



HISTORIC PRESERVATION REVIEW COMMISSION



TERRY BREJLA, CHAIR
LISA DEHART, VICE CHAIR

HISTORIC PRESERVATION REVIEW COMMISSION BOARD OF SUPERVISORS CHAMBERS, 4TH FLOOR 2 SOUTH GREEN STREET

February 5, 2024

4:00 p.m.

You also may submit written comments by U.S. Mail to 2 South Green Street, Sonora, CA 95370 or email (cdd@tuolumnecounty.ca.gov) for retention as part of the administrative record. Comments will not be read during the meeting.

PUBLIC FORUM: 15 minutes

The public may speak on any item not on the printed agenda. No action may be taken by the Commission.

COMMISSION BUSINESS:

- A. Minutes of the meeting of November 6, 2023.
- B. Reports from Staff and Commissioners

NEW BUSINESS:

- 1. **JOHNSON** Historic Conditional Use Permit LUNR-23-11 to allow development of a Single-Family Dwelling (SFD), an Accessory Dwelling Unit (ADU), a shed and a fence on a 2.85± acre parcel zoned M-U:D:H:MX (Mixed Use: Design Review: Historic: Mobilehome Exclusion Combining) district under Title 17 of the Tuolumne County Ordinance Code.
- 2. **JAMESTOWN GATEWAY and MAIN STREET REVITALIZATION PROJECT No. 1756**, Further dialogue and guidance on design details for Main Street and Rocca Park elements of the Jamestown Gateway and Main Street Revitalization Project.

OLD BUSINESS

- 1. Status Update on the Washington Courthouse Building Project.
- 2. Status Update on the Yaney Elevator Project.
- 3. Status Update on the Yaney Courthouse Building Remodel.
- 4. Presentation on the Jamestown and Main Street Revitalization Project and consideration of selecting the tree variety planted on Main Street and providing direction on the gateway sign.

COMMITTEE REPORTS:

- 1. **Demolition Review Committee** – Committee report; take action as necessary.
- 2. **Grant Committee** – Committee report; take action as necessary

3. “Preserve America” Committee – Committee report; take action as necessary.

ADJOURNMENT

The Minutes, Staff Reports, and other documents for the items referenced in this Agenda are available for review at the Tuolumne County Community Development Department, 48 Yaney, Sonora, California, and online at <https://www.tuolumnecounty.ca.gov/140/Historic-Preservation-Review-Commission>. Any other materials related to the items referenced in this Agenda that are provided by the County to the HPRC Commissioners prior to the meeting are available for review at the Tuolumne County Community Development Department, 48 Yaney, Sonora, California, and will be available at the meeting. Any materials provided to the Commissioners during the meeting by the County will be available for review at the meeting, and materials provided by the public will be available for review at the Community Development Department the day following the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (209) 533-5633. Notification 48 hours prior to the meeting will enable the County to make reasonable arrangements to ensure accessibility.

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SURFACE/MINERAL**RIGHTS OWNER:** Paul Johnson**APPLICANT:** Paul Johnson**DATE:** February 5, 2024

PROJECT DESCRIPTION: Historic Conditional Use Permit LUNR-23-11 to allow development of a Single-Family Dwelling (SFD), an Accessory Dwelling Unit (ADU), a shed and a fence on a 2.85± acre parcel zoned M-U:D:H:MX (Mixed Use:Design Review:Historic:Mobilehome Exclusion Combining) district under Title 17 of the Tuolumne County Ordinance Code.

LOCATION: The project site is located at 10269 Donovan Street, approximately 254± feet east of the intersection of Main Street and Donovan Street in the community of Jamestown. The project site is located within a portion of Section 10, Township 1 North, Range 14 East, Mount Diablo Baseline and Meridian, and within Supervisorial District 5. Assessor's Parcel Number 003-210-031.

GENERAL PLAN: The General Plan land use designation for the site is MU (Mixed Use). Table 1.3 of the General Plan indicates that the M-U zoning district and all combining districts are compatible with the MU land use designation. The H overlay districts are compatible with all land use designations. Therefore, the requested Historic Conditional Use Permit may be found consistent with the Tuolumne County General Plan.

RECOMMENDATION

Community Development Department Staff recommends approval of Conditional Use Permit LUNR-23-11 based upon the following findings and subject to Conditions 1 through 27:

- A. The proposed project is consistent with the Tuolumne County General Plan.
- B. The proposed project is in accordance with the Tuolumne County Ordinance Code.
- C. The proposed use will not overburden existing municipal facilities.
- D. The size and terrain of the project site are suitable for the proposed use.
- E. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety or general welfare of the persons residing or working in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the area.
- F. The project conforms to the Jamestown Design Guidelines and to the principles in Section 17.46.070.

- G. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) of the State CEQA Guidelines.

PROJECT DESCRIPTION

Historic Conditional Use Permit LUNR-23-11 is an application to develop a SFD (manufactured home), a shed and a fence within a Historic (:H) district. Applications in the (:H) overlay district requires review by the Historic Preservation Review Commission, with the Board of Supervisors making the final determination on the project. The applicants intend to also construct an accessory dwelling unit on the property. An ADU is considered a by right use and is not subject to the Historic Conditional Use Permit. The applicant has already placed the SFD and the ADU from the prior application of CUPH21-003. The SFD was approved by the HPRC October 6, 2022 in which at the time had attached gabled covered patios on the front and back of the SFD. The applicant wants to remove the covered patios from his plans so that they can receive a certificate of occupancy without the covered patios being constructed.

Conditional Use Permit Findings

Section 17.68.050 of the TCOC requires that evidence be shown that the proposed project meets the necessary findings for a conditional use permit. Below are the required findings, and staff's responses to each point:

FINDING A The proposed project is consistent with the Tuolumne County General Plan.

- A.1 The project site is designated Mixed Use (MU) by the Tuolumne County General Plan land use diagrams. The MU designation provides for a mixture of residential, commercial and recreational facilities in an urban setting. This designation is applied within urban areas where a mixture of these uses is desirable near transportation corridors, downtowns, defined community centers, major commercial centers, schools and community services. SFD and ADUs are permitted land uses under this designation. Table 1.3 of the Community Development and Design Element in Volume II of the 2018 General Plan indicates that the MU zoning district is compatible with the MU General Plan land use designation. Therefore, the proposed project is consistent with the Tuolumne County General Plan.

FINDING B The proposed project is in accordance with the Tuolumne County Ordinance Code.

- B.1 The purpose of the Mixed Use (MU) District is to provide for a mixture of residential, commercial and recreational facilities in an urban setting. It is intended that this district be established within urban areas, where a mixture of these uses is desirable near transportation corridors, downtowns, defined community centers, major commercial centers, schools and community services. This district is not intended to provide shopping centers or major commercial developments of a community or regional nature. Development within this district shall be served with public water, public sewer, paved streets and adequate police and fire protection according to the policies of the general

plan. The applicant has proposed development of a SFD and an ADU, both of which would be served by public utilities and are permitted uses within the MU zoning district.

- B.2 The project site contains an Historic Combining District (H) overlay. Pursuant to Tuolumne County Ordinance Code 17.44.060, a Use Permit must first be obtained from the HPRC before the construction or alteration of any building within this district, therefore the applicant applied for LUNR-23-11. HPRC approved CUPH21-003 on October 6, 2022 from the Findings of A through G and Conditions of Approval 1 through 27, see attachment 8.
- B.3 The project site contains the Design Review Combining district. The :D district is intended to be combined with any other district in which it is desired to protect the overall appearance of the district. The purpose of design review is to ensure that in making changes to the appearance of a parcel, consideration will be given to the community context in which they take place and conscientious effort will be taken to develop a compatible relationship to the existing setting, neighboring properties and community design goals. The project site is located within an area subject to the Jamestown Design Guidelines and was therefore reviewed for consistency with the design criteria.

FINDING C The proposed project will not overburden existing municipal facilities.

- C.1 There are adequate facilities to serve the project, including water, sewer, and roads. The project site is located within the service boundaries of the Tuolumne Utilities District (TUD) for water services. TUD responded to the stakeholder letter, stating, “the provision of water service to the project requires sufficient water supply, treatment, storage, and distribution facilities. The District will collect capacity fees based on the project’s estimated water demands. Those fees are intended to reimburse the District for the value of the water supply, treatment, and storage capacity that will be consumed by the project and will allow the District to fund improvements to increase capacity to be ready to serve future development. The cost to construct any pipelines necessary to connect the project to the District’s existing water system, are the responsibility of the project proponent.” Sewer is provided by Jamestown Sanitary District (JSD). JSD did not provide a comment letter in response to the stakeholder notification they received since the property currently has sewer hookups.
- C.2 As determined by the Tuolumne County Board of Supervisors, the project proponent or subsequent developer is required to pay an appropriate Traffic Impact Mitigation Fee to mitigate the projects' impact on the County's circulation system, pursuant to Chapter 3.54 of the TCOC. At the time of the original building permit the county traffic impact fees for single family detached dwellings on parcels that are over 2 gross acres is \$5,745 per dwelling unit. The fee for the ADU based on the size of the unit, which for this project is \$2,800.69. The total Traffic Impact Mitigation Fee is \$8,545.69. The payment of a County Service Impact Mitigation fee for emergency services which for this project is \$3,156.25. The Applicant will be conditioned to pay these fees prior to the issuance of a Certificate of Occupancy.

FINDING D The size and terrain of the project site are suitable for the proposed use.

- D.1 The proposed project is able to meet all of the required setbacks and the terrain, a sloped site, is suitable for the construction of the two dwelling units, shed, and fence.

FINDING E **The proposed project will not be substantially detrimental to the health, safety or general welfare of persons residing or working in the neighborhood of such proposed use, or be substantially detrimental or injurious to property and improvements in the neighborhood.**

- E.1 The development of an SFD and an ADU will not involve the use of hazardous materials. People living or working near the facility will not experience a decrease in their health, safety or welfare and there would be no substantially detrimental or injurious results to property or improvements in the neighborhood as a result of this project.

FINDING F **The project conforms to the Jamestown Design Guidelines and to the principles in Section 17.46.070.**

- F.1 The project site contains the :D Combining District (Design Review) along with the :H Combining District (Historic) and is therefore subject to the Jamestown Design Guidelines.

JAMESTOWN DESIGN GUIDELINE	PROJECT FEATURE
Using a variety of architectural design features, such as adding a second story porch or roof, or break up the roofline by adding a gable roof or dormers. The buildings in Jamestown have gabled, hip, or flat roofs.	All of the structures have gable roofs. The SFD has dormers over the outside doorways. The ADU has a covered front porch.
Louvered, wooden shutters were on many dwellings painted a color contrasting with the main building.	Both the SFD and ADU have shutters that are painted white to match the trim of the buildings.
Break up a large façade with a variety of historic colors and tone patterns. Brighter colors should be limited for use as accents.	The sides of the buildings contain multiple windows with shutters that break up the façades. Different color schemes are to be used on the SFD and ADU.
Use landscaping, such as trees and shrubs, to break up, screen and shade large parking areas.	There are existing oak trees, shrubs and native grasses along Donovan Street that will remain on the site which will help break up and screen the view of the property.
Construction materials used on the exterior of a new, modified or restored building should be compatible with the materials used on adjacent existing buildings and structures of the Design Review Area as a whole. One of the appropriate exterior materials is James Hardie siding.	The siding of the SFD structure is board-and-batten type with horizontally-running wainscoting, and architectural wainscoting is also proposed to be used on the ADU.
The colors and tones used on new, modified or restored buildings should relate to the historic color palettes already established by adjacent buildings.	The color of the buildings vary but are in line with others in the neighborhood.

Utilize and incorporate a variety of textures, such as brick, stone, painted or natural wood. These textures should be used in-lieu of metal.	Siding will incorporate batten to add texture, and horizontal wainscoting for contrast. The windows have shutters, adding another visual accent in counterpoint to the siding.
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FINDING G

The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) of the State CEQA Guidelines.

- G.1 After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15303(a) of the State CEQA Guidelines. The project consists of a single-family dwelling (SFD) and an accessory dwelling unit (ADU). One single-family residence, or a second dwelling unit in a residential zone and in an urbanized area, up to three single-family residences may be constructed or converted under this exemption. The MU zoning district is considered an urban designation in the Tuolumne County General Plan. All public services are readily available to serve the project. None of the exceptions to the use of a categorical exemption found in Section 15300.2 of the State CEQA Guidelines apply to this project.

Advisory Agency Responses

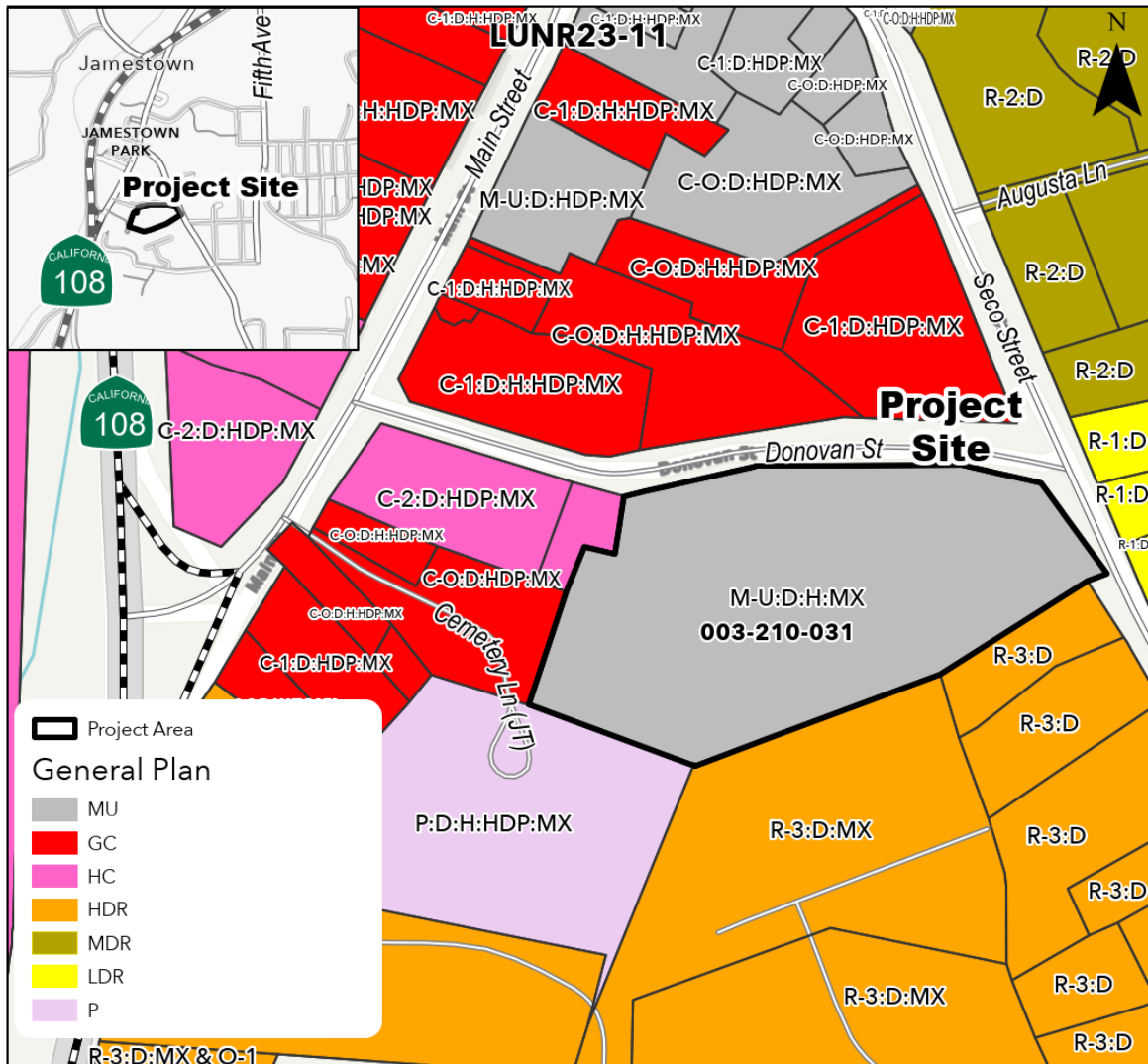
The proposed project has been reviewed by several State and County agencies. There were two comments, TUD stated that they have no objections to this project and Caltrans stated there are no new impacts to the highway.

Adjoining Property Owners

A total of 62 property owners located within 500 feet of the project site were notified of the project via mail on December 1, 2023. The Community Development Department received one comment that was in support of the project. Staff also received one phone call asking if there was going to be more housing than the SFD and ADU.

PREPARED BY: Jennifer Preston, Planner I

Attachment 1: Agenda Map



Project: LUNR23-11

Owner: Paul Johnson

Applicant: Paul Johnson

APN: 003-210-031

Acres: 2.85± acres

Current Zoning: M-U:D:H:MX

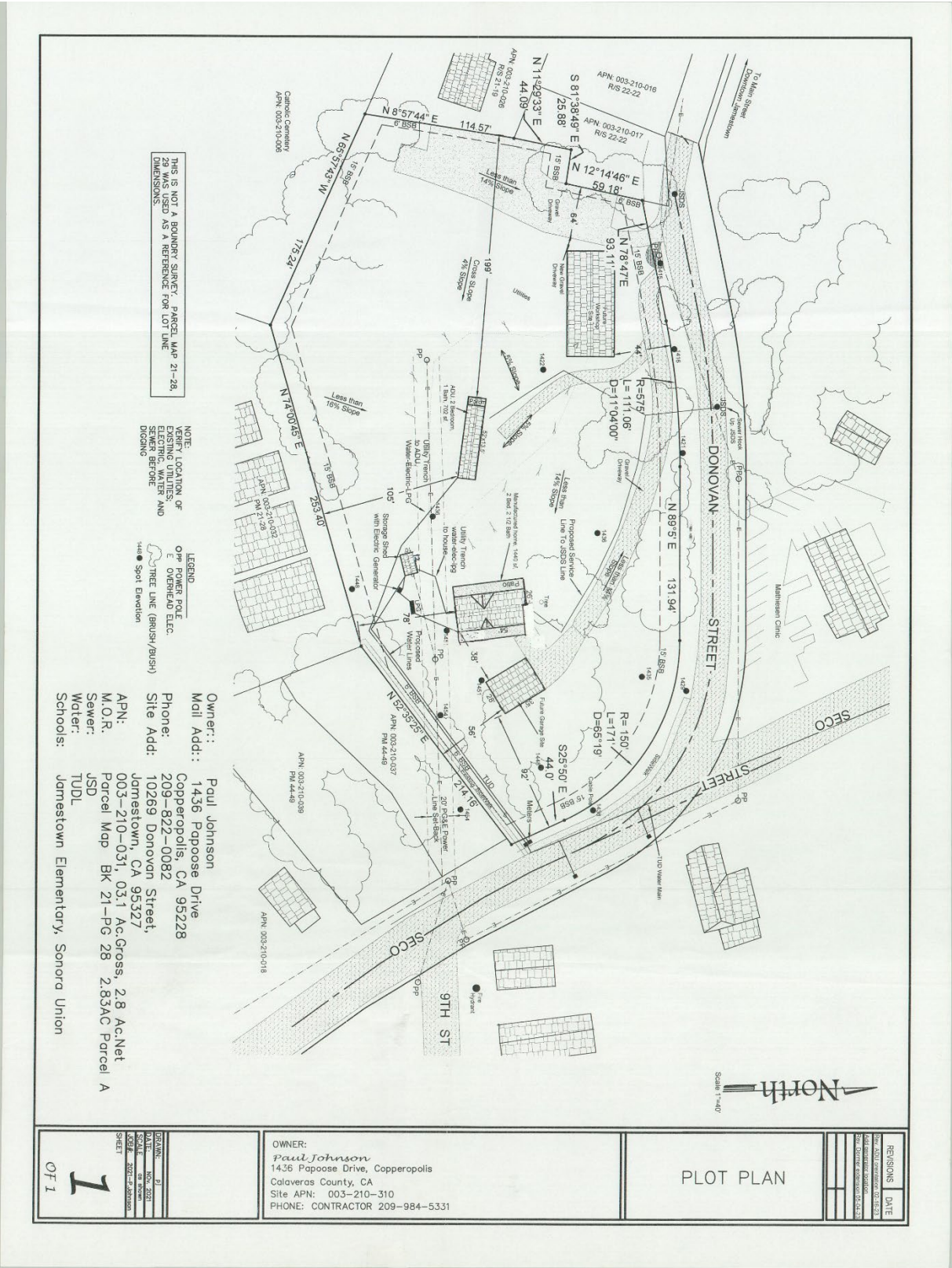
Current General Plan Designation: MU

Project Description: 1. Historic Conditional Use Permit to allow development of a Single Family Dwelling (SFD), an Accessory Dwelling Unit (ADU), a shed and a fence on a 2.85± acre parcel zoned M-U:D:H:MX (Mixed Use: Design Review: Historic: Mobilehome Exclusion Combining) district under Title 17 of the Tuolumne County Ordinance Code. 2. Notice of Exemption pursuant to Section 15303(a) of the State CEQA Guidelines.

Path: X:\Planning\Temp_Shapefiles\LUNR23-11\LUNR23-11\LUNR23-11.aprx

Date Saved: 12/4/2023 10:15

Attachment 2: Site Plan

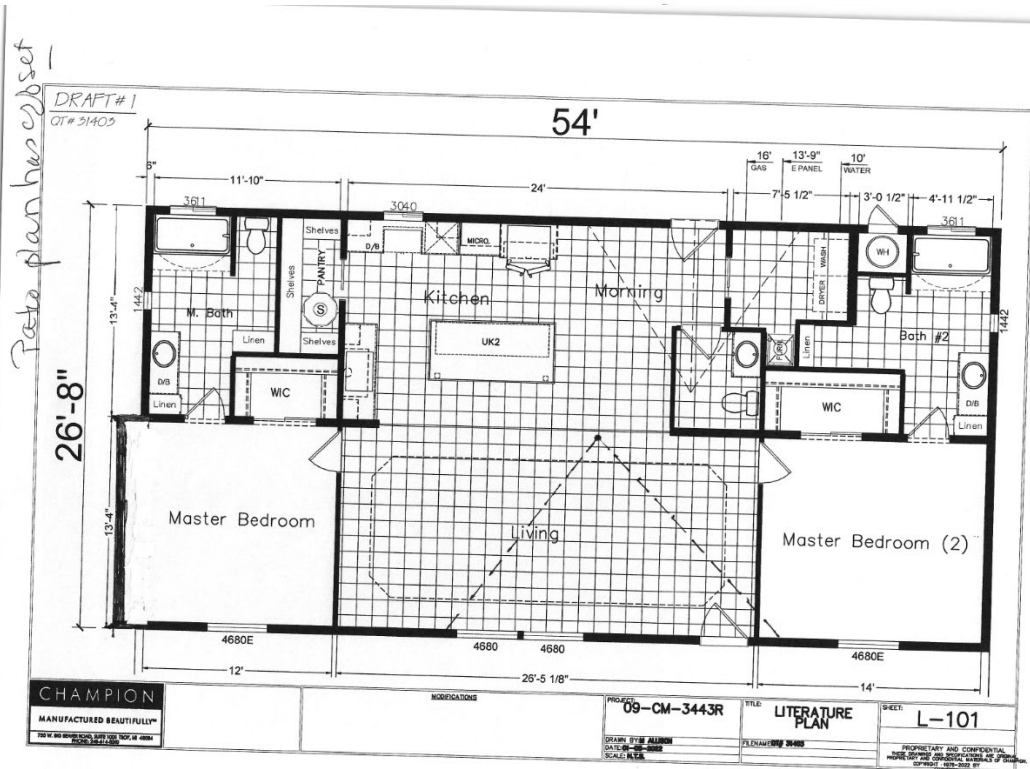


Attachment 3: Photos of Existing SFD

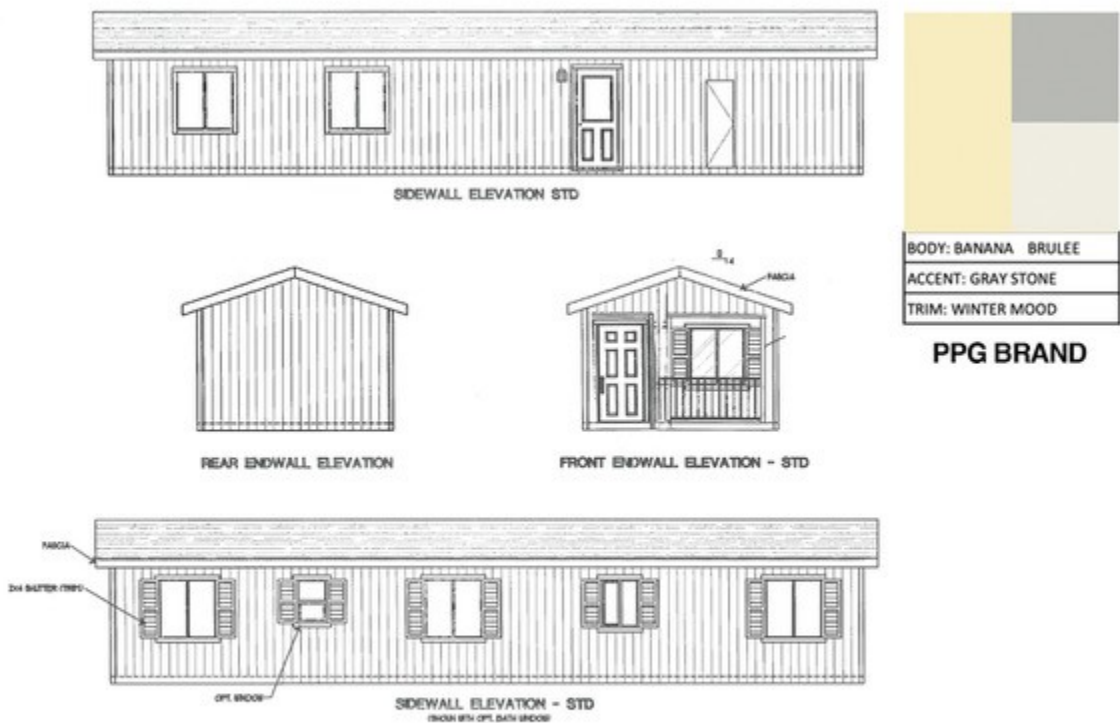




Attachment 4: SFD Renderings



Attachment 5: ADU Renderrings

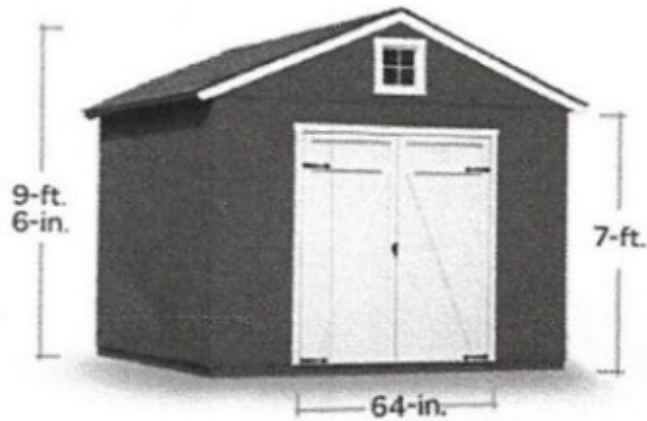


STANDARD EXTERIOR ELEVATIONS

Fairpoint and Rockport **JOHNSON DONOVAN ST ADU**

revised: 04-23-17

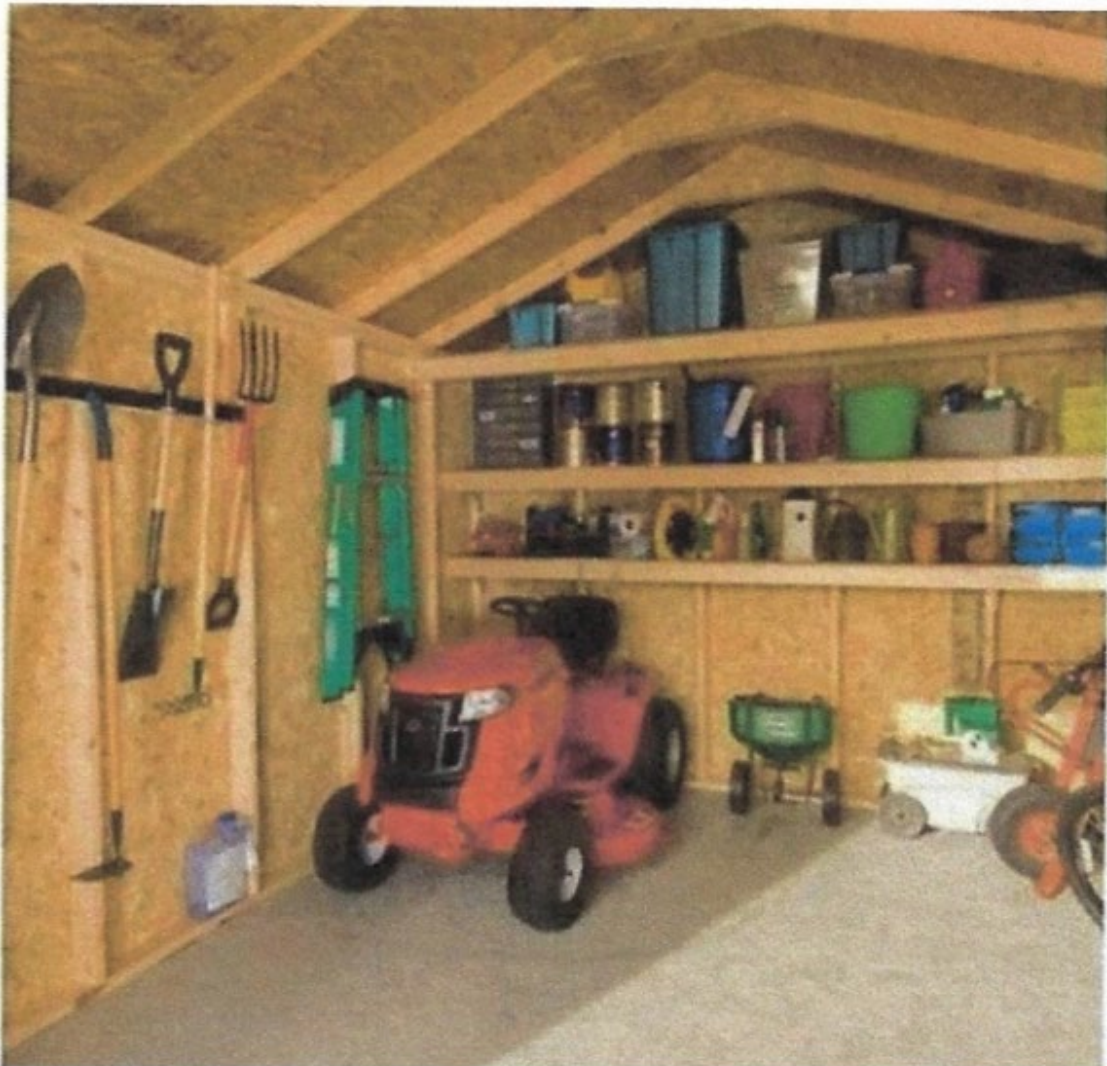
Attachment 6: Shed Renderring



STATESMAN

BONUS features include:

- * 64-in. Wide Door Opening
- * Decorative Door Trim
- * 2 Shelves
- * Storage Loft
- * Gable Window
- * Extra Tall 7-ft. Side Walls
- * Complete Floor System



Attachment 7:

CONDITIONS OF APPROVAL JOHNSON HISTORIC CONDITIONAL USE PERMIT LUNR-23-11

General Conditions:

1. LU As a condition of the grant of approval of this Permit, and as a continuing condition of approval of the Permit, developer/permittee/applicant/property owner/subdivider, and the successor in interest shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the application or project on which this condition is imposed, or arising out of or in connection with the acts or omissions of the above described person, and his/her/its agents, employees, or contractors, during any work performed in connection with the application or project. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the project including any contention the project approval is defective because a county ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the above described person and his/her/its agents, employees, or contractors, the obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the above described person will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached. (TCOC, Section 17.68.150)

2. LU Development shall comply with the policy and regulation of the Tuolumne Utilities District and Jamestown Sanitary District for water and sewer utility service. (TCOC, Section 17.68.150)

3. BD Building Permits are required for all non-exempt structures being constructed on this project site pursuant to Section 105 of the California Building Code. (TCOC, Section 17.68.150)

LU = Land Use & Natural Resources	SUR = Surveying Division	EH = Environmental Health Division
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4. ED If required, a Grading Permit shall be obtained from the Engineering Division of the Department of Public Works prior to any grading. (TCOC, Section 12.20.050).

Conditions to be met prior to the issuance of a Grading Permit:

5. ED If greater than 50 cubic yards of grading (for the driveway or buildings) is to be performed, a Grading Plan shall be submitted to the Engineering Division of the Department of Public Works for review and approval (TCOC, Section 12.20.140).
6. ED Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site (TCOC, Section 12.20.270-280).
7. ED Provide a 15-foot wide drainage easement along all existing pipes that are not located in a road and public utility easement (TCOC, Section 16.24.180).

Conditions to be met prior to the issuance of a building permit:

8. AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy - Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
9. LU Prior to the installation of any exterior lighting, a lighting plan shall be submitted to the Land Use and Natural Resources (LUNR) Division of CDD for review and approval. The lighting plan shall meet the following standards: direct the light downward to the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards or fixtures attached to the buildings, and utilize low or high pressure sodium lamps or LED lighting instead of halogen type lights. The lighting plan shall comply with the International Dark Sky Association standards and fixtures shall have the International Dark Sky Fixture seal of approval. The Lighting Plan shall also comply with the Jamestown Design Guidelines and shall be directed downward, be energy-efficient, and should resemble historic fixtures and materials. (TCOC, Section 17.68.150)
10. AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)
11. ED Verify that Road and/or Public Utility Easements a minimum of 25 feet in width from the existing centerlines of Donovan Street and Seco Street

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as they abut the project property has been dedicated. (TCOC, Section 17.68.150)

12. AG All material brought to the site, including rock, gravel, road base, sand, and topsoil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy - Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
13. SW All solid waste from demolition or construction activities shall be disposed of at facilities authorized by the County Board of Supervisors by Resolution 183-04, including the Cal Sierra Materials Recovery Facility (MRF), the Pinecrest Transfer Station, or the Groveland Transfer Station. Solid waste that is not accepted at these facilities may be disposed of at an alternative facility that is permitted to receive the waste. (TCOC, Chapter 7 .12)

Conditions to be met during the construction phase of the proposed project:

14. BD Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County holidays. (TCOC, Section 17 .68.150))
15. ED Prior to the construction of any site improvements or grading on the site, all property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress (TCOC, Section 12.20).
16. ED All soils disturbed by clearing and grubbing and/or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).
17. ED Exposed serpentine gravel is prohibited on the construction site. (17 California Code of Regulations, Section 93106)
18. ED An Encroachment Permit shall be obtained from the Engineering Division of the Department of Public Works for any work that may be proposed within the County road right-of-way along Donovan Street and/or Seco Street (TCOC, Section 12.04).
19. BD/ED The contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and

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at all other intervals, as need dictates, to control dust. (TCOC, Section 12.20.370)

Conditions to be met prior to the Certificate of Occupancy by the Building and Safety Division of the Community Development Department:

20. LU The final project shall meet all requirements mandated by federal, state, or local law. Federal or state law may require additional obligations beyond those required by these conditions or local requirements, including additional analysis of environmental or other issues, over which the County has no control. (TCOC, Section 17.68.150)
21. LU A site inspection will be conducted by Community Development Division personnel to verify compliance with the conditions listed above. (TCOC, Section 17.68.150)
22. LU The applicable Traffic Impact Mitigation Fee (TIMF) shall be paid to Tuolumne County prior to issuance of a Certificate of Occupancy. The final TIMF and Service fee will be calculated and due prior to the issuance of a Certificate of Occupancy by the Building and Safety Division of the CDD. (TCOC, Chapter 3.54 and Section 17.68.150).
23. LU/BD All construction on the site shall adhere to the site plan approved by Tuolumne County. Any significant deviation from the plans shall require approval of supplemental plans submitted by the property owner. (TCOC, Section 17.68.150)

On-Going Conditions:

24. EH All storage and removal of refuse, rubbish, and recyclables shall be in compliance with the requirements specified in TCOC, Chapter 8.05 and CCR Title 14 and Title 27. {TCOC, Chapter 8.05}
25. SW Excepting disruptions in normal refuse collection schedules, refuse shall not be allowed to remain on the premises for more than seven days unless it is satisfactorily composted, used as animal food, used as soil amendments, or some other beneficial use provided such use does not create a nuisance. (TCOC, Section 8.05.035)
26. SW Persons hauling solid waste from their residence or solid waste produced in the course of their own business (including building contractors) are required to deliver solid waste only to facilities identified and authorized by the Tuolumne County Board of Supervisors by Resolution, including the Cal Sierra Transfer Station, the Pinecrest Transfer Station, or the Groveland Transfer Station. (TCOC, Section 7.12.050)

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27. LU

The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line as

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 L_{eq} . (1 hour) ¹	45 L_{eq} . (1 hour) ¹

follows:

¹ L_{eq} . 1 hour refers to the average noise level measured over a one hour period. (TCOC, Section 17.68.150)

MONITORING PROVISION: A Notice of Action shall be recorded for Conditions 1 through 27 to notify all owners of this parcel of the conditions of this entitlement and these responsibilities. Any violations observed by the Community Development Department and Department of Public Works during regular site inspections or in response to complaints shall be referred to the agency having jurisdiction over the condition for resolution or referred to the Code Compliance Officer for enforcement. (PRC, Section 21081.6; TCOC Section 17.68.150)

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COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

Land Use and Natural Resources – Housing and Community Programs – Environmental Health – Building and Safety – Code Compliance

COMMUNITY DEVELOPMENT DIRECTOR'S DECISION FOR HISTORIC CONDITIONAL USE PERMIT CUPH21-003

48 Yaney Avenue, Sonora
Mailing: 2 S. Green Street
Sonora, CA 95370
(209) 533-5633
(209) 536-1622 (Fleet)
(209) 533-5616 (Fax)
(209) 533-5909 (Fax – EHD)
(209) 588-9064 (Fax – Fleet)
(209) 533-5698 (Fax – Roads)
www.tuolumnecounty.ca.gov

DATE: October 6, 2022

SURFACE/MINERAL
RIGHTS OWNER: Paul Johnson

PROJECT AND LOCATION

PROJECT DESCRIPTION: Historic Conditional Use Permit CUPH21-003 to allow development of a Single Family Dwelling (SFD), a shed and a fence on a 2.85± acre parcel zone M-U:D:H:MX (Mixed Use;Design Review: Historic:Mobilehome Exclusion Combining) district under Title 17 of the Tuolumne County Ordinance Code.

LOCATION: The project site is located at 10269 Donovan Street, approximately 254± feet east of the intersection of Main Street and Donovan Street in the community of Jamestown. The project site is located within a portion of Section 10, Township 1 North, Range 14 East, Mount Diablo Baseline Meridian, and within Supervisorial District 5. Assessor's Parcel Number 003-210-031.

DECISION

On October 6, 2022 a decision was rendered by the Community Development Department Director, approving Historic Conditional Use Permit CUPH21-003 based upon the following Findings and subject to the attached list of Conditions.

ENVIRONMENTAL EVALUATION

After reviewing the project and its setting, the Environmental Coordinator for the County of Tuolumne has determined that the project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15303 (a) of the *State CEQA Guidelines*. The project consists of a single-family dwelling (SFD) and an accessory dwelling unit (ADU). One single-family residence, or a second dwelling unit in a residential zone and in an urbanized area, up to three single-family residences may be constructed or converted under this exemption. The MU zoning district is considered an urban designation in the Tuolumne County General Plan. All public services are readily available to serve the project. None of the exceptions to the use of a categorical exemption found in Section 15300.2 of the *State CEQA Guidelines* apply to this project.

FINDINGS

- A. The proposed project is consistent with the Tuolumne County General Plan.
- B. The proposed project is in accordance with the Tuolumne County Ordinance Code.
- C. The proposed use will no overburden existing municipal facilities.

- D. The size and terrain of the project site are suitable for the proposed use.
- E. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety or general welfare of the persons residing or working in the neighborhood of such proposed use, or be substantially detrimental or injurious to property and improvements in the area.
- F. The project conforms to the Jamestown Design Guidelines and to the principles in Section 17.46.070.
- G. The project is categorically exempt from environmental review un the California Quality Act (CEQA) pursuant to Section 15303 (a) of the state CEQA Guidelines.

Effective Date

This permit shall not become effective until any appeal filed pursuant to Section 17.68.130 of the Tuolumne County Ordinance Code has been concluded or the time for filing an appeal has expired.

Appeal

If the applicant or any aggrieved person is dissatisfied with this decision, he or she may appeal it to the Tuolumne County Planning Commission in accordance with Section 17.68.130 of the Tuolumne County Ordinance Code.

Protest

The developer/permittee/property owner/subdivider and/or successor-in-interest may protest any fee or exaction subject to Government Code section 66000 imposed as a condition of approval in accordance with Government Code section 66020. The protest must satisfy the requirements of Government Code section 66020(a) and must be filed with the Board of Supervisors within 90 days of the date of the first approval or conditional approval of the development referencing the challenged fee or exaction. For purposes of Government Code section 66020, the date of imposition of the fee shall be the date of the earliest discretionary approval by the County of the subject development.

Expiration

If this permit is not activated pursuant to Section 17.68.158 of the Tuolumne County Ordinance Code or if the change in the use of land or buildings for which this permit is granted is not begun prior to xxx October 6, 2025, this permit shall expire and be of no further effect. The expiration of this permit may be extended in accordance with Section 17.68.160 of the Tuolumne County Ordinance Code.

Respectfully,



Quincy Yaley, AICP
Community Development Department Director

QYDR:tv

cc: Assessor
Building and Safety Division
Engineering
Fire Protection
Caltrans – District 10

NOTE: THIS IS NOT A BUILDING PERMIT.

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**CONDITIONS OF APPROVAL
JOHNSON
HISTORIC CONDITIONAL USE PERMIT CUPH 21-003**

General Conditions:

1. LU As a condition of the grant of approval of this Permit, and as a continuing condition of approval of the Permit, developer/permittee/applicant/property owner/subdivider, and the successor in interest shall defend, indemnify, save and hold harmless the County of Tuolumne, its elected and appointed officials, officers, agents, employees and volunteers from any and all claims, actions, proceedings, or liability of any nature whatsoever (including attorney's fees and costs awards) arising out of, or in connection with the County's review or approval of the application or project on which this condition is imposed, or arising out of or in connection with the acts or omissions of the above described person, and his/her/its agents, employees, or contractors, during any work performed in connection with the application or project. With respect to review or approval, this obligation shall also extend to any effort to attack, set aside, void, or annul the approval of the project including any contention the project approval is defective because a county ordinance, resolution, policy, standard, or plan is not in compliance with local, state or federal law. With respect to acts or omissions of the above described person and his/her/its agents, employees, or contractors, the obligation hereunder shall apply regardless of whether the County prepared, supplied, or approved plans, specifications or both. If the defense right is exercised, the County Counsel shall have the absolute right to approve any and all counsel employed to defend the County. To the extent the County uses any of its resources to respond to such claim, action or proceeding, or to assist the defense, the above described person will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at its regular rate for non-County agencies, or any other direct or indirect cost associated with responding to, or assisting in defense of, the claim, action, or proceedings. For any breach of this obligation the County may, without notice, rescind its approval of the application or project to which this covenant/condition is attached. (TCOC, Section 17.68.150)
2. LU Development shall comply with the policy and regulation of the Tuolumne Utilities District and Jamestown Sanitary District for water and sewer utility service. (TCOC, Section 17.68.150)
3. BD Building Permits are required for all non-exempt structures being constructed on this project site pursuant to Section 105 of the California Building Code. (TCOC, Section 17.68.150)

LU = Land Use & Natural Resources	SUR = Surveying Division	EH = Environmental Health Division
ED = Engineering Development Division	FPD = Fire Prevention Division	SW = Solid Waste
BD = Building and Safety Division	APCD = Air Pollution Control District	AG = Agricultural Commissioner

4. ED If required, a Grading Permit shall be obtained from the Engineering Division of the Department of Public Works prior to any grading. (TCOC, Section 12.20.050).

Conditions to be met prior to the issuance of a Grading Permit:

5. ED If greater than 50 cubic yards of grading (for the driveway or buildings) is to be performed, a Grading Plan shall be submitted to the Engineering Division of the Department of Public Works for review and approval (TCOC, Section 12.20.140).
6. ED Provide proof that slope and drainage easements have been obtained or provided in such locations as necessary to accommodate cut and fill slopes, setbacks, and flow from the site (TCOC, Section 12.20.270-280).
7. ED Provide a 15-foot wide drainage easement along all existing pipes that are not located in a road and public utility easement (TCOC, Section 16.24.180).

Conditions to be met prior to the issuance of a building permit:

8. AG All hay, straw, hay bales, straw bales, seed, mulch or other material used for erosion control or landscaping on the project site shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy - Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
9. LU Prior to the installation of any exterior lighting, a lighting plan shall be submitted to the Land Use and Natural Resources (LUNR) Division of CDD for review and approval. The lighting plan shall meet the following standards: direct the light downward to the area to be illuminated, install shields to direct light and reduce glare, utilize low rise light standards or fixtures attached to the buildings, and utilize low or high pressure sodium lamps or LED lighting instead of halogen type lights. The lighting plan shall comply with the International Dark Sky Association standards and fixtures shall have the International Dark Sky Fixture seal of approval. The Lighting Plan shall also comply with the Jamestown Design Guidelines and shall be directed downward, be energy-efficient, and should resemble historic fixtures and materials. (TCOC, Section 17.68.150)
10. AG All equipment brought to the project site for construction shall be thoroughly cleaned of all dirt and vegetation prior to entering the site, in order to prevent importing noxious weeds. (Food and Agriculture Code, Section 5401)
11. ED Verify that Road and/or Public Utility Easements a minimum of 25 feet in width from the existing centerlines of Donovan Street and Seco Street

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as they abut the project property has been dedicated. (TCOC, Section 17.68.150)

12. AG All material brought to the site, including rock, gravel, road base, sand, and topsoil, shall be free of noxious weed seeds and propagules. Noxious weeds are defined in Title 3, Division 4, Chapter 6, Section 4500 of the California Code of Regulations and the California Quarantine Policy - Weeds. (Food and Agriculture Code, Sections 6305, 6341 and 6461)
13. SW All solid waste from demolition or construction activities shall be disposed of at facilities authorized by the County Board of Supervisors by Resolution 183-04, including the Cal Sierra Materials Recovery Facility (MRF), the Pinecrest Transfer Station, or the Groveland Transfer Station. Solid waste that is not accepted at these facilities may be disposed of at an alternative facility that is permitted to receive the waste. (TCOC, Chapter 7 .12)

Conditions to be met during the construction phase of the proposed project:

14. BD Hours of exterior construction on the project site shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. Exterior construction shall be prohibited on Sunday and County holidays. (TCOC, Section 17 .68.150)
15. ED Prior to the construction of any site improvements or grading on the site, all property corners shall be monumented and clearly visible. Where a clear line of sight between lot corners is not possible, appropriate markers shall be set along the property line to mark the boundaries while construction is in progress (TCOC, Section 12.20).
16. ED All soils disturbed by clearing and grubbing and/or grading shall be reseeded or hydro-mulched or otherwise stabilized as soon as possible, and emergency erosion control measures shall be utilized as requested by County officials (TCOC, Title 12).
17. ED Exposed serpentine gravel is prohibited on the construction site. (17 California Code of Regulations, Section 93106)
18. ED An Encroachment Permit shall be obtained from the Engineering Division of the Department of Public Works for any work that may be proposed within the County road right-of-way along Donovan Street and/or Seco Street (TCOC, Section 12.04).
19. BD/ED The contractor shall be responsible for dust abatement during construction and development operations. A water truck or other watering device shall be on the construction site on all working days when natural precipitation does not provide adequate moisture for complete dust control. Said watering device shall be used to spray water on the site at the end of each day and

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at all other intervals, as need dictates, to control dust. (TCOC, Section 12.20.370)

Conditions to be met prior to the Certificate of Occupancy by the Building and Safety Division of the Community Development Department:

- 20. LU The final project shall meet all requirements mandated by federal, state, or local law. Federal or state law may require additional obligations beyond those required by these conditions or local requirements, including additional analysis of environmental or other issues, over which the County has no control. (TCOC, Section 17.68.150)
- 21. LU A site inspection will be conducted by Community Development Division personnel to verify compliance with the conditions listed above. (TCOC, Section 17.68.150)
- 22. LU The applicable Traffic Impact Mitigation Fee (TIMF) shall be paid to Tuolumne County prior to issuance of a Certificate of Occupancy. The final TIMF and Service fee will be calculated and due prior to the issuance of a Certificate of Occupancy by the Building and Safety Division of the CDD. (TCOC, Chapter 3.54 and Section 17.68.150).
- 23. LU/BD All construction on the site shall adhere to the site plan approved by Tuolumne County. Any significant deviation from the plans shall require approval of supplemental plans submitted by the property owner. (TCOC, Section 17.68.150)

On-Going Conditions:

- 24. EH All storage and removal of refuse, rubbish, and recyclables shall be in compliance with the requirements specified in TCOC, Chapter 8.05 and CCR Title 14 and Title 27. {TCOC, Chapter 8.05}
- 25. SW Excepting disruptions in normal refuse collection schedules, refuse shall not be allowed to remain on the premises for more than seven days unless it is satisfactorily composted, used as animal food, used as soil amendments, or some other beneficial use provided such use does not create a nuisance. (TCOC, Section 8.05.035)
- 26. SW Persons hauling solid waste from their residence or solid waste produced in the course of their own business (including building contractors) are required to deliver solid waste only to facilities identified and authorized by the Tuolumne County Board of Supervisors by Resolution, including the Cal Sierra Transfer Station, the Pinecrest Transfer Station, or the Groveland Transfer Station. (TCOC, Section 7.12.050)

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27. LU

The noise levels generated by the project shall be restricted to the following exterior noise limits as measured at the property line as

Zoning Classification of Receiving Property	Noise Level (dB) of Sound Source	
	Daytime (7 a.m. to 10 p.m.)	Nighttime (10 p.m. to 7 a.m.)
MU, R-3, R-2, R-1, RE-1, RE-2, RE-3, RE-5, RE-10, C-O, C-1, C-S, BP	50 Leq. (1 hour) ¹	45 Leq. (1 hour) ¹

follows:

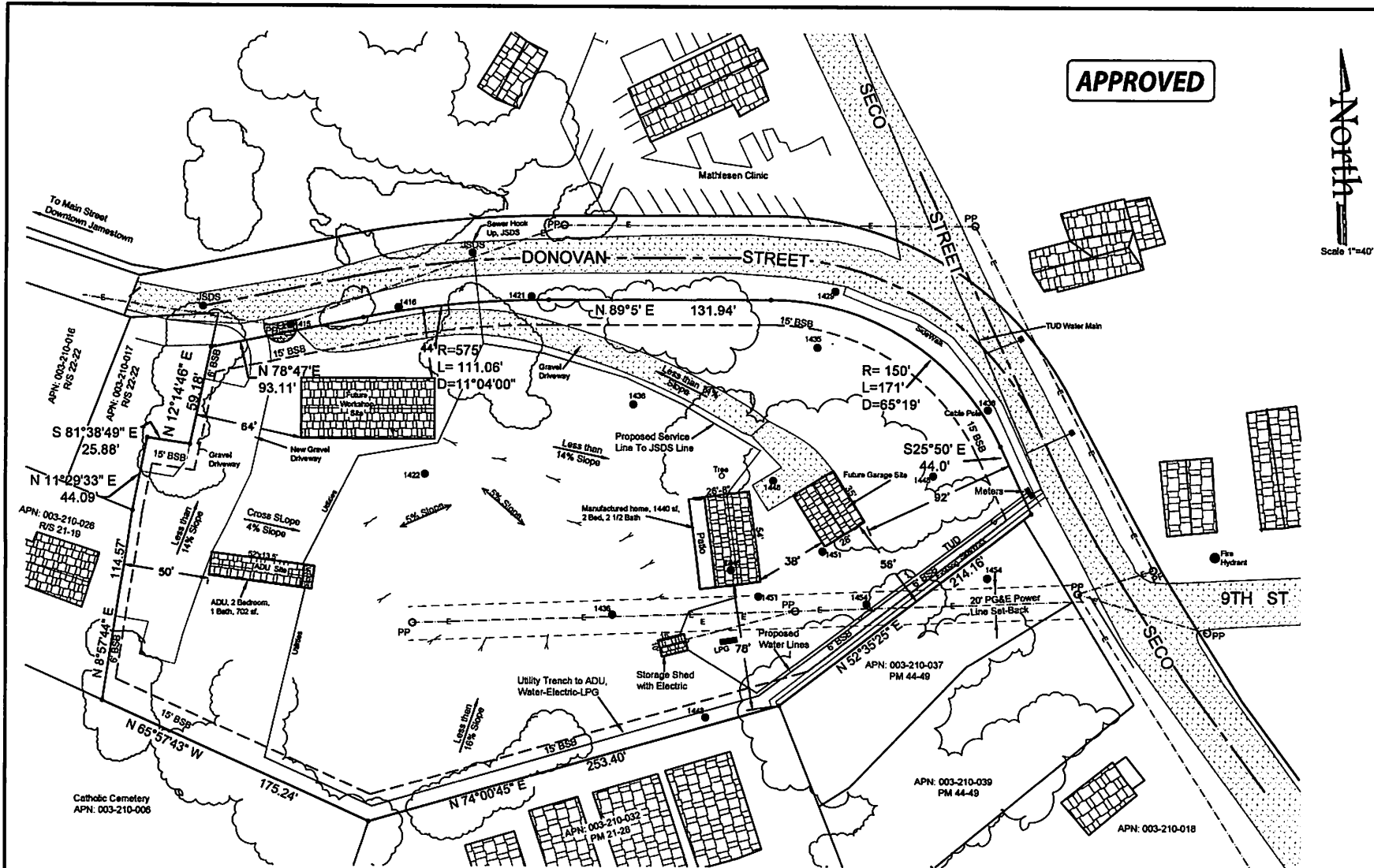
¹Leq. 1 hour refers to the average noise level measured over a one hour period. (TCOC, Section 17.68.150)

MONITORING PROVISION: A Notice of Action shall be recorded for Conditions 1 through 27 to notify all owners of this parcel of the conditions of this entitlement and these responsibilities. Any violations observed by the Community Development Department and Department of Public Works during regular site inspections or in response to complaints shall be referred to the agency having jurisdiction over the condition for resolution or referred to the Code Compliance Officer for enforcement. (PRC, Section 21081.6; TCOC Section 17.68.150)

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LU = Land Use & Natural Resources	SUR = Surveying Division	EH = Environmental Health Division
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Plot Plan



APPROVED

North
Scale 1"=40'

REVISIONS	DATE

PLOT PLAN

OWNER:
Paul Johnson
1436 Papoose Drive, Copperopolis
Calaveras County, CA
Site APN: 003-210-310
PHONE: CONTRACTOR 209-984-5331

DRAWN: PJ
DATE: NOV. 2021
SCALE: AS SHOWN
JOB#: 2021-P-Johnson
SHEET

1
OF 1

THIS IS NOT A BOUNDARY SURVEY. PARCEL MAP 21-28, 29 WAS USED AS A REFERENCE FOR LOT LINE DIMENSIONS.

NOTE:
VERIFY LOCATION OF
EXISTING UTILITIES,
ELECTRIC, WATER AND
SEWER BEFORE
DIGGING

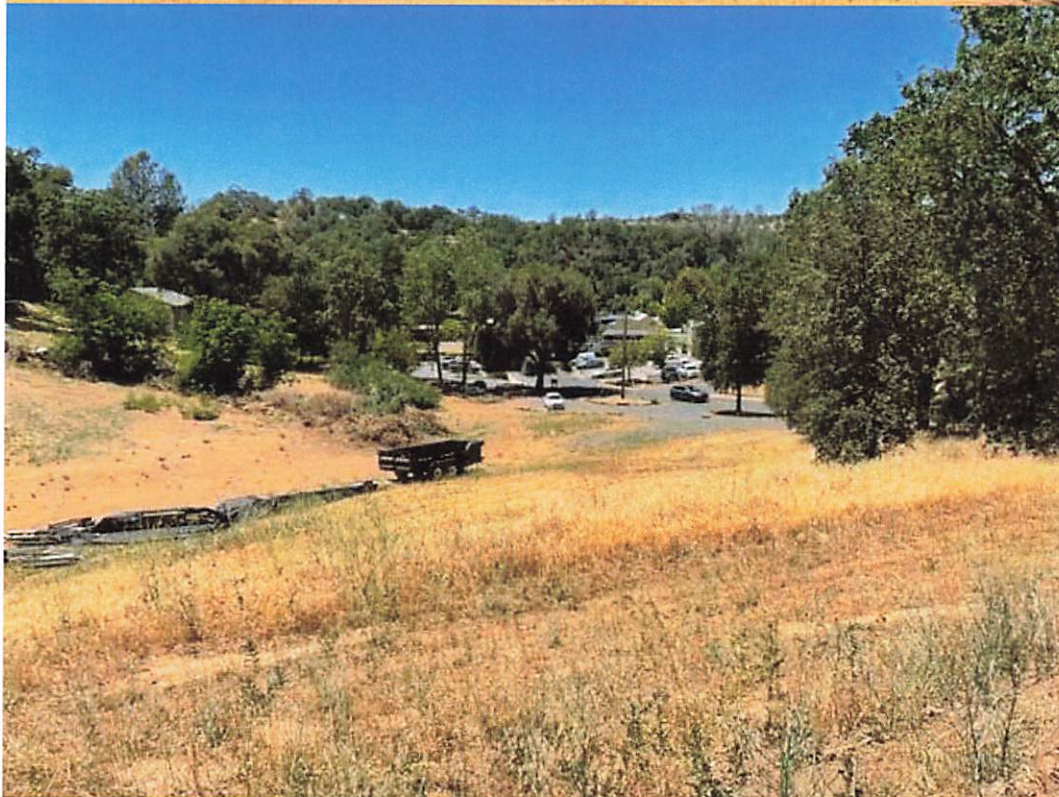
LEGEND
OPP POWER POLE
E OVERHEAD ELEC.
TREE LINE (BRUSH/BUSH)
1440 Spot Elevation

Owner:: Paul Johnson
Mail Add:: 1436 Papoose Drive
Copperopolis, CA 95228
Phone: 209-822-0082
Site Add: 10269 Donovan Street,
Jamestown, CA 95327
APN: 003-210-031, 03.1 Ac.Gross, 2.8 Ac.Net
M.O.R. Parcel Map BK 21-PG 28 2.83AC Parcel A
Sewer: JSD
Water: TUDL
Schools: Jamestown Elementary, Sonora Union

Figure 3. Site Photos



APPROVED

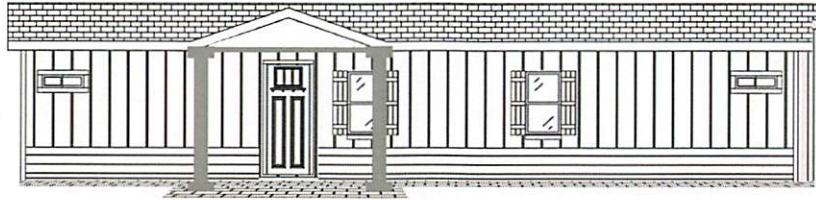


DRAFT # 2
CT# 31403

BODY FASCIA TRIM SHINGLES



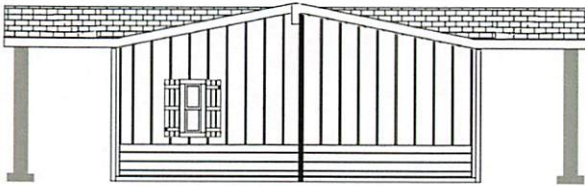
APPROVED



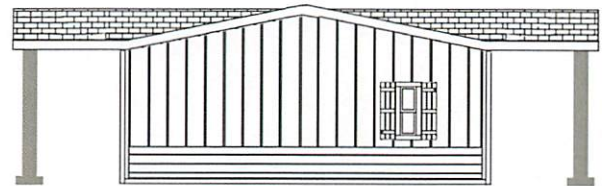
FRONT ELEVATION



BACK ELEVATION



REAR ELEVATION



FRONT END ELEVATION

MODIFICATIONS
Paul Johnson
10269 Donovan St, Jamestown

PROJECT: 09-CM-3443R

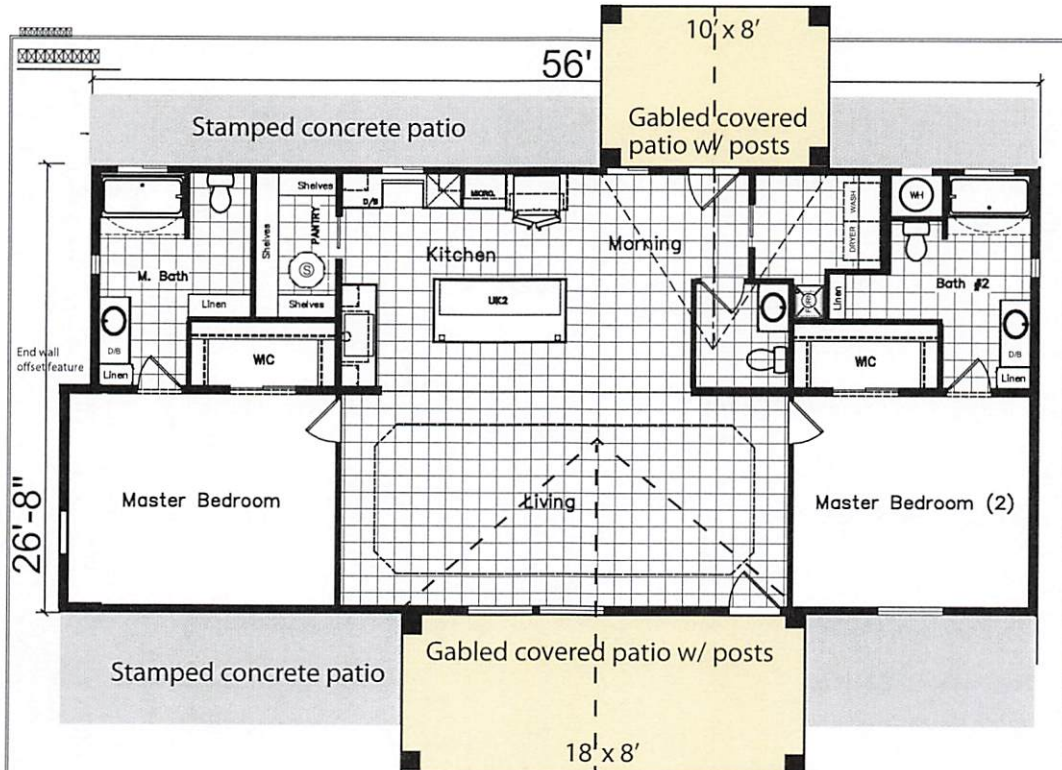
DRAWN BY: M. ALLISON
DATE: 01-05-2022
SCALE: N.T.S.

TITLE: ELEVATION PLAN

FILENAME: 09-CM-3443R DRAFT# 2

SHEET: EL-101

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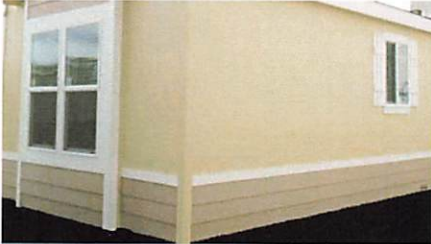
JOHNSON Home Architectural Details
10269 Donovan St, Jamestown

Shutters (sample)



APPROVED

Lap wainscoting (sample)



10' dormer (by Yosemite Homes contractor, similar finish)



Sample of 18' dormer off back patio (different aesthetic, but similar proportions)



JOHNSON Home
10269 Donovan St, Jamestown

Closest adjacent structures



APPROVED





HISTORIC PRESERVATION REVIEW COMMISSION



TERRY BREJLA, CHAIR
LISA DEHART, VICE-CHAIR

2 South Green Street
Sonora, CA 95370
209 533-5633

COMMISSIONERS

Jeannette Simons
Sharon Marovich
Kurt Bryant
Aaron Rasmussen
B.Z. Smith

HISTORIC PRESERVATION REVIEW COMMISSION MEETING MINUTES MONDAY, November 6, 2023

PRESENT: Chair Terry Brejla, Vice-Chair Lisa Dehart and Commissioners Sharon Marovich, Aaron Rasmussen, Kurt Bryant, B.Z. Smith, and Jeannette Simons

ABSENT: None

STAFF: Quincy Yaley, Community Development Department Director

CALL TO ORDER/WELCOME:

Chair Brejla called the meeting of November 6, 2023, to order at 4:00 p.m.

PUBLIC FORUM: 15 minutes

Chair Brejla opened the 15-minute public comment period, during which anyone wishing to could come forward and address the Commission on any item not on the agenda.

Seeing no one who wished to address the Commission at this time, Chair Brejla closed the public comment period.

COMMISSION BUSINESS:

A. Minutes of the meeting of May 9, 2023.

It was moved by Vice Chair DeHart and seconded by Commissioner Marovich to approve the minutes of May 9, 2023, with corrections.

Chair Brejla called for the vote:

Chair Brejla: Aye
Vice-Chair Dehart: Aye
Commissioner Simons: Aye
Commissioner Marovich: Aye
Commissioner Rasmussen: Aye
Commissioner Bryant: Aye

Motion carried 6– 0 – 0

B. Minutes of the meeting of August 7, 2023, 2023

It was moved by Vice Chair DeHart and seconded by Commissioner Marovich to approve the

minutes of August 7, 2023, with corrections.

Chair Brejla called for the vote:

Chair Brejla:

Vice-Chair Dehart:

Commissioner Simons:

Commissioner Marovich:

Commissioner Rasmussen:

Commissioner Bryant:

Motion carried 6– 0 – 0

C. Reports from Staff and Commissioners

Ms. Yaley informed the Commission that Ms. Rizzi is on maternity leave and that Dave Ruby, Planning Manager, has chosen to move back to the Engineering Department.

Discussion ensued on Ethics Training.

D. Reducing the membership of the Historic Preservation Review Commission from nine (9) to seven (7) commissioners.

The Historic Preservation Review Commission reluctantly recommended to the Board of Supervisors, to reducing the membership from nine (9) Commissioner to Seven to (7) for a year trial period. The Commission encouraged better public outreach to different platforms for recruiting members. The Commission suggested reaching out to tribal members or college faculty to fill Commission positions.

It was moved and seconded to recommend to the Board of Supervisors to reduce the Historic Preservation Review Commission from nine (9) to seven (7) for a year trial period.

Chair Brejla called for the vote:

Chair Brejla: Aye

Vice-Chair Dehart: Aye

Commissioner Simons: Aye

Commissioner Marovich: Aye

Commissioner Rasmussen: Aye

Commissioner Bryant: Aye

Motion carried 6– 0 – 0

NEW BUSINESS:

Mills account tax bill

OLD BUSINESS

1. Status Update on the Washington Courthouse Building Project.

This item was continued to the next scheduled meeting.

2. Status Update on the Yaney Elevator Project.

This item was continued to the next scheduled meeting.

3. Status Update on the Yaney Courthouse Building Remodel.

This item was continued to the next scheduled meeting.

4. Presentation on the Jamestown and Main Street Revitalization Project and consideration of selecting the tree variety planted on Main Street and providing direction on the gateway sign.

This item was continued to the next scheduled meeting.

COMMITTEE REPORTS:

1. Demolition Review Committee – Committee report; take action as necessary.

Demolition of a 1917 barn has been approved; a new building will be replacing the old with a new design.

2. Grant Committee – Committee report; take action as necessary.

No new grants have been approved.

3. “Preserve America” Committee – Committee report; take action as necessary.

Tuolumne County is part of ACHP Preserve America program and is in fact an active program.

ADJOURNMENT:

Chair Brejla adjourned the meeting.

Respectfully,

Quincy Yaley, AICP
Community Development Department Director

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