

**ORDINANCE NO. XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA AMENDING SECTIONS 17.33.050, ADMINISTRATION AND 17.33.030, LAND USE PLAN, OF CHAPTER 17.33, COMMERCIAL SPECIFIC PLAN, OF TITLE 17, ZONING, OF THE SONORA MUNICIPAL CODE TO REMOVE REFERENCES TO THE PARKS, RECREATION, AND BEAUTIFICATION COMMITTEE**

**WHEREAS**, Chapter V of the Sonora City Council Rules and Procedures authorizes the Sonora City Council (“City Council”) to establish committees by ordinance or resolution; and

**WHEREAS**, on \_\_\_\_\_, 2025, the City Council passed a resolution to dissolve the Parks, Recreation and Beautification Committee (“Committee”); and

**WHEREAS**, the Committee was dissolved by resolution as its formation was not codified in the Sonora Municipal Code;

**WHEREAS**, the City Council now desires to remove all references to the Committee within the Sonora Municipal Code; and

**WHEREAS**, the Committee is referenced in Chapter 12.20 (Shade Trees and Shrubs), and Chapter 17.33 (Commercial Specific Plan Area), of the Sonora Municipal Code; and

**WHEREAS**, the City Council now intends to remove all references to the Committee in Chapter 12.20 (Shade Trees and Shrubs), and Chapter 17.33 (Commercial Specific Plan Area, of the Sonora Municipal Code.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SONORA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Subdivision (B)(3), Landscaping, of Section 17.33.030 Land Use Plan, of Chapter 17.33, Commercial Specific Plan Area, of the Sonora Municipal Code shall be repealed in its entirety and replaced with a new Subdivision (B)(3) Landscaping, of Section 17.33.030 which shall read as follows:

**17.33.030 - Land Use Plan**

...

3. Landscaping. The quality environment envisioned for Sonora Commercial Specific Plan site will be established, in large part, by its landscape treatment. Landscaping is to be designed to highlight positive visual features, to screen negative ones, and to provide a cool, pleasant outdoor environment. Landscaping is also intended to give structure and identity to the overall specific plan area.

Prior to issuance of a grading permit, demolition or ground or vegetation disturbance, whichever occurs first, the developer shall submit a final landscape plan for review and approval by the Planning Commission, in such form and detail as may be required by the Community Development Director—City Parks, Beautification and Recreational Committee for review, approval and implementation. As set forth in Section 17.33.050, this review and approval shall be a non-discretionary, final action that cannot be appealed. The intent of the review is to ensure compliance with the provision of the Sonora Commercial Specific Plan. The approved final landscape plan shall be incorporated into the development proposed.

The final landscape plan shall provide for the following:

- a. All recycling areas are to be effectively screened and contained.
- b. Denser screen along the southern loading dock areas, including additional native ponderosa pine, native oaks and Deodar cedar planted in dense clusters on 12 to 15 foot centers with an understory of large and medium shrubs to create a denser plant screen along the center's rear facades. Reasonably sized openings may be left in the tree screen to reveal store signage, but no large open views of loading docks. Developer shall apply for an encroachment permit from Caltrans to allow for planting within this area, if necessary. Alternatively, developer shall work cooperatively with the City to enter into a maintenance agreement for landscaping in the Caltrans Right-of-Way behind the existing retail building. Should Caltrans deny landscaping in this area pursuant to an encroachment (or equivalent) permit, then this requirement shall be eliminated. It is anticipated that landscaping will be accomplished substantially in accordance with landscaping plans already approved pursuant to an existing Caltrans permit (#1091-6CD-1116, Whitney Development Company). It is further anticipated that the costs of watering will be undertaken by the developer as will the costs of installing a separate water meter to maintain landscaping along SR 108 behind the existing retail building (i.e., the developer will be responsible for maintaining landscaping only in that area between SR 108 and the existing retail building). Minor modifications to these requirements may be approved by the community development director, as set forth in Section 17.33.050, where such modifications achieve the same goal as the original requirement.
- c. Reserved.
- d. A vine-covered fence is to be constructed at the edge of the paving along the southern limit of the specific plan area to screen ground clutter associated with the loading area. Specifically, the landscape plan shall

provide for the planting of vines sufficient to cover the existing chain link fence along the southern portion of the specific plan area. In conjunction with re-surfacing the rear portion of the specific plan area, the developer will plan for the installation and maintenance of vines within the area's boundaries adjacent to the existing fence. Developer shall apply for an encroachment permit from Caltrans to allow for planting within this area, as necessary. Should Caltrans deny landscaping in this area pursuant to an encroachment (or equivalent) permit, then this requirement shall be eliminated.

- e. Automatically controlled underground irrigation shall be installed in all planting areas with a minimum of ½" mulch to a depth of 2" or as appropriate in vining and groundcover areas.
- f. The planter separating the Old Wards Ferry Road Specific Plan area entrance drive from the existing store's garden and automotive departments will be solidly planted with coniferous and/or broadleaf evergreen trees to create a dense visual screen to these areas.
- g. Should the planter (or adjacent) landscape area separating the Old Wards Ferry Road Specific Plan area entrance drive from the garden and automotive department require additional terracing and/or retaining walls; retaining wall design and materials shall be submitted in conjunction with the final landscaping plan for review and approval. Retaining walls within the planter shall not exceed four feet in height. Any single wall, excluding the ground level wall in a terraced system, will not exceed 8 feet in exposed surface height.
- h. Trees shall be installed as follows: 15% will be 24" box and 85% will be 15 gallon.
- i. Landscaping shall be in keeping with the character or design of adjacent buildings.
- j. Existing trees shall be preserved wherever possible.
- k. Identification of the type and size of trees to be removed and the proposed landscaping in accordance with the Tree and Landscaping Ordinance. All removed trees shall be replaced at no less than a 1:1 ratio. The city may require certain trees to be replaced at a ratio of greater than 1:1 depending on the species, trunk, diameter, or other factors.
- l. Ornamental trees shall be replaced at the size of tree removed or 36" box, whichever is smaller.
- m. If the developer vacates the specific plan area in the future, landscaping associated with the specific plan area shall be maintained in compliance with Sonora Municipal Code Chapter 12.20, Section 12.20.145(A) for as long as the developer remains the property owner. Should ownership

change; the new owner will remain subject to the same provisions of the Sonora Municipal Code relative to landscape maintenance.

- n. Developer shall be responsible for maintaining all landscape plants in a healthy and attractive condition for the life of the project for on-site landscaping. All landscaping to be maintained and replaced on a monthly basis, weather permitting, to assure consistent tree size.

Figure 9 illustrates the preliminary planting plan for the specific plan area. Development proposed that substantially conforms to Figure 9 shall be considered to substantially conform to the Sonora Commercial Specific Plan and shall be processed as a ministerial building permit and/or construction plan review as set forth in Section 17.33.050.

...

**SECTION 2.** Subdivision (B)(8) Lighting, of Section 17.33.030 Land Use Plan, of Chapter 17.33, Commercial Specific Plan Area, of the Sonora Municipal Code shall be repealed in its entirety and replaced with a new Subdivision (b)(8) Lighting, of Section 17.33.030 which shall read as follows:

#### **17.33.030 - Land Use Plan**

...

8. Lighting. The following section addresses illumination of on-site areas for the purposes of safety, security, and nighttime ambience, including lighting for parking areas, pedestrian walkways, graphics and signage, architectural and landscape features, shipping and loading areas, and any additional exterior areas.

