



Planning Commission Meeting Agenda

Monday, August 10, 2026 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

The Agenda can be found on the City's Website: www.cityofsuttercreek.org

You can also watch the meeting on Zoom (please note Zoom participation is only available for viewing.

<https://us02web.zoom.us/j/81391466458?pwd=4jXmBm1AP5bEbiID3iDwuxk4GpreRY.1>

Or Dial by phone: 301 715 8592 Webinar ID: 816 8589 0182 Passcode: 186036

Unless stated otherwise on the agenda, every item on the agenda is exempt from review under the California Environmental Quality Act ("CEQA") per CEQA Guidelines Sections 15060(c), 15061(b)(3), 15273, 15378, 15301, 15323 and/or Public Resources Code Section 21065.

1. Call to Order and Establish a Quorum for Regular Meeting

2. Pledge of Allegiance to the Flag

3. Public Forum

Discussion items only, no action to be taken. Any person may address the Commission at this time upon any subject within the jurisdiction of the Planning Commission; however, any matter that requires action may be referred to staff and/or Committee for a report and recommendation for possible action at a subsequent meeting. Please note – there is a five (5) minute limit per topic.

4. Consent Agenda

Items listed on the consent agenda are considered routine and may be enacted in one motion. Any item may be removed for discussion at the request of the Commission or the Public.

A. [Planning Commission Minutes of July 8, 2026](#)

[*Recommendation: Approval of Minutes*](#)

B. [Sign Permit- 460 Highway 49, Suite H Smylie's Barber Lounge](#)

[*Recommendation: Approval of Sign Permit.*](#)

5. Public Hearings

None.

6. Adjournment



Planning Commission - Special Meeting Minutes

Wednesday, July 08, 2026 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

The Agenda can be found on the City's Website: www.cityofsuttercreek.org

1. Call to Order, Roll Call, and Establish a Quorum for Regular Meeting

The meeting was called to order at 6:00 p.m.

PRESENT: Chair Lucy Mulvey, Vice Chair Thomas Baggett, Commissioner Meredith Hansen, and
Commissioner Michael Kirkley

ABSENT: Commissioner Robert Trudgen

STAFF: City Manager DuBois, Contract City Planner Erin Ventura and Interim City Clerk Alejandra Zambrano

2. Pledge of Allegiance to the Flag

Chair Mulvy led the Pledge of Allegiance.

3. Public Forum

No public comment on items not on the agenda.

4. Consent Agenda

A. Planning Commission Minutes of May 11, 2026

Recommendation: Approval of Minutes

Motion made by Commissioner Kirkley, seconded by Commissioner Hansen to adopt planning commission minutes of May 11, 2026.

AYES: Mulvey, Baggett, Hansen, Kirkley

NOES: None

ABSENT: Trudgen

ABSTAIN: None

MOTION PASSED 4-0-1

5. Public Hearings

Chair Mulvey opened the public hearing and requested Commissioner disclosures. Contract City Planner Ventura presented the staff report. Representatives of Sutter Creek Responsible and Compliant Retail LLC DBA Embarc provided an overview of the proposed retail cannabis project.

Chair Mulvey opened the public hearing for public comment.

The following individuals provided public comment: Lisa Barad, Robert Allen, Brian Comnes, Craig Lambert, Glen Spitzer, Martin Ryan, Peter Gale, Tom Cohness, Patricia Sedga, Ron Houck, Pete Jensen, Josh Little, Susan Ross, Chris Garcia, Al Biers, Suzane Houk, X Vierges, and Stacey Tyler.

The applicant's representative responded to questions and concerns raised during public comment regarding youth access, community impacts, and the operation of the proposed regulated cannabis business.

Chair Mulvey closed the public hearing.

During Commission deliberations, Commissioner Kirkley discussed the availability of cannabis and the benefits of a regulated cannabis market. Vice Chair Baggett discussed responsible cannabis use and personal responsibility. Commissioner Hansen shared her perspective as a Registered Nurse and discussed comparative public health concerns related to cannabis and other substances while acknowledging concerns regarding the proposed location. Chair Mulvey discussed cannabis regulation, community impacts, and opportunities for community involvement. The applicant's representative responded by discussing the establishment of a community advisory board composed of local volunteers and provided examples of similar programs in other jurisdictions.

