

CITY OF AMADOR CITY

AGENDA OF THE REGULAR MEETING OF THE CITY COUNCIL

TUESDAY, MARCH 15, 2022, 7:00 p.m.

This will be a hybrid meeting – in person at the City Hall

SPECIAL NOTICE

Pursuant to Paragraph 11 of Executive Order N-25-20, executed by the Governor of California on March 12, 2020, as a response to mitigating the spread of coronavirus known as COVID 19; and Resolution 590 passed by the City Council of Amador City on October 19, 2021, during the March 15, 2022, meeting of the City Council of Amador City California, Council Members and members of the public will be allowed to join via Zoom. See Zoom information on separate page.

As of August 2, 2021, the State of California requires masks for unvaccinated people and recommends masks for everyone in indoor settings, including local government offices. Therefore, we respectfully request that you wear a mask if you attend this meeting in person.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda, Minutes of February 15, 2022, meeting and Financial Statements
5. Public Matters Not on agenda -Discussion items only, no action to be taken. Any person may address the council at this time on any subject matter within the jurisdiction of the Amador City Council. Any item that requires action will be deferred to a subsequent council meeting. Five-minute time limit. Members of the public wanting to address the Council, either during public comment or for a specific agenda item, or both are requested to send an email notification no later than 6:00 p.m. on the day of the meeting to city.clerk@amador-city.com. Public comment should identify the agenda item it seeks to address and be limited to 300 words or less. Public comment will be read at the time such agenda item it references is called.
6. Public Comment
7. Public Hearing
 - A. LaVigna-Jeffries Variance-Resolution #598
 - B. Sewer Study Update
 - C. Park Ad Hoc Committee Update
 - D. Short-Term Rental Ad Hoc Committee Update
 - E. Powder House Update
 - F. Permit Tracking

G. Committees: ARSA, Air, ACRA, Culbert Park, Design Review, ACTC/RTMF, LAFCO, Homeless, BNB/VRBO, Museum, Cemetery, Maintenance, Powder House, Fire

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, then please contact Joyce Davidson at (209) 890-6284 or e-mail city.clerk@amador-city.com. Requests must be made as early as possible, and at least two full business days before the start of the meeting.

CITY OF AMADOR CITY

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL

TUESDAY February 15, 2022 7:00 p.m.

This will be a hybrid meeting – in person at the Community Center in the City Hall

SPECIAL NOTICE

Pursuant to Paragraph 11 of Executive Order N-25-20, executed by the Governor of California on March 12, 2020, as a response to mitigating the spread of coronavirus known as COVID-19, during the January 18, 2022, meeting of the City Council of Amador City, California members of the public will be allowed to join Zoom Meeting.

Zoom information – see next page.

As of August 2, 2021, the State of California requires masks for unvaccinated people and recommends masks for everyone in indoor settings, including local government offices. Therefore, we respectfully request that you wear a mask if you attend this meeting in person.

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call – Kel-Artinian, Bragstad, Robinson, Marks, Smith present**
- 4. Approval of Agenda, Minutes of January 18, 2022, meeting and Financial Statements – Smith moved, 2nd by Bragstad, approved as to agenda. Financial Statements – Bragstad moved, 2nd by Smith, approved as to financials.**
- 5. Public Matters Not on the Agenda – Discussion items only , no action to be taken. Any person may address the council at this time on any subject matter within the jurisdiction of the Amador City Council. Any item that requires action will be deferred to a subsequent council meeting. Five-minute time limit – Another fire was reported on the Gornet property,**

Members of the public wanting to address the Council, either during public comment or for a specific agenda item, or both, are requested to send an email notification no later than 6:00 p.m. on the day of the meeting to city.clerk@amador-city.com . Public comment should identify the agenda item it seeks to address, and be limited to 300 words or less. Public comment will be read at the time such agenda item it references is called.

- 6. Public Comment**
- 7. Public Hearing**
 - A. City Attorney Resignation – Letter of resignation received from city attorney, Greg Wayland.**
 - B. City Wide Wild Fire Safety Meeting to be held in Community Center with Dominic Moreno, Feb. 26, 10 a.m. to 12 p.m.**
 - C. Resolution #598 – Approving Variance for APN008-283-002 – Lavigna and Jefferies – One neighbor present with protest. No vote taken.**
 - D. Encroachment Permit Application Revision – Smith moved, 2nd by Robinson, approved unanimously.**
 - E. Permit Tracking Form – Discussion only**

- F. City Planning Discussion – Discussion only -Susan Peters was suggested as a possible Planner for Amador City. Vice Mayor Bragstad will discuss with Susan Peters.
- G. ACBCA Proposal – Discussion only – Mayor Kel-Artinian suggested taking just two items at a time for possible action.
- H. City Hall Park Update – Suggested park be divided into two areas, one for children and one for adults which would include a basketball court.
- I. Short Term Rental Committee Update – Names submitted for Committee: Mrs. A. Lyons, Mr. R. Brusatori, Mrs. Jillian Wittman, Councilman Marks.

- J. Committees: ARSA-Will meet soon; Air-Fed money, \$16,000; ACRA-After School Pilot Program approved, April 9 run, BBQ at SC Fire Station; Culbert Park-Nothing; Design Review-Nothing; ACTC/RTMF-Regional Walking & Biking Path, mark up map being developed; LAFCO-Jan. meeting cancelled; Homeless –Nothing; BnB/VRBO-discussed earlier in meeting; Museum-Nothing; Cemetery-Advice from arborist Oak Tree should be removed; Maintenance- Jeff Campbell to install Speed Signs, repair broken signs and install speed bumps; Powder House-Getting close of finalizing; Fire-Feb. 26 meeting with Chief Moreno, green waste bin at S.C. Fire Station.

Meeting adjourned 8:48 p.m.

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RESOLUTION NO. #598

**A Resolution of the City Council of the City of Amador City, California
Approving Variance for APN 008-283-002
10630 Fremont Mine Road**

WHEREAS, application for side yard setback reduction has been received from James Lavigna and Dorianne Jefferies in accordance with Chapter 17.76.020 of the City Code; and

WHEREAS, application has been reviewed by the City Engineer, Planner, Building Official and found to be complete in accordance with City Code; and

WHEREAS, side yard set-back variance is “minor alterations in land use limitations” and is categorically exempt pursuant to Section 15305 of the California Code of Regulations, Title 14, Chapter 3; and

WHEREAS, yard variance to accommodate appurtenant residential construction is consistent with the General Plan and City Code of Amador City; and

WHEREAS, City Council acts on Variance Requests pursuant to Chapter 17.76 of City Code; and

WHEREAS, application for side yard variance has been noticed as required by City Code and public testimony heard by the City Council, and

WHEREAS, Staff Report and public testimony were received and duly considered; and

WHEREAS, Findings A-D of Staff Report have been made in support of front yard setback variance.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Amador City does hereby approve side yard set-back to allow existing structure to remain on APN 008-283-002; and

BE IT FURTHER RESOLVED variance is applicable only to existing appurtenant, and subject to conditions 1, 2, and 3 of Staff Report.

The foregoing resolution was duly passed and adopted by the City Council of the City of Amador City at a regular meeting on the 15th day of March 2022.

AYES:
NOES:
ABSENT:
ABSTAIN:

CITY OF AMADOR CITY

Mayor

ATTEST:

City Clerk


DEC 30 2021

CITY OF AMADOR CITY

MEMORANDUM

*Check # 123
dttd 1-6-22
\$350# - Variance
fee received
1-23-22*

TO: City Council

FROM: City Planner 

RE: Lavigna-Jefferies Variance Request
10630 Fremont Mine Road, Amador City
APN 008-283-002

DATE: December 22, 2021

BACKGROUND

Applicants built a detached deck with arbor adjacent to their Single-Family Dwelling without the benefit of a Building Permit or Planning Approval. The deck as constructed encroaches into the required 5' side yard setback as it is built right on the property line (i.e. no setback). The arbor is built with one of its four support posts 3' from the property line, encroaching 2' into the required 5' setback. Work was complete when discovered by the Building Official.

ISSUE

Normal process for dealing with building violation of this type requires permit issuance with a double permit fee and correction of any building violations. City Code typically requires a setback of 5 feet from the side property line for any structure in a residential zone. To allow a permit to be issued for construction of the existing deck with arbor, a variance must be granted pursuant to Chapter 17.76, "Variances and Zone Changes," of the City Code. This requires findings by the City Council that A, B, C, and D of Section 17.76.030, "Necessary Conditions," exist:

- A. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone and vicinity;

- B. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or vicinity in which the property is located;
- C. That such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by other property in the same zone and vicinity;
- D. That the granting of such variance will not adversely affect the comprehensive general plan.

CONSIDERATIONS

Since the applicant's request is to allow the deck with arbor to remain as constructed, the question becomes whether allowing the structure to remain with the reduced side yard setback ... "assure that the spirit and purpose of this title (i.e. Chapter 17.76)..." be observed, public safety and welfare secured, and substantial justice done.

The deck and arbor design has been approved through the design review process.

There are examples of similar construction in the City.

Failure to grant the variance will require removal of improvements in the 5-foot side yard area.

RECOMMENDATION

Subject to testimony heard or written received at City Council meetings, the City Council could make the required findings and conditionally grant a reduced side yard setback variance. Conditions A, B and C are key in this application.

Recommended conditions, should the variance be granted, are:

1. No portion of the structure, including roof overhang, shall extend beyond the property line.
2. Applicant shall secure building permit with plan view and notes that reference these conditions within 30 days of Variance approval.
3. Applicant shall pay double permit fee as set forth in California Building Code.

Action Required

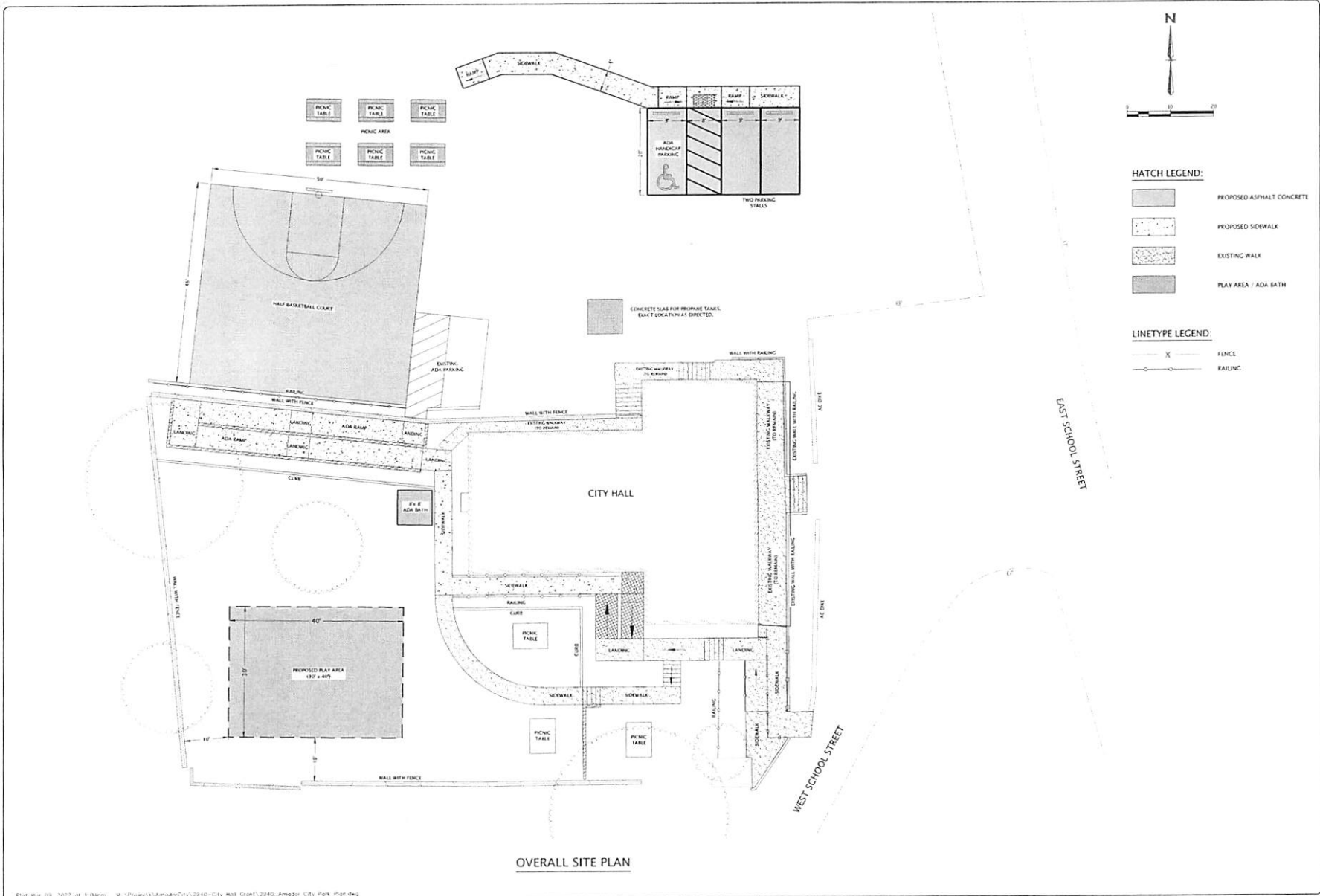
City Council may:

- A. Continue or deny application by minute order
- B. Approve by resolution

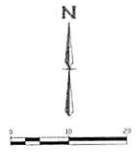
City Building Official will attend City Council Meeting to further address this issue should it be needed.

A draft resolution is attached, should Council approve the variance.

cc Gregory Wayland, City Attorney
Joyce Davidson, City Clerk



OVERALL SITE PLAN



- HATCH LEGEND:**
- PROPOSED ASPHALT CONCRETE
 - PROPOSED SIDEWALK
 - EXISTING WALK
 - PLAY AREA / ADA BATH
- LINETYPE LEGEND:**
- FENCE
 - RAILING

REV. NO.	DESCRIPTION	REV. DATE	BY

WEBA WEBER, GHIO ASSOCIATES
 civil engineering consultant
 314 E. SAINT CHARLES ST. | PO BOX 231 | SAN ANTONIO, CA 95249
 (505) 751-1624

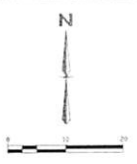
AMADOR CITY PARK
 AMADOR CITY
 AMADOR COUNTY CALIFORNIA



PRJ. No.:	2940
DATE:	03/09/2022
SCALE:	AS SHOWN
DRAWN BY:	DMV
CHECKED BY:	MSO

C1
 SHT. 1 of SHT. 1

Plot: Mar 09, 2022 at 1:04pm \\p\projects\Amador\City\2940-City Hall\Draw\2940_Amador_City_Park.dwg



- HATCH LEGEND:**
- PROPOSED ASPHALT CONCRETE
 - PROPOSED SIDEWALK
 - EXISTING WALK
 - PLAY AREA / ADA BATH

- LINE TYPE LEGEND:**
- FENCE
 - RAILING

REV. NO.	DATE	DESCRIPTION	REV. DATE	BY

WEA WEBER, GHIO ASSOCIATES
 civil engineering consultant
 314 E. SAINT CHARLES ST. | P.O. BOX 251 | SAN ANGELES, CA 76784
 (817) 754-1824

AMADOR CITY PARK
 AMADOR CITY
 AMADOR COUNTY
 CALIFORNIA



PRJ. No.: 2940
 DATE: 03/09/2022
 SCALE: AS SHOWN
 DRAWN BY: DMV
 CHECKED BY: MSO

C1
 SHT. 1 of SHT. 1

OVERALL SITE PLAN

Plot Mar 09, 2022 at 1:04pm W:\Projects\Amador\City\2940-City Hall Grant\2940_Amador City Park Plan.dwg

