



## City of Sonora

Community Development Department  
94 N. Washington Street  
Sonora, CA 95370  
(209) 532-3508  
(209) 532-3511 *fax*  
[www.sonoraca.com](http://www.sonoraca.com)

**DATE:** December 3, 2018  
**TO:** Honorable Mayor and City Council Members  
**FROM:** Rachele Kellogg, Community Development Director  
**SUBJECT:** Ordinance 851 Microbrewery

---

### **RECOMMENDATIONS:**

City Staff recommends that the City Council approve the following:

- 1) Introduce by title Ordinance No. 851, Microbrewery, and waive the first reading.

### **BACKGROUND:**

Under Title 17 of the Sonora Municipal Code microbreweries are not allowed either by right or through a Use Permit process. The City received an application from Thomas Silva owner of Type One Brewery, and Lighthouse Deli, requesting a text amendment to the City's Title 17, Zoning Ordinance, to allow a microbrewery at his 28 S. Washington Street location.

### **DISCUSSION:**

Small craft breweries are a growing part of the beverage industry. Similar to wine and other liquor tastings, this is a growing tourist type of facility that currently is not addressed as a Use under the Sonora Municipal Code. Since the configuration of this type of facility can vary in both size and purpose (with food or without and indoor /outdoor seating), it is recommended that this Use be allowed by Use Permit in the non-residential districts. This would enable the Planning Commission to evaluate the proposed facilities and their appropriateness for a given location. The proposed text amendment under Ordinance No. 851 allows a microbrewery in the Commercial (C), Administrative and Tourist (CO), General Commercial (CG) and Light Manufacturing (ML) zoning districts with a Use Permit.

At their November 13, 2018 Planning Commission Meeting, Commissioners reviewed the ordinance and approved Resolution No. 11-13-2018-A recommending to the Sonora City Council approval of an ordinance as described within the attached Resolution and included within Ordinance No. 851.

In the adoption of an ordinance by the City Council, the Sonora Municipal Code provides the Council the following options:

1. Adopt the Ordinance
2. Reject the Ordinance
3. Amend the Ordinance
4. Refer the Ordinance back the Planning Commission for further consideration

### **CEQA DETERMINATION:**

The Text Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) - General Rule.

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City Council of the City of Sonora City will conduct a public hearing at 5:00 PM, or shortly thereafter, on the 3rd day of December, 2018, in the Sonora City Council Chambers, 94 North Washington Street, Sonora, CA for the purpose of considering the following:

- 1. Microbrewery – Code Amendment.** An ordinance to amend the Sonora Municipal Code, amending Section 17.60.040, Uses permitted in specific zones, to permit a microbrewery in the C, CG, CO and ML Zones through a use permit; amending Chapter 17.04, Definitions, to add Section 17.04.178, Microbrewery. At its meeting of November 13, 2018, the City of Sonora Planning Commission held a public hearing on said code amendment. Subsequent to the hearing, the Commission voted to recommend approval by the City Council of said ordinance.

The above project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) – General Rule.

At the above time and place, all persons interested in the above, either for or against, will be given the opportunity to be heard. Pursuant to State law, challenges in court to actions on the above proposal may be limited to issues raised at public hearings or meetings conducted on the matter, or in correspondence submitted at, or prior to, the hearing or meeting.

The project staff reports and all supporting documents are available for review at the City of Sonora Community Development Department, 94 North Washington Street, Sonora CA 95370 Monday through Friday, between the hours of 8:00 AM and 4:00 PM. Notification of at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to insure accessibility to this meeting (28CFR35.102-35.104ADA Title II). Questions regarding the project may be directed to Community Development Director Rachelle Kellogg at (209) 532-3508.

Rachelle Kellogg  
Community Development Director

-v-

Publication Date: November 23, 2018

The Union Democrat  
Sonora, CA

**ORDINANCE NO. 851**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONORA  
Microbrewery**

**Amending Section 17.60.040, Uses permitted in specific zones, to permit a  
microbrewery in the C, CG, CO and ML Zones through a use permit; and  
amending Chapter 17.04, Definitions, adding Section 17.04.178,  
Microbrewery.**

The City Council of the City of Sonora does hereby ordain as follows:

SECTION ONE: Amend Chapter 17.60 Uses Permitted by Use Permit as follows:

**17.60.040 Uses permitted in specific zones.**

The following uses may be permitted in the zones indicated in this section upon granting of a use permit:

S. Microbrewery in the C, CG, CO and ML zones.

SECTION TWO: Amend Chapter 17.04 Definitions as follows:

**Sections:**

**17.04.178 Microbrewery.**

**17.04.178 Microbrewery.**

“Microbrewery” means a brewery that produces no more than 15,000 barrels of ales, beers, meads, hard ciders, and / similar beverages on-site per year, in keeping with the regulations of the Alcohol Beverage Commission and Bureau of Alcohol, Tobacco, Firearms and Explosives and other applicable state and local requirements. [Ord. 851, 2018]

This Ordinance shall take effect thirty (30) days after its passage and shall be published within (15) days after its final passage as required by law.

Said Ordinance was introduced at a regular meeting of the City Council of the City of Sonora held on December 3, 2018, and passed and adopted as an Ordinance of said City at a regular meeting of said Council held on December 17, 2018, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT OR ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
James M. Garaventa, Mayor

ATTEST:

\_\_\_\_\_  
Marijane Cassinetto, City Clerk

Approved as to Form:

\_\_\_\_\_  
Douglas L. White, City Attorney

Publish:       The Union Democrat, Sonora  
\_\_\_\_\_, 2018

# PLANNING COMMISSION RESOLUTION

---

## RESOLUTION NO. 11-13-2018-A

### A RESOLUTION RECOMMENDING TO THE SONORA CITY COUNCIL approval of an ordinance amending Chapter 17, Zoning Ordinance of the Sonora Municipal Code, Section 17.60, Uses Permitted by Use Permit and Section 17.04, Definitions

**WHEREAS**, the City of Sonora Planning Commission is officially formed by Chapter 2.32 of the Sonora Municipal Code (SMC); and,

**WHEREAS**, Section 2.32.010 of the SMC states that the purpose of the Planning Commission is to promote and insure the comprehensive and adequate planning of the City, and Section 2.32.080(B) of the SMC prescribes that the Planning Commission investigate and make recommendations to the City Council upon reasonable and practicable means for putting the general plan into effect, in order that it will serve as a pattern and guide for the orderly physical growth and development of the City; and

**WHEREAS**, zoning is one of the primary means for promoting the comprehensive and adequate planning of the City and for implementing the general plan; and

**WHEREAS**, at its regular meeting conducted on November 13, 2018, the Planning Commission conducted a public hearing to consider the Text Amendment to Chapter 17, Zoning Ordinance of the Sonora Municipal;

**NOW, THEREFORE, BE IT RESOLVED THAT THE SONORA PLANNING COMMISSION HEREBY RECOMMENDS to the Sonora City Council adoption, by ordinance, Text Amendments to Chapter 17, Zoning Ordinance of the Sonora Municipal Code, Section 17.60 Uses Permitted by Use Permit and Section 17.04 Definitions contained in the Attached Ordinance based on the following findings:**

The proposed rezoning:

- A. Is consistent with the objectives, policies, general land uses and programs specified in the General Plan;
- B. Is in conformity with public convenience, general welfare and good land use practice;
- C. Will not be detrimental to the health, safety and general welfare;
- D. Will not adversely affect the orderly development of property or the preservation of property values; and
- E. The project has been reviewed in compliance with CEQA and is exempt from further review pursuant to the California Environmental Quality Act.

PASSED AND ADOPTED as a resolution by the Sonora Planning Commission on this 13th day of November 2018, by the following vote:

Members of the Commission:

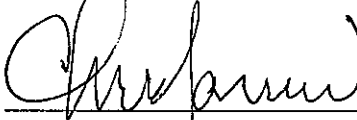
AYES: Garnin; Richardson; G. Anderson; K. Anderson

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

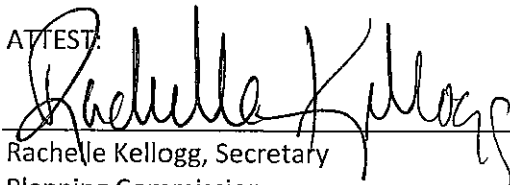
ABSTAIN: \_\_\_\_\_

SIGNED:



Chris Garnin, Chair  
Planning Commission

ATTEST:



Rachelle Kellogg, Secretary  
Planning Commission

---

**ORDINANCE NO.**  
**11.13.18 DRAFT**

**SECTION ONE:** Amend Section 17.60 Uses Permitted by Use Permit as follows:

17.60.040 Uses permitted in specific zones.

The following uses may be permitted in the zones indicated in this section upon granting of a use permit:

S. Micro-brewery in the C, CG, CO and ML zones.

**SECTION TWO:** Amend Section 17.04 Definitions as follows:

17.04 Definitions.

**17.04.178 Micro-brewery**

"Micro-brewery" means a brewery that produces no more than 15,000 barrels of ales, beers, meads, hard ciders, and / similar beverages on-site per year, in keeping with the regulations of the Alcohol Beverage Commission and Bureau of Alcohol, Tobacco, Firearms and Explosives and other applicable state and local requirements.