



Planning Commission Meeting Agenda

Tuesday, October 15, 2024 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

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

The City of Sutter Creek Planning Commission Meeting will be available via Zoom and in person.

Join Zoom meeting: <https://us02web.zoom.us/j/9568520224>

Please note: Zoom participation is only available for viewing the Commission meeting.

Public Comment will not be taken from Zoom

Or Dial by phone: 301-715-8592 | Meeting ID: 956 852 0224

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 September 9, 2024](#)
[Recommendation: Approval of Minutes](#)**
- B. [Sign Permit- 440 Highway 49 \(Mother Lode Deli\)](#)**

5. Administrative 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. [Discussion and direction of the appropriate development standards for a residential use within the C-2 zoning district](#)

6. Public Hearings

A. [CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL 85 BROAD STREET, SUTTER CREEK, APN 018-132-014](#)

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under Class 32 of the CEQA Guidelines; and
3. Adopt Resolution 24-25-* approving a Conditional Use Permit for Troy Fine to operate a Short-Term Rental at 85 Broad Street based on the proposed Findings and subject to the proposed Conditions of Approval.

B. [CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL 193 BADGER STREET, SUTTER CREEK, APN 018-121-021](#)

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under Class 32 of the CEQA Guidelines; and
3. Adopt Resolution 24-25-* approving a Conditional Use Permit for Douglas and Victoria Spainhower to operate a Short-Term Rental at 193 Badger Street based on the proposed Findings and subject to the proposed Conditions of Approval.

C. [Vesting Tentative Parcel Map 190 Fogarty Road/115 Amelia Street \(APN 018- 064-002, 018-063-014, 018-063-015\)](#)

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under 15061 (b)(3) of the CEQA Guidelines; and
3. Adopt Resolution 2024-2025-* approving Vest Tentative Parcel Map #2920 based on the recommended Findings and submitted to the recommended Conditions of Approval.

D. [Vesting Tentative Parcel Map #2925, 381, 383, and 385 Sutter Hill Road \(APN 180-314-026\)](#)

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under 15332 (Infill) CEQA Guidelines; and
3. Adopt Resolution 2023-2024-* Approving the Vesting Tentative Parcel Map #2925 based on the recommended Findings and subject to the recommended Conditions of Approval and subject to City Council approval of an exception to the Subdivision code 17.16.100.

E. [SITE PLAN PERMIT, BUSINESS PARK DRIVE AT RIDGE RD., JACKSON RANCHERIA DEVELOPMENT CORPORATION \(APNS 044-510-004/-028/-045\)](#)

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under 15332 (Infill) CEQA Guidelines; and
3. Adopt Resolution 22-23-*** approving a Site Plan Permit for the Jackson Rancheria Development Corporation to operate a RV Storage facility based on the proposed Findings and subject to the proposed Conditions of Approval for APNs 044-510-004, 044-510-028, 044-510-045.

7. Adjournment



Planning Commission Meeting Minutes

Monday, September 09, 2024 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

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

The City of Sutter Creek Planning Commission Meeting was available via Zoom and in person.

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

PRESENT

Chairman Mike Kirkley

Vice-Chairman Thomas Baggett

Commissioner Andrea Macon

Commissioner Lisa Ryan

ABSENT

Commissioner Athena Padilla-Gordon

2. Pledge of Allegiance to the Flag

Chairman Kirkley led the pledge.

3. Public Forum

City Planner Erin Ventura reported that the Broadmeadows appeal to the City Council was denied.

4. Consent Agenda

A. Planning Commission Minutes of July 8, 2024

Recommendation: Approval of Minutes

Motion made by Vice-Chairman Baggett, Seconded by Commissioner Ryan to Approve the Minutes of July 8, 2024, as presented.

Voting Yea: Chairman Kirkley, Vice-Chairman Baggett, Commissioner Macon, Commissioner Ryan

5. Public Hearings

- A. 1. Conduct a public hearing and receive public input, and
- 2. Find that the project is Categorically Exempt under Class 32 of the CEQA Guidelines; and
- 3. Adopt Resolution 24-25-* approving a Conditional Use Permit for Frank Meister and Suzanne Stebbins to operate a Short-Term Rental, in an Accessory Structure, at 335 Sutter Crest East based on the proposed Findings and subject to the proposed Conditions of Approval.

City planner Erin Ventura noted that if approved this would make 17 short term rentals in the city and that the City Council had directed staff to report back to them for further review when the number gets to 20.

Chairman Kirkley opened the Public Hearing at 6:09 p.m. there was no comment and the hearing was closed.

Motion made by Vice-Chairman Baggett, Seconded by Commissioner Macon to Adopt Resolution 24-25-11 approving a Conditional Use Permit for Frank Meister and Suzanne Stebbins to operate a Short-Term Rental, in an Accessory Structure, at 335 Sutter Crest East based on the proposed Findings and subject to the proposed Conditions of Approval, as presented.

Voting Yea: Chairman Kirkley, Vice-Chairman Baggett, Commissioner Macon, Commissioner Ryan

5. Reports- for information only

- A. City Planner

Staff presented a Planning Commission role refresher

The presentation can be viewed by following this link:

<https://www.cityofsuttercreek.org/media/9426>

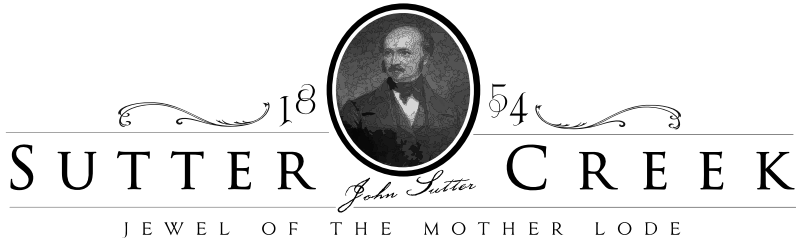
6. Adjournment

The meeting was adjourned at 6:27 p.m.

Mike Kirkley, Chairman

Karen Darrow, City Clerk

Date Approved:



STAFF REPORT

TO: PLANNING COMMISSION
MEETING DATE: October 15, 2024
FROM: ERIN VENTUA, PLANNIGN CONSULTANT
SUBJECT: SIGN PERMIT APPROVAL
440 Highway 49 (Mother Lode Deli)
APN 018-300-013

RECOMMENDATION:
 Approve, with conditions, the sign permit application for 440 Highway 49 (Mother Lode Deli).

BACKGROUND:
 Mother Lode Delo submitted an application for a Sign Permit (Exhibit A) for 440 Highway 49, Sutter Creek. They are requesting approval of a rooftop sign.

See Table 1 for proposed sign checklist.

Table 1. Proposed Sign Checklist

Site	440 Highway 49 (Mother Lode Deli) APN 018-300-013
Building Plan	N/A
Lot Size	1.37 acres/59,677 square feet
Zoning	C-2 Commercial
General Plan Land Use Designation	C- Commercial
Main Street Historic District	No
Historic District	No
Building Frontage in Lineal Feet	-----
Sign Preparer	Erik Peterson
Code Section	15.16 – Signs
15.16.080 – Signs in commercial and industrial zones	
A. Frontage length: 24 feet	Proposed: 27.7 sq. ft., Allowed: 46 sq. ft.
Property Owner Approval	Yes

DISCUSSION:

The sign as presented meets the Code requirements.

Section 4, Item B.

Table 2 Sign Specifications				
Sign Type	Measurements	Sq. ft.		Total sq. ft.
MDO/Aluminum	120"x 35" =	27.7	Single Sided	27.7
			Total Square Feet	27.7

ENVIRONMENTAL:

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

RECOMMENDATION:

Staff recommends that the Planning Commission approve the sign as presented with the condition that any approvals from CalTrans be obtained prior to installation.

BUDGET IMPACT:

None.

* * * *

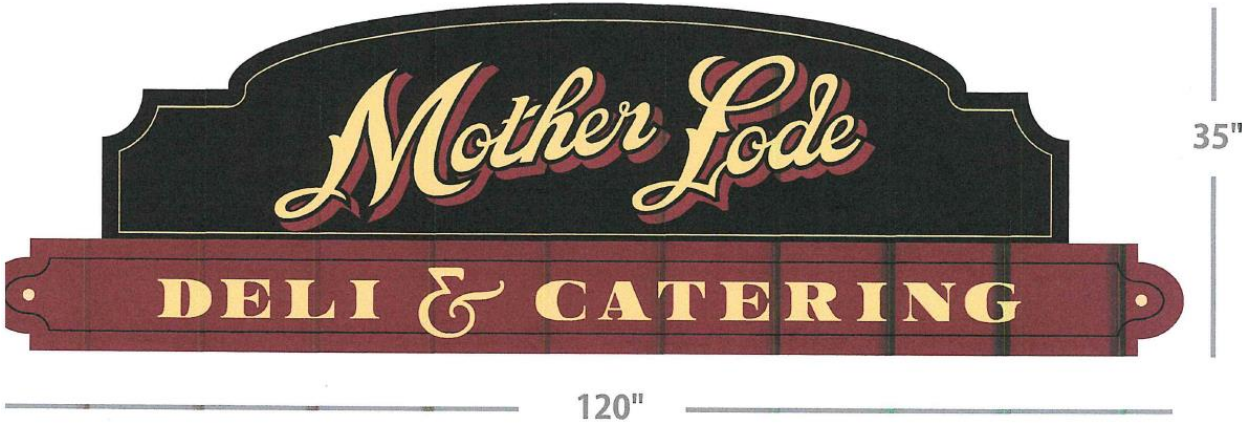
EXHIBIT A
440 Highway 49 SIGN APPLICATION

Section 4, Item B.

City of Sutter Creek 18 Main Street Sutter Creek, CA 95685 209-267-5647 www.cityofsuttercreek.org	RECEIVED: <u>9/30/24</u> FEE PAID: <u>\$100</u> CASH
Submission Requirements 1- Application* 2- Sketch or Image of Sign(s)* 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: <u>Heather Gardella</u>	
Project Address: <u>440 Hwy 49, Sutter Creek CA 95685</u>	
Phone: <u>209-304-4440</u>	Email: <u>motherlode.market@hotmail.com</u>
APN: <u>018-300-013</u>	Is this located in the Historic District? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, please see checklist for Design Review.
	Is this located in the Historic Corridor? Yes <input type="checkbox"/> No <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/>
Property Owner:	
Name: <u>Motherlode Deli</u>	Phone: <u>209-304-4440</u>
Mailing Address: <u>440 Hwy 49</u>	Email: <u>motherlode.market@hