Use Restrictions; and Zoning Actions Relating to Future Development of Parcel 1 Consistent with Rezoning to General Commercial (C).

RECOMMENDATION:

Consider Adoption of the following:

- (a) City Council Resolution 09-21-2026-A to Approve the Formal Vacation of the Right-of-Way Area at the Intersection of Old Wards Ferry Road and Sanguinetti Road; and
- (b) City Council Resolution 09-21-2026-B to Approve an Agreement to Transfer the Land to the Adjacent Landowner and Subject to the Provisions Contained Therein; and
- (c) Introduce City Council Ordinance No. 917 to Rezone a Portion of the Area from Open Space to General Commercial.

BACKGROUND:

Vacations are processed in accordance with the California Streets and Highways Code. This item has been considered by the Planning Commission and determined to be consistent with the adopted General Plan, and further recommended approval of the associated actions.

The subject property is at the northeast corner of Sanguinetti and Old Wards Ferry roads. As shown in the site depictions, the property is depicted as two parcels for discussion purposes and the proposed land conveyance. One parcel is approximately 13,418 square feet south of the Sierra Railroad (referred to herein as "Parcel 1"), and the other parcel is approximately 5,868 square feet north of the Sierra Railroad (referred to herein as "Parcel 2").

Based on staff's review of title and planning records, it appears that the City originally acquired portions of these parcels when this area was annexed into the City, and subsequently by deed for right-of-way purposes. With development of Lowe's, this intersection was realigned to its current condition, when Old Wards Ferry Road was shifted west to align with Greenley Road. A portion of the property remains within the right-of-way of Old Wards Ferry Road.



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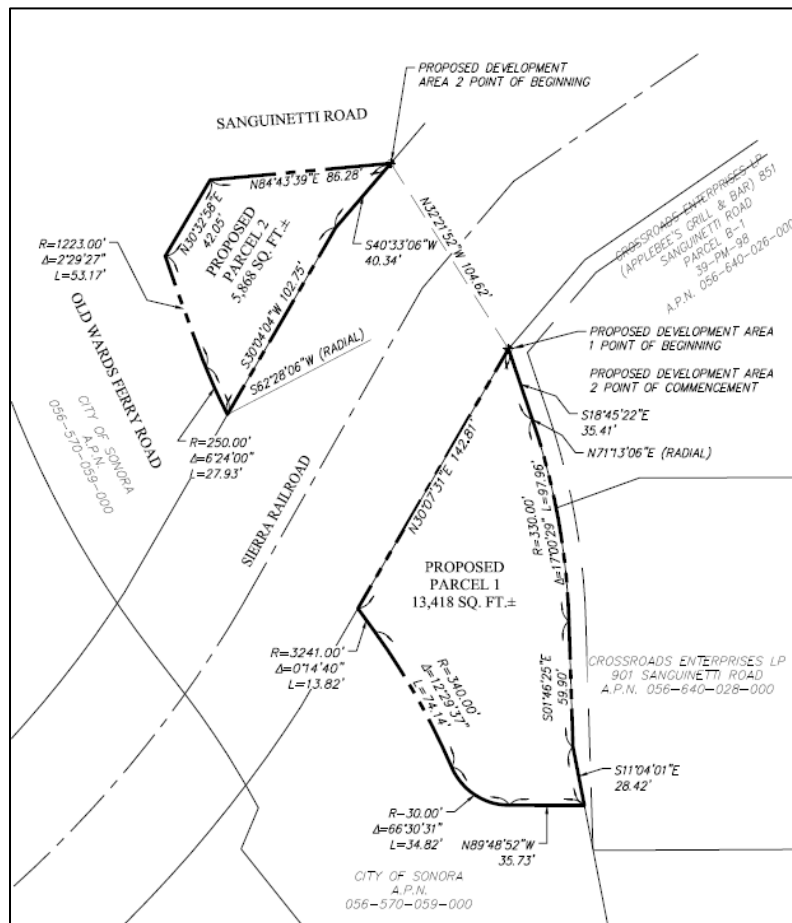




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DISCUSSION / ANALYSIS:

Staff has reviewed the Circulation Element of the General Plan and the City's Capital Improvement Plans to determine if the area is excess right-of-way. Based on staff's review, this area appears to have been annexed to the City around 1989. A portion of the property subject to the vacation was also dedicated to the City by parcel map in 2004. However, with development of the Lowes, Old Wards Ferry Road was shifted to the west to align with Greenley Road. Therefore, title to the property remains with the City and requires formal abandonment before the City can convey the property.

Upon review of applicable General Plan goals, policies, and objectives, vacating this segment of right-of-way would not conflict with following:



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- 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.

The vacation of this right-of-way will have no negative impact on the City's transportation system and will also relieve the City of maintenance and liability burdens. Accordingly, the right-of-way vacation can be deemed unnecessary for public use and will not impede the City's ability to meet its 2020 General Plan goals, policies, and programs.

In connection with the right-of-way vacation, also for consideration is an agreement with the landowner for conveyance of the property. The agreement is explained further in the following section.

COVENANT AND AGREEMENT REGARDING PROPERTY TRANSFER, IMPROVEMENTS, AND USE RESTRICTIONS

As the City is the owner of the land, the City may convey the land pursuant to an agreement. The owner of the neighboring shopping center originally expressed interest in acquiring Parcel 1 for future development of another retail or commercial establishment south of the Applebee's. Continued discussions with the applicant resulted in the proposed transfer of both Parcel 1 and Parcel 2, subject to the following provisions:

1. City agrees to convey the right of way as described herein.
2. Parcel 1 is proposed to be rezoned to General Commercial, to allow for future development of this parcel. Any area of Parcel 1 not used for development shall remain landscaping, and the applicant will be required to maintain the landscaping in neat, clean, and good condition.
3. Parcel 2 will remain as open space and is not proposed for rezoning. Parcel 2 is subject to a covenant that runs with the property, so that Parcel 2 will always be used for landscaping to enhance the appearance of the intersection. Parcel 2 will be subject to upgrade and redevelopment, with conceptual plans approved by the Community Development Director. A sign will also be allowed on Parcel 2 consistent with guidelines provided in the Sonora Municipal Code. The work on Parcel 2 would occur at the time of future development of Parcel 1. The intent of the Parcel 2 provision is to enhance and beautify the intersection, similar to the right-of-way frontage across the street at Sanguinetti Road and Greenley Road. Design guidelines are further included to govern the scope and character of the landscaping improvements. In addition, the City will retain a non-exclusive easement over this parcel for a beautification improvement,



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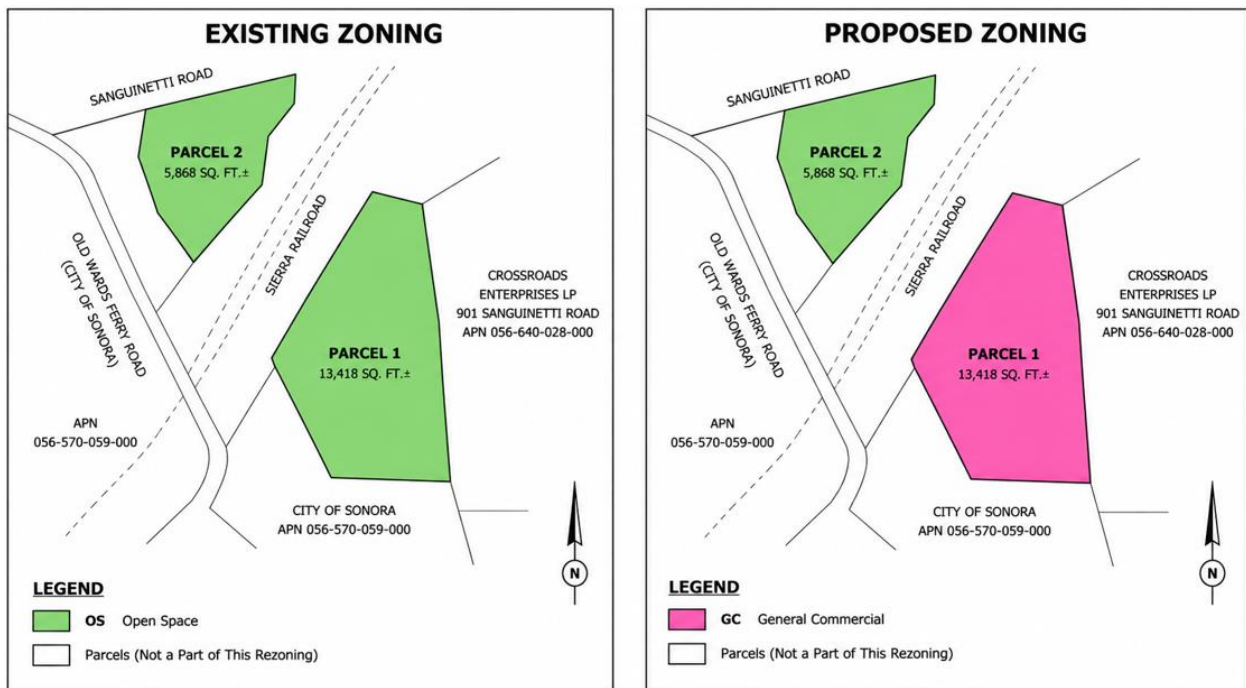
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such as a statue, monument, or public art installation. There are no specific plans for this particular improvement item yet, but the City retains the right to incorporate this feature in the future.

As this property is currently designated as Open Space and maintained by the City, City staff believes that the proposed transfer will further advance development of the shopping area, result in better utilization of Parcel 1, and relieve the City of the maintenance burden of the subject parcels. The owner/operator of the shopping center intends to invest substantially in upgrading the landscaping areas, and will also assume the maintenance burden over the area. In the agreement, the City also retains the ability to ensure maintenance is conducted to the City's satisfaction, by doing the maintenance at the applicant's cost if the circumstances so require.

REZONING

The third component of the proposed action is rezoning of Parcel 1 from Open Space to General Commercial, as shown below.



The General Commercial zoning district provides the following (Sonora Municipal Code, § 17.26.010):

The CG zone is established in order to:



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- A. Provide the land necessary for wholesale, bulk storage, industrial services, processing, packing and other heavy commercial activities to serve the community, and provide employment and income for its residents;
- B. Provide for the development of heavy commercial service facilities, concentrated in well planned areas properly located in relation to utilities, access, topography, and residential uses;
- C. Create conditions conducive to a convenient and desirable working environment, control the objectionable or dangerous effects of certain uses necessary in the community but detrimental to other areas, and protect the areas designated under this zone against the encroachment of uses which could be better located in areas less suited for heavy commercial activities.

The applicant has not proposed any site development or design review application at this time. Any future development of the site would require site plan or design review by the Planning Commission, as applicable. The proposed planning action at this time is only the rezoning of Parcel 1 to allow for future development under the General Commercial designation. Parcel 2 will remain zoned as open space and be subject to the provisions of the agreement with the applicant.

CEQA DETERMINATION:

The proposed actions include vacation of former City right-of-way, approval of an agreement to transfer the land subject to maintenance and use restrictions, and rezoning of a ~13,418 square foot parcel from Open Space to General Commercial. The rezoning is for a small parcel which is part of the Crossroads shopping center, surrounded by parking, commercial, and retail establishments. 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. City staff has determined that the proposed approvals are exempt from environmental review under the California Environmental Quality Act (CEQA), subject to the following exemptions:

1. CEQA Guidelines § 15312 (Surplus Government Property Sales). This exemption consists of sales of surplus government property except for parcels of land located in an area of statewide, regional, or areawide concern identified in Section 15206(b)(4). The property is not located in any one of these special areas of concern involving natural resources of sensitive habitat. This exemption applies to the City's transfer of the property to the applicant subject to the attached agreement. The agreement does not provide any direct compensation, but the applicant will assume the maintenance burden and upgrade/redesign the parcel adjacent to the intersection frontage.
2. CEQA Guidelines § 15301 (Existing Facilities). This exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The only contemplated and authorized development at this time is the improvement and maintenance of landscaping at the property. The land transfer is subject to the applicant assuming maintenance over the existing landscaping and upgrading the landscaping at the site. This type of minimal activity meets the criteria of the exemption, as no new construction is being



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approved with the exception of continued landscaping maintenance and future landscaping upgrades at the site.

3. CEQA Guidelines § 15304 (Minor Alterations to Land). This exemption consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Examples include but are not limited to new gardening or landscaping, including the replacement of existing conventional landscaping with water efficient or fire resistant landscaping. The landscaping activity and maintenance contemplated by the proposed agreement is within the authorized scope of this exemption.
4. CEQA Guidelines § 15061(b)(3) (Commonsense Exemption). This exemption provides that CEQA does not apply to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The proposed actions involve transferring title to the applicant of excess right-of-way, and rezoning a 13,418 square foot parcel from Open Space to General Commercial. The subject area is directly adjacent to the Crossroads shopping center, which is zoned for light industrial and commercial activity. The shopping area contains parking, landscaping, and many big-box, medium, and small retail shops. The proposed rezoning would allow the applicant to develop an additional structure/establishment within the existing shopping center area. No additional ingress or egress is proposed, and future access would occur within the existing shopping center area. At the time of any future development application for a site plan, design review, or use permit, City staff will conduct the required CEQA review at that time. Without knowing the exact layout or type of establishment, environmental review at this stage would not allow for meaningful evaluation. The proposed rezoning would occur on a small parcel and be consistent with the zoning of the adjacent shopping center. In addition, the applicant will be required to upgrade the existing landscaping. Redesigning and upgrading the landscaping at the site will enhance the appearance of the intersection and the shopping center, and is more likely to produce environmental benefits as opposed to causing adverse environmental impacts. For these reasons, the commonsense exemption is also appropriate for the proposed actions at this time.

FISCAL IMPACT:

The fiscal impact on this item is anticipated to be two fold. First, a cost savings is expected as the City Public Works department will no longer have maintenance/landscape responsibilities and cleanup of transient activities in this area. Second, the development of a new commercial pad is expected to generate sales tax revenues for the City where previously there were none. Actual revenues will be dependent on the business that occupies this space. More information on potential revenues will be a future discussion when the property owner proposes a use at this location.



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ATTACHMENTS:

1. City Council Resolution No. 09-21-2026-A (Vacation of Right-of-Way at Old Wards Ferry and Sanguinetti Road)
EXHIBIT A: Legal Description of Right-of-Way Area
2. City Council Resolution No. 09-21-2026-B (Approval of Covenant And Agreement Regarding Property Transfer, Improvements, And Use Restrictions)
EXHIBIT A: Covenant And Agreement Regarding Property Transfer, Improvements, And Use Restrictions
3. City Council Ordinance No. 917 (Rezoning of Portion of APN 056-570-059 from Open Space to General Commercial)
4. Planning Commission Resolution No. 08-24-26-A
5. Comment Letters (2)

CORE COUNCIL PRIORITIES:

Fiscal Responsibility and Stability, Infrastructure and Engineering, Economic Development/Growth and General Plan, Homelessness Issues