City Attorney Derek Cole explained the rationale for drafting the proposed Zoning Ordinance Amendment to permit one retail cannabis business at a time based on local market conditions and to allow the City an opportunity to evaluate the use before considering future amendments. Mr. Cole further explained the required findings supporting the project's categorical exemption under the California Environmental Quality Act (CEQA).

Motion: Commissioner Kirkley moved, and Vice Chair Baggett seconded, to recommend that the City Council:

1. Find that the proposed Zoning Ordinance Amendment and Development Agreement are categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities) and Section 15061 (b)(3) (Common-Sense Exemption) ;
2. Adopt a Zoning Ordinance Amendment allowing exactly one (1) retail cannabis business within the City of Sutter Creek, subject to the conditions of the Development Agreement and Conditional Use Permit; and

3. Approve the Development Agreement with Sutter Creek Responsible and Compliant Retail LLC DBA Embarc.

Prior to the vote, Chair Mulvey requested that staff review and provide recommended revisions to the Development Agreement for City Council consideration regarding the drug education program language, Section 6.1.1 relating to retail fee payments, and Section 7.1.1 relating to the timing of certified reports and payments. The motion maker and second accepted the amendment directing staff to address these items and present any recommended revisions to the City Council.

AYES: Mulvey, Baggett, Hansen, Kirkley

NOES: None

ABSENT: Trudgen

ABSTAIN: None

MOTION PASSED 4-0-1

Chair Mulvey discussed Condition No. 27 of the Conditional Use Permit regarding delivery limitations and recommended revising the condition to provide that the number of delivery trips shall be in accordance with State law.

Motion: Vice Chair Baggett moved, and Chair Mulvey seconded, to:

1. Find that the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301 (Class 1 – Existing Facilities and Section 15061 (b)(3) (Common-Sense Exemption) ; and
2. Approve, with conditions, the Site Plan Permit, Conditional Use Permit, and Sign Permit for Sutter Creek Responsible and Compliant Retail LLC DBA Embarc at 11 Ridge Road for one retail cannabis business with delivery services, contingent upon City Council approval of the Zoning Ordinance Amendment and Development Agreement.

The motion included a modification to Condition No. 27 to provide that the number of delivery trips shall be in accordance with State law.

AYES: Mulvey, Baggett, Hansen, Kirkley

NOES: None

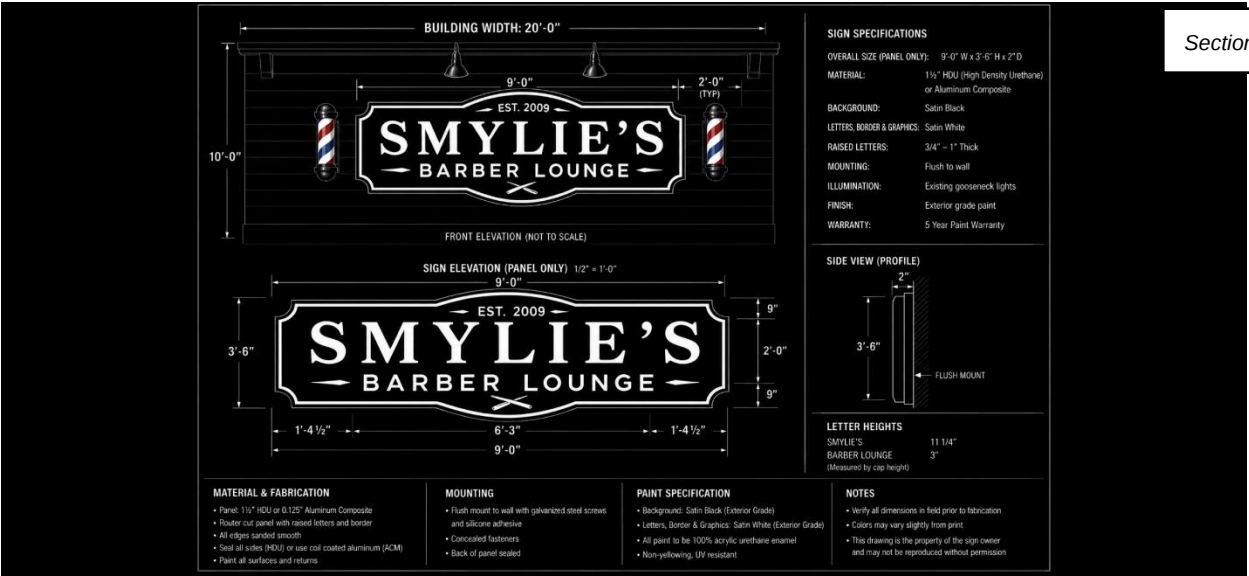
ABSENT: Trudgen

ABSTAIN: None

MOTION PASSED 4-0-1

6. Adjournment

Chair Mulvey adjourned the meeting at 8:28 p.m.



STAFF REPORT

TO: PLANNING COMMISSION

MEETING DATE: AUGUST 10, 2026

FROM: ERIN VENTURA, PLANNING CONSULTANT

SUBJECT: SIGN PERMIT APPROVAL
460 HIGHWAY 49, SUITE H- SMYLIES BARBER LOUNGE
APN 018-300-033

RECOMMENDATION:
Approve a sign permit application for 460 Highway 49, Suite H, Smylie’s Barber Lounge, for five (5) for a total square footage of 49.5 sf.

BACKGROUND:
Chris Symlie, from Smylie’s Barber Lounge, submitted an application for a Sign Permit (Exhibit A) for 460 Highway 49, Suite H, Sutter Creek.

See Table 1 for proposed sign checklist.

Table 1. Proposed Sign Checklist

Site	460 Highway 49 Suite H (018-300-033)
Building Plan	N/A
Lot Size	1.9 acres / 86,684 sq. ft.
Zoning	C-2 Commercial
General Plan Land Use Designation	Commercial
Main Street Historic District	No
Historic District	No
Building Frontage in Lineal Feet	Multiple frontages

Sign Preparer	Merzlak	Section 4, Item B.
Code Section	15.16 – Signs,	
15.16.070 – Signs in Historical District		
A. Frontage length: 24 feet	Proposed: 49.5 sq. ft., Allowed: Approximately 80 sq. ft.	
Property Owner Approval	Yes	

DISCUSSION:

The applicant is proposing to install 4 hanging signs on the four corners of the building and one large sign on the front of the building.

Section 4, Item B.

The location of the small hanging signs:



The sign as presented meets the Code requirements.

Table 2 Sign Specifications				
Sign Type	Measurements	Sq. ft.		Total sq. ft.
Black and white	1.5'x 3' = 4.5 sf 3.5'x 9' =	8 sf 31.5 sf	4 signs total Single sided	18 sf 31.5sf

			Total Square Feet	49.5 sf	Section 4, Item B.
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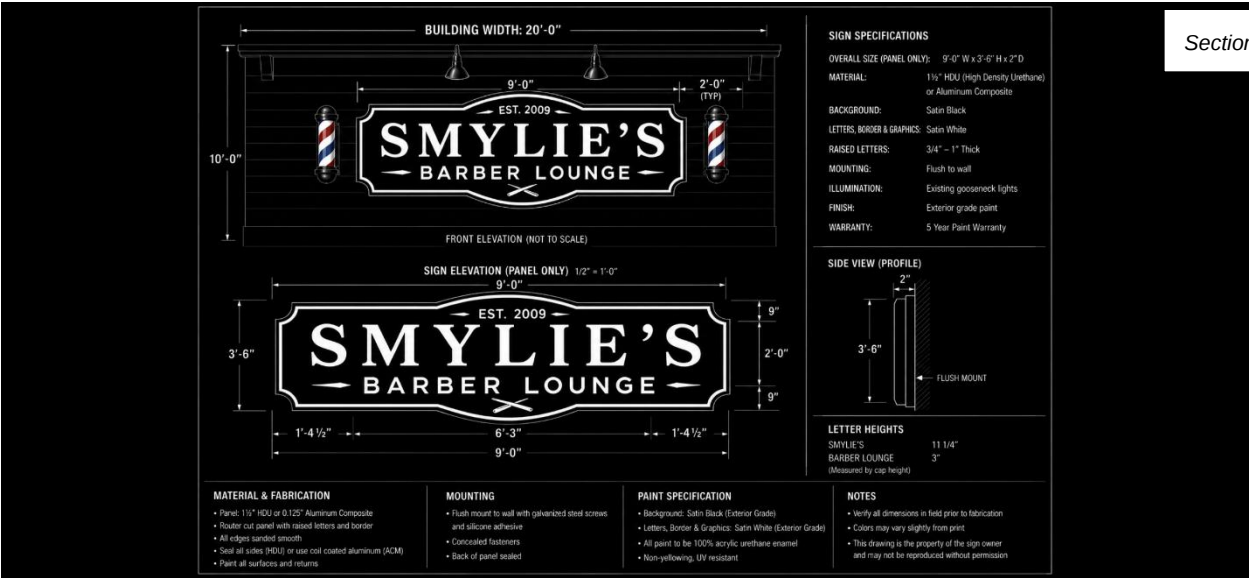
ENVIRONMENTAL:

The project is Class 11 CEQA exempt based on section 15311(a) On-premise signs. No further environmental review is required.

BUDGET IMPACT:

None.

* * * *



City of Sutter Creek
18 Main Street
Sutter Creek, CA 95685
209-267-5647
www.cityofsuttercreek.org

RECEIVED: 7/7/26

FEE PAID: \$100

Section 4, Item B.

Submission Requirements

1- Application*

2- Map*

3- Fees (Refer to current fee schedule. All Fees must be paid at City Hall)

*All documentaion must be submitted via the application portal on the City website

SIGN PERMIT APPLICATION

Page 1 of 9

Project Applicant: Chris Smylie

Project Address: 460 Highway 49 Suite H

Phone: 209 267-5144

Email: Smyliesbarberlounge@gmail.

APN: 018-300-033

Is this located in the Historic District? Yes ☐ No ☒

If yes, please see checklist for Design Review.

Is this located in the Historic Corridor? Yes ☐ No ☒

Commercial ☒ Industrial ☐

Property Owner:

Name: Summit Center Properties LLC

Phone: 209 304 5502

Mailing Address: 50 Church St

Email: _____

City: SUTTER CREEK

State: CA

Zip: 95685

Is this person the project contact? If not, please specify who the contact person is.

Name: JIM SWIFT

Mailing Address: 50 Church St Sutter Creek CA 95685

Phone: 209 304 5502

Email: _____

SIGNS TO BE PREPARED BY:

MerzIAK Signs

BUILDING FRONTAGE @ PRIMARY ENTRANCE:

22 Feet in LINEAL FEET

EXISTING SIGNS: TO BE UTILIZED FOR THIS BUSINESS: (INCLUDE NUMBER OF SIDES AND DIMENSIONS FOR EACH SIGN)

1 sided x 4 Signs Each sign 3' x 1.5'

PROPOSED SIGNS: FOR EACH PROPOSED SIGN ATTACH A SKETCH/PHOTO SHOWING THE FOLLOWING:

(CHECK EACH BOX UPON COMPLETION)

☒ Sign design: _____
(Attached lettering and graphics, drawn to scale)

☒ Type of Materials to be used Aluminum
(briefly describe)

☒ Total signage requested: 49.5 Sq.Ft.

☒ Method of attachment: Bolts

☐ Total allowable signage: _____ Sq.Ft.
(Per Sign Ordinance)

☐ Total number of sides: _____

☒ Location of sign(s): Front of Building
side of building

☒ Colors: Black & white
(Including letters, graphics, & background)

I hereby certify that I am the Owner of the business applying for this Sign Permit (or the Owner's authorized representative) and agree to abide by the requirements of the Sutter Creek Sign Ordinance as codified in Chapter 15.16 of the Sutter Creek Municipal Code.

APPLICANT'S SIGNATURE

DATE

PROPERTY OWNER SIGNATURE

DATE

PLANNING COMMISSION ACTION:

APPROVED: ☐

DENIED: ☐

MEETING DATE: