



COMMUNITY DEVELOPMENT DEPARTMENT

Quincy Yaley, AICP
Director

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

AGENDA TUOLUMNE COUNTY BOARD OF SUPERVISORS PLANNING COMMITTEE

July 21, 2022
3:30 p.m.
Via Zoom ONLY

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

IMPORTANT PUBLIC NOTICE: Under the Governor's Executive Order N-25-20, this meeting will allow members of the Planning Committee to participate by teleconference; and under Order N-29-20, Accessibility Requirements, if you need swift special assistance during the Planning Committee meeting, please call 209-770-5423.

PUBLIC PARTICIPATION PROCEDURES

In order to protect public health and the safety of Tuolumne County citizens, this meeting will be physically closed to the public. Public Comment will be opened and closed individually for each agenda item listed below, excluding Reports. To observe or participate in this meeting, please use the following link: <https://us02web.zoom.us/j/87827797017> For detailed Zoom instructions go to the Agenda Packet <https://www.tuolumnecounty.ca.gov/136/Board-of-Supervisors-Planning-Committee>

You also may submit written comments by U.S. mail at 2 South Green Street, Sonora, CA 95370 or email (gyaley@co.tuolumne.ca.us) for retention as part of the administrative record. Comments will not be read during the meeting.

1. PUBLIC FORUM

The public may speak on any item not on the printed agenda. No action may be taken by the Committee. The amount of time allocated for the public forum is limited to 15 minutes.

2. PLANNING COMMITTEE BUSINESS

- A. Adopting Resolution PC2022-003 authorizing remote teleconference meetings of BOSPC for the period of July 21, 2022 to August 20, 2022.
- B. Reports – Staff and Committee Members
 - ** Reports are a brief oral report from a committee or Commission member and/or County staff, and no Committee action will occur. This item is not intended to include in depth presentations or reports, as those matters should be placed on an agenda for discussion.**

3. OLD BUSINESS ITEMS:

- A. Update on the Title 17 Zoning Code Project.

Adjournment

* The Board of Supervisors Planning Committee serves as an advisory group to the Board of Supervisors for reviewing, commenting on and recommending new and/or modifications to existing policy related to land use and development regulations. In conducting its work, the Committee is to attempt to balance the needs of the individual with the needs of all county residents by encouraging economic growth and promoting the stewardship of the county's natural resources and cultural heritage.

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 to this meeting (28CFR Part 35 ADA Title II).



COMMUNITY DEVELOPMENT DEPARTMENT

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

TO: Tuolumne County Committee and Commission Members

FROM: Quincy Yaley, AICP Community Development Department Director

RE: COVID-19 Meeting Procedures

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In response to increasing risks of exposure to the coronavirus (COVID-19), all the Committee and Commission meetings will be conducted and participated via Zoom. Video conferencing via Zoom will allow the Commission/Committees and County to adhere to social distancing requirements of the Brown Act and provide a way for the public to provide public comment live during the meeting.

Due to the modified meeting format and tele-conferencing meeting procedures, the Chair may choose to allow public comment on the project in an alternative fashion, rather than calling for those in favor, those in opposition, those neutral, and then any rebuttals or surrebuttals. The Chair may take public comment on the project in any order in lieu of the calling for those in favor, opposition, neutral, rebuttals, and then surrebuttals.

The Committee and Commission may elect to allow the applicant or applicant representative a specific time to speak on the project prior to taking public comments on the item. This opportunity could have a specific time length allotted, such as five or ten minutes.

As a reminder, those who wish to provide information during the public comment are not required to provide their name. County staff will notify the Chair of any individuals who wish to provide testimony and will limit the testimony to the time limit identified by the Chair.

If an item on the agenda is not identified as a “public hearing”, public comment is still required and can be conducted in a similar format to the modified procedures above.

All votes require a roll call with each Committee and Commission member to be named by County Staff prior to stating their vote. The Chair shall also identify by name the commissioner who initiated the motion and the name of the commissioner who seconds the motion. After a second is named, the Chair must allow County staff to complete a roll call vote.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the zoom meeting. It is recommended that the Chair pause for 60-90 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 90 seconds has elapsed County staff will notify the Chair that there is no further public comment.

Staff may need to respond to emails or phone calls from members of the public during the meeting to provide assistance to the public if they encounter problems using the Zoom platform. Staff requests that the Chair allow additional time as needed to ensure that members of the public can engage in the meeting.

Zoom Instructions

Zoom links can be found in the agenda for each meeting. The public can view the meeting from their smartphone, on their computer browser, or listen on their telephone. Zoom does not require an account to attend the meeting, but if the public wishes to create one, their basic accounts are free.

It is possible that a delay may occur from the time the Chair calls for public comment on a project and when County staff can connect them into the Zoom meeting. The Chair will pause for 60 seconds after calling for public comment to allow for any connections to occur. If there are no individuals in the queue for commenting on a specific item, after 60 seconds has elapsed county staff will notify the Chair that there is no public comment.

Members of the public can also choose to watch the meeting and do not have to comment during the meeting. If a member of the public does not want to provide public comment live, they can provide public comment prior to the meeting via email to the Community Development Department Planning manager at OYaley@co.tuolumne.ca.us. If you would like your comments to be included in the record, please send comments to the above email address by 9:00 a.m. of the day of the noticed meeting.

If anyone is having technical difficulties with Zoom, they can visit Zoom's support page for helpful tips: <https://support.zoom.us/hc/en-us/categories/201146643>.

Below are step by step instructions on how to join and interact as an attendee via Zoom.

JOINING A WEBINAR BY LINK

- To join the webinar, click the link that we provided in the agenda.
- If you are signed in, change your name if you do not want your default name to appear.
- If you are not signed in, enter a display name.

MANUALLY JOINING A WEBINAR

- Use the 9-digit meeting ID/webinar ID provided in the agenda.
- Sign in to the Zoom Desktop or Mobile App
- Click or tap **Join a Meeting**
- Enter the 9-digit webinar ID, and click **Join** or tap **Join Meeting**
- If prompted, enter your name and email, then click **Join Webinar** or tap **Join**.
- You may change your name if you do not want your default name to appear, as you are not required to state your name.

WAITING FOR HOST TO START THE WEBINAR

- If the host has not started broadcasting the webinar, you'll receive a message letting you know to "Please wait for the host to start the meeting".

PUBLIC COMMENT

- During the public comment period you will have the option to "raise your hand" if you would like to comment on a proposed project or during the public comment portion of the meeting.
- Once you have clicked the "raise your hand" option, please wait until a staff unmutes your microphone.
- Once staff has unmuted you will have three minutes to speak.

- A staff member will verbally communicate to you and the Commissioners when you have 30 seconds remaining and then when your time is up.
- Once your allotted time is up, a staff member will mute and “lower your hand”.
- If you are participating from your smartphone, you will also have a “raise their hand” feature.
- When you are unmuted a prompt will appear to confirm you would like to be unmuted.
- Once you confirm you will be able to provide public comment.
- If you are participating via telephone call, you will need to press *9 (star 9) to “raise their hand”, and when you are unmuted you will hear “you are unmuted” allowing you to provide public comment.

END OF MEETING

- If you would like to leave the meeting before it ends, click **Leave meeting**. If you leave, you can rejoin if the webinar is still in progress, as long as the host has not locked the webinar.

When: Jul 21, 2022 03:30 PM Pacific Time (US and Canada)

Topic: BOSPC

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87827797017>

Or One tap mobile :

US: +16699006833,,87827797017# or +16694449171,,87827797017#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 6833 or +1 669 444 9171 or +1 346 248 7799 or +1 253 215 8782 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 646 931 3860

Webinar ID: 878 2779 7017

International numbers available: <https://us02web.zoom.us/j/87827797017>

1 **Board of Supervisors Planning Committee (BOSPC)**

2 **County of Tuolumne**

3
4 **FINDINGS OF THE BOARD OF SUPERVISORS PLANNING COMMITTEE (BOSPC)**
5 **AUTHORIZING REMOTE TELECONFERENCE MEETINGS**
6 **OF THE BOARD OF SUPERVISORS PLANNING COMMITTEE (BOSPC)**
7 **FOR THE PERIOD JULY 21, 2022 THROUGH AUGUST 20, 2022**
8 **PURSUANT TO THE RALPH M. BROWN ACT.**
9

10 **WHEREAS**, all meetings of Board of Supervisor Planning Committee (BOSPC) and its legislative
11 bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963),
12 so that any member of the public may attend, participate, and view the legislative bodies conduct their
13 business; and