Prior to issuance of a grading permit, demolition or ground or vegetation disturbance; whichever occurs first, the developer shall prepare and submit a final lighting plan. The final lighting plan shall be reviewed and approved by the Planning Commission ~~City Parks, Beautification and Recreation Committee~~ to ensure compliance with the provisions of the Sonora Commercial Specific Plan. As set forth in Section 17.33.050, this review and approval shall be a non-discretionary, final action that cannot be appealed. The intent of the review is to ensure compliance with the provisions of the Sonora Commercial Specific Plan. The approved lighting plan shall be incorporated into the development proposed.

The lighting plan shall demonstrate that all exterior lighting fixtures associated with development in the specific plan area (building-mounted and freestanding) are shielded, recessed, or directed downward to prevent unwanted illumination of neighboring properties.

The final lighting plan shall provide for, but is not limited to, the following:

- a. Light fixtures shall be shielded to keep light focused on the specific plan area.
- b. Outdoor lighting of pedestrian areas shall be limited to ground level lighting or decorative lamps on 14 foot maximum pole heights.
- c. Outdoor lighting of parking areas shall be limited to ground level lighting and overhead luminaries not to exceed existing pole heights.
- d. Pole-mounted lights shall be cut-off directing illumination downward.
- e. Building lighting shall be limited to indirect or cut-off sources for security after hours (as applicable to 24/7 operations),
- f. Light sources shall be metal halide and limited to an average of 3.3foot-candles maximum average intensity. New parking lot lighting shall comply with the California Energy Code and Title 24. Non-Residential Energy Compliance Forms shall accompany the building permit application.

...

**SECTION 3.** Subdivision (A), Permit Processing, of Section 17.33.050 Administration, of Chapter 17.33, Commercial Specific Plan Area, of the Sonora Municipal Code shall be repealed in its entirety and replaced with a new Subdivision (A), Permit Processing of Section 17.33.030 Administration which shall read as follows:

**17.33.050 - Administration**

- A. Permit Processing. Development within the specific plan area which substantially conforms to the provisions of the Sonora Commercial Specific Plan and the conceptual site plan, elevations, colors and materials, and landscaping as depicted in Figures 6 through 9, shall be processed as a ministerial building permit and construction plan review. Any approval, decision, review or action in this respect shall be ministerial, final and not subject to appeal.

For the purposes of development anticipated under the Sonora Commercial Specific Plan, ministerial building permit and construction plan review includes any subsequent approvals, decisions, review or actions required by city agencies, entities or individuals (i.e., ~~the City Parks, Beautification and Recreation Committee~~; the Sonora Fire Department, the city engineer, the city building department). The purpose of these approvals, decisions, review or actions is to ensure compliance with the provisions of the Sonora Commercial Specific Plan and all applicable building codes and requirements of the city, county, state and other responsible agencies. Ministerial building permit and

construction plan review shall be non-discretionary, final actions that cannot be appealed.

Except as set forth above, no additional approvals or permits shall be required for development or operation within the specific plan area. Any building permit or construction plan review can be submitted to the community development director for evaluation and finding of substantial conformance as described below. This includes modifications to the Sonora Commercial Specific Plan as well as modifications to the conceptual site plan, elevations, colors and materials, and landscaping as depicted in Figures 6 through 9.

...

**SECTION 4. SEVERABILITY.** If any section, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof. The City Council of the City of Sonora hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

**SECTION 5. PUBLICATION AND EFFECTIVE DATE.** This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least within fifteen (15) days after its passage or a summary of the Ordinance is published in a newspaper of general circulation at least five (5) days prior to adoption and again at least within fifteen (15) days after its passage.

This Ordinance was introduced at a regular meeting of the City Council of the City of Sonora, held on the \_\_\_\_ day of \_\_\_\_\_, 2025, and given its first reading at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on \_\_\_ day of \_\_\_\_, 2025, and after such reading, Councilmember \_\_\_\_\_, who moved its adoption, seconded by Councilmember \_\_\_\_, said Ordinance was thereupon adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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Tracy Skelly

City Clerk, City of Sonora

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Ann Segerstrom

Mayor

**ORDINANCE NO. 914**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA AMENDING SECTIONS 17.33.050, ADMINISTRATION AND 17.33.030, LAND USE PLAN, OF CHAPTER 17.33, COMMERCIAL SPECIFIC PLAN, OF TITLE 17, ZONING, OF THE SONORA MUNICIPAL CODE TO REMOVE REFERENCES TO THE PARKS, RECREATION, AND BEAUTIFICATION COMMITTEE**

**WHEREAS**, Chapter V of the Sonora City Council Rules and Procedures authorizes the Sonora City Council (“City Council”) to establish committees by ordinance or resolution; and

**WHEREAS**, on \_\_\_\_\_, 2025, the City Council passed a resolution to dissolve the Parks, Recreation and Beautification Committee (“Committee”); and

**WHEREAS**, the Committee was dissolved by resolution as its formation was not codified in the Sonora Municipal Code;

**WHEREAS**, the City Council now desires to remove all references to the Committee within the Sonora Municipal Code; and

**WHEREAS**, the Committee is referenced in Chapter 12.20 (Shade Trees and Shrubs), and Chapter 17.33 (Commercial Specific Plan Area), of the Sonora Municipal Code; and

**WHEREAS**, the City Council now intends to remove all references to the Committee in Chapter 12.20 (Shade Trees and Shrubs), and Chapter 17.33 (Commercial Specific Plan Area, of the Sonora Municipal Code.

**NOW, THEREFORE THE CITY COUNCIL OF THE CITY OF SONORA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Subdivision (B)(3), Landscaping, of Section 17.33.030 Land Use Plan, of Chapter 17.33, Commercial Specific Plan Area, of the Sonora Municipal Code shall be repealed in its entirety and replaced with a new Subdivision (B)(3) Landscaping, of Section 17.33.030 which shall read as follows:

**17.33.030 - Land Use Plan**

...

3. Landscaping. The quality environment envisioned for Sonora Commercial Specific Plan site will be established, in large part, by its landscape treatment. Landscaping is to be designed to highlight positive visual features, to screen negative ones, and to provide a cool, pleasant outdoor environment. Landscaping is also intended to give structure and identity to the overall specific plan area.

Prior to issuance of a grading permit, demolition or ground or vegetation disturbance, whichever occurs first, the developer shall submit a final landscape plan for review and approval by the Planning Commission, in such form and detail as may be required by the Community Development Director. As set forth in Section 17.33.050, this review and approval shall be a non-discretionary, final action that cannot be appealed. The intent of the review is to ensure compliance with the

provision of the Sonora Commercial Specific Plan. The approved final landscape plan shall be incorporated into the development proposed.

The final landscape plan shall provide for the following:

- a. All recycling areas are to be effectively screened and contained.
- b. Denser screen along the southern loading dock areas, including additional native ponderosa pine, native oaks and Deodar cedar planted in dense clusters on 12 to 15 foot centers with an understory of large and medium shrubs to create a denser plant screen along the center's rear facades. Reasonably sized openings may be left in the tree screen to reveal store signage, but no large open views of loading docks. Developer shall apply for an encroachment permit from Caltrans to allow for planting within this area, if necessary. Alternatively, developer shall work cooperatively with the City to enter into a maintenance agreement for landscaping in the Caltrans Right-of-Way behind the existing retail building. Should Caltrans deny landscaping in this area pursuant to an encroachment (or equivalent) permit, then this requirement shall be eliminated. It is anticipated that landscaping will be accomplished substantially in accordance with landscaping plans already approved pursuant to an existing Caltrans permit (#1091-6CD-1116, Whitney Development Company). It is further anticipated that the costs of watering will be undertaken by the developer as will the costs of installing a separate water meter to maintain landscaping along SR 108 behind the existing retail building (i.e., the developer will be responsible for maintaining landscaping only in that area between SR 108 and the existing retail building). Minor modifications to these requirements may be approved by the community development director, as set forth in Section 17.33.050, where such modifications achieve the same goal as the original requirement.
- c. Reserved.
- d. A vine-covered fence is to be constructed at the edge of the paving along the southern limit of the specific plan area to screen ground clutter associated with the loading area. Specifically, the landscape plan shall provide for the planting of vines sufficient to cover the existing chain link fence along the southern portion of the specific plan area. In conjunction with re-surfacing the rear portion of the specific plan area, the developer will plan for the installation and maintenance of vines within the area's boundaries adjacent to the existing fence. Developer shall apply for an encroachment permit from Caltrans to allow for planting within this area, as necessary. Should Caltrans deny landscaping in this area pursuant to an encroachment (or equivalent) permit, then this requirement shall be eliminated.
- e. Automatically controlled underground irrigation shall be installed in all planting areas with a minimum of ½" mulch to a depth of 2" or as appropriate in vining and groundcover areas.
- f. The planter separating the Old Wards Ferry Road Specific Plan area entrance drive from the existing store's garden and automotive departments will be solidly planted with

coniferous and/or broadleaf evergreen trees to create a dense visual screen to these areas.

- g. Should the planter (or adjacent) landscape area separating the Old Wards Ferry Road Specific Plan area entrance drive from the garden and automotive department require additional terracing and/or retaining walls; retaining wall design and materials shall be submitted in conjunction with the final landscaping plan for review and approval. Retaining walls within the planter shall not exceed four feet in height. Any single wall, excluding the ground level wall in a terraced system, will not exceed 8 feet in exposed surface height.
- h. Trees shall be installed as follows: 15% will be 24" box and 85% will be 15 gallon.
- i. Landscaping shall be in keeping with the character or design of adjacent buildings.
- j. Existing trees shall be preserved wherever possible.
- k. Identification of the type and size of trees to be removed and the proposed landscaping in accordance with the Tree and Landscaping Ordinance. All removed trees shall be replaced at no less than a 1:1 ratio. The city may require certain trees to be replaced at a ratio of greater than 1:1 depending on the species, trunk, diameter, or other factors.
- l. Ornamental trees shall be replaced at the size of tree removed or 36" box, whichever is smaller.
- m. If the developer vacates the specific plan area in the future, landscaping associated with the specific plan area shall be maintained in compliance with Sonora Municipal Code Chapter 12.20, Section 12.20.145(A) for as long as the developer remains the property owner. Should ownership change; the new owner will remain subject to the same provisions of the Sonora Municipal Code relative to landscape maintenance.
- n. Developer shall be responsible for maintaining all landscape plants in a healthy and attractive condition for the life of the project for on-site landscaping. All landscaping to be maintained and replaced on a monthly basis, weather permitting, to assure consistent tree size.

Figure 9 illustrates the preliminary planting plan for the specific plan area. Development proposed that substantially conforms to Figure 9 shall be considered to substantially conform to the Sonora Commercial Specific Plan and shall be processed as a ministerial building permit and/or construction plan review as set forth in Section 17.33.050.

...

**SECTION 2.** Subdivision (B)(8) Lighting, of Section 17.33.030 Land Use Plan, of Chapter 17.33, Commercial Specific Plan Area, of the Sonora Municipal Code shall be repealed in its entirety and replaced with a new Subdivision (b)(8) Lighting, of Section 17.33.030 which shall read as follows:

**17.33.030 - Land Use Plan**

...

8. Lighting. The following section addresses illumination of on-site areas for the purposes of safety, security, and nighttime ambience, including lighting for parking areas, pedestrian walkways, graphics and signage, architectural and landscape features, shipping and loading areas, and any additional exterior areas.

Prior to issuance of a grading permit, demolition or ground or vegetation disturbance; whichever occurs first, the developer shall prepare and submit a final lighting plan. The final lighting plan shall be reviewed and approved by the Planning Commission to ensure compliance with the provisions of the Sonora Commercial Specific Plan. As set forth in Section 17.33.050, this review and approval shall be a non-discretionary, final action that cannot be appealed. The intent of the review is to ensure compliance with the provisions of the Sonora Commercial Specific Plan. The approved lighting plan shall be incorporated into the development proposed.

The lighting plan shall demonstrate that all exterior lighting fixtures associated with development in the specific plan area (building-mounted and freestanding) are shielded, recessed, or directed downward to prevent unwanted illumination of neighboring properties.

The final lighting plan shall provide for, but is not limited to, the following:

- a. Light fixtures shall be shielded to keep light focused on the specific plan area.
- b. Outdoor lighting of pedestrian areas shall be limited to ground level lighting or decorative lamps on 14 foot maximum pole heights.
- c. Outdoor lighting of parking areas shall be limited to ground level lighting and overhead luminaries not to exceed existing pole heights.
- d. Pole-mounted lights shall be cut-off directing illumination downward.
- e. Building lighting shall be limited to indirect or cut-off sources for security after hours (as applicable to 24/7 operations),
- f. Light sources shall be metal halide and limited to an average of 3.3foot-candles maximum average intensity. New parking lot lighting shall comply with the California Energy Code and Title 24. Non-Residential Energy Compliance Forms shall accompany the building permit application.

...

**SECTION 3.** Subdivision (A), Permit Processing, of Section 17.33.050 Administration, of Chapter 17.33, Commercial Specific Plan Area, of the Sonora Municipal Code shall be repealed in its entirety and replaced with a new Subdivision (A), Permit Processing of Section 17.33.030 Administration which shall read as follows:

**17.33.050 - Administration**

- A. Permit Processing. Development within the specific plan area which substantially conforms to the provisions of the Sonora Commercial Specific Plan and the conceptual site plan, elevations, colors and materials, and landscaping as depicted in Figures 6 through 9, shall be processed

as a ministerial building permit and construction plan review. Any approval, decision, review or action in this respect shall be ministerial, final and not subject to appeal.

For the purposes of development anticipated under the Sonora Commercial Specific Plan, ministerial building permit and construction plan review includes any subsequent approvals, decisions, review or actions required by city agencies, entities or individuals (i.e., the Sonora Fire Department, the city engineer, the city building department). The purpose of these approvals, decisions, review or actions is to ensure compliance with the provisions of the Sonora Commercial Specific Plan and all applicable building codes and requirements of the city, county, state and other responsible agencies. Ministerial building permit and construction plan review shall be non-discretionary, final actions that cannot be appealed.

Except as set forth above, no additional approvals or permits shall be required for development or operation within the specific plan area. Any building permit or construction plan review can be submitted to the community development director for evaluation and finding of substantial conformance as described below. This includes modifications to the Sonora Commercial Specific Plan as well as modifications to the conceptual site plan, elevations, colors and materials, and landscaping as depicted in Figures 6 through 9.

...

**SECTION 4. SEVERABILITY.** If any section, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof. The City Council of the City of Sonora hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

**SECTION 5. PUBLICATION AND EFFECTIVE DATE.** This Ordinance shall become effective thirty (30) days from and after its final passage and adoption, provided it is published in a newspaper of general circulation at least within fifteen (15) days after its passage or a summary of the Ordinance is published in a newspaper of general circulation at least five (5) days prior to adoption and again at least within fifteen (15) days after its passage.

This Ordinance was introduced at a regular meeting of the City Council of the City of Sonora, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and given its first reading at said meeting. Said Ordinance was given a second reading at a regular meeting of the City Council held on \_\_\_ day of \_\_\_\_, 2025, and after such reading, Councilmember \_\_\_\_\_, who moved its adoption, seconded by Councilmember \_\_\_\_\_, said Ordinance was thereupon adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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Tracy Skelly  
City Clerk, City of Sonora

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Ann Segerstrom  
Mayor