14 **WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote
15 teleconferencing participation in meetings by members of a legislative body, without compliance with the
16 requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and
17 requirements; and

18 **WHEREAS**, a required condition of Government Code section 54953(e) is that a state of emergency
19 is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of
20 conditions of disaster or of extreme peril to the safety of persons and property within the state caused by
21 conditions as described in Government Code section 8558(b); and

22 **WHEREAS**, a further required condition of Government Code section 54953(e) is that state or local
23 officials have imposed or recommended measures to promote social distancing, or, the legislative body
24 holds a meeting to determine or has determined by a majority vote that meeting in person would present
25 imminent risks to the health and safety of attendees; and

26 **WHEREAS**, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency
27 declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California
28 Emergency Services Act (Government Code section 8625); and,

1 **WHEREAS**, on June 11, 2021, Governor Newsom issued Executive Order N-07-21, which
2 formally rescinded the Stay-at-Home Order (Executive Order N-33-20), as well as the framework for a
3 gradual, risk-based reopening of the economy (Executive Order N-60-20, issued on May 4, 2020) but did
4 not rescind the proclaimed state of emergency; and,

5 **WHEREAS**, on June 11, 2021, Governor Newsom also issued Executive Order N-08-21, which set
6 expiration dates for certain paragraphs of the State of Emergency Proclamation dated March 4, 2020 and
7 other Executive Orders but did not rescind the proclaimed state of emergency; and,

8 **WHEREAS**, as of the date of this Findings, neither the Governor nor the state Legislature have
9 exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency
10 either by proclamation or by concurrent Findings the state Legislature; and,

11 **WHEREAS**, the California Department of Industrial Relations has issued regulations related to
12 COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of
13 Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the
14 measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel
15 more than six feet, especially indoors; and,

16 **WHEREAS**, the Board of Supervisors Planning Committee (BOSPC) finds that state or local
17 officials have imposed or recommended measures to promote social distancing, based on the California
18 Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title
19 8 of the California Code of Regulations, Section 3205(5)(D); and,

20 **WHEREAS**, as a consequence, the Board of Supervisors Planning Committee (BOSPC) does
21 hereby find that it shall conduct its meetings by teleconferencing without compliance with Government
22 Code section 54953 (b)(3), pursuant to Section 54953(e), and that such legislative bodies shall comply with
23 the requirements to provide the public with access to the meetings as prescribed by Government Code
24 section 54953(e)(2).

25 ///

26 ///

27 ///

28 ///

1 **NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by the Board of
2 Supervisors Planning Committee (BOSPC) , County of Tuolumne, State of California, in regular session
3 assembled on July 21, 2022 does hereby resolve as follows:

4 Section 1. Recitals. All of the above recitals are true and correct and are incorporated into this
5 Findings by this reference.

6 Section 2. State or Local Officials Have Imposed or Recommended Measures to Promote Social
7 Distancing. The Board of Supervisors Planning Committee (BOSPC) hereby proclaims that state officials
8 have imposed or recommended measures to promote social (physical) distancing based on the California
9 Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title
10 8 of the California Code of Regulations, Section 3205(5)(D).

11 Section 3. Remote Teleconference Meetings. The Board of Supervisor Planning Committee
12 (BOSPC) is hereby authorized and directed to take all actions necessary to carry out the intent and purpose
13 of these Findings including, conducting open and public meetings in accordance with Government Code
14 section 54953(e) and other applicable provisions of the Brown Act.

15 Section 4. Effective Date. These Findings shall take effect immediately upon its adoption and
16 shall be effective until the earlier of (i) December 13, 2021, or (ii) such time the Board of Supervisors
17 Planning Committee (BOSPC) adopts a subsequent Findings in accordance with Government Code section
18 54953(e)(3) to extend the time during which its legislative bodies may continue to teleconference without
19 compliance with Section 54953(b)(3).

20 ADOPTED this 21st day of July, 2022 by Board of Supervisors Planning Committee (BOSPC), by
21 the following vote:

22
23 YES:

24 NO:

25 ABSENT:

26 ABSTAIN:



Title 17 Update Policy Discussion

BOSPC
July 19, 2022

Status Report

1. Comments distributed
2. Handling “policy” issues – BOS input
3. Draft track changes to County Counsel
4. Drafts back from County Counsel
5. Final internal review
6. Planning Commission and Board of Supervisors

Discussion for Today

1. Minimum parcel size in R-1 zoning
2. “Formulaic Retail”
3. Camping/Glamping/Farm Stay
4. Other topics?

R-1 Zoning Minimum Size

- Comments to reduce the minimum size in the R-1 zoning
- Minimum parcel size is currently 7,500 square feet
 - Suggestion to reduce to 6,000 or 5,000 (BOSHPC)
- Parcels 1/3 acre or less in size require public water and sewer

Minimum Parcel Sizes

- Changing the code will apply to ALL of R-1 lots

Zoning	Number of Parcels
All R-1 Parcels including R-1 & other zoning	17,350
R-1 Parcels greater than 10K sq. ft	12,500
R-1 Parcels >10K sq. ft and within 300 feet of TUD water utility line	9,598

- Ways to currently achieve smaller parcel sizes
 - SB 9
 - Planned Unit Development

Senate Bill 9

- A proposed housing development containing no more than two residential units within a SF zone shall be considered ministerial, if:
 - Parcel is located within the boundaries of an urbanized area or urban cluster, as designated by the Census.
 - Parcel is not on prime farmland; wetlands; within a very high fire hazard severity zone (within some exceptions); a hazardous waste site; within a delineated earthquake fault zone; within a 100-year flood zone; within a regulatory floodway; habitat for protected species; or under a conservation easement.

Eligible Parcels

Zoning	Number of Parcels
All R-1 Parcels including R-1 & other zoning	17,350
R-1 Parcels greater than 10K sq. ft	12,500
R-1 Parcels >10K sq. ft and within 300 feet of TUD water utility line	9,598

All Parcels Eligible for SB 9	16,146
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Estimated parcel numbers...do not consider all factors

Planned Unit Development

- height limitations
- floor area ratio
- parking requirements
- Location, width and improvements of vehicular and pedestrian facilities
- landscaping
- construction of fences
- walls and lighting design
- arrangement and spacing of buildings
- location and size of off-street loading areas and docks
- architectural design of structures and signs
- size of parcels
- configuration of parcels
- width of easement

Other Considerations

- SB 9 allows increased density in certain areas
 - Must consider fire hazard rating if change is global across County
- PUD can allow increased density on a case by case basis
 - Can mitigate for any fire hazard rating issues
- Do we want increased density in high/very high fire zones categorically?
- Growth inducing due to potential expanding infrastructure?
- Future lot splits/impacts – CEQA – road improvements

Pros of Reducing Size

- Topography and infrastructure limitations
- Allow for additional residential density
- Meet housing needs
- Affordability, especially for first time home buyers
- Increase possible lot number for new subdivisions
 - Cost effective development

Cons of Reducing Size

- Would require changes General Plan/EIR to address density increases
- Would be across the board-not just new development
- Increased traffic on neighborhood roads
- Additional density in high and very high fire zones
- Increased environmental impacts-drainage, oaks
- Existing areas with infrastructure issues
- Difficulty meeting setbacks/Same Practical Effect
- ADUs harder to fit on lot
- Defensible Space

Minimum Parcel Size

- Final recommendation on parcel size?

Formulaic Retail

- “A type of retail sales activity or retail sales establishment defined for Tuolumne County as having eleven or more other retail sales establishments in operation, or with local land use or permit entitlements already approved, located anywhere in the world. In addition to the eleven or more other retail sales establishments located in the World, maintains two or more of the following features: a standardized array of merchandise, a standardized facade, a standardized decor and color scheme, a uniform apparel, standardized signage, or a trademark or a service mark..”
- Want to include this definition?
- Does this set up a different process for qualifying businesses?

Pros of Formulaic Retail

- Ensure uses compatible with Tuolumne County development
 - Rural and historic
 - Tourism
- Maintain uniqueness and diversity of retail
- Clear support for to non-chain (local?) business

Cons of Formulaic Retail

- Only regulating certain businesses
- Chain stores may choose not to develop in TC
- Chain stores typically offer lower prices to consumer
- Difficult to enforce once business open
- Limit to growth and job generation in the County
- Question of regulating type of business?

Camping/Glamping

- Significant increase in requests for camping on private property
- In conjunction with weddings, events, other services
- Campgrounds of any size regulated by Housing and Community Development
- Feedback on potential issues with expanding camping on RE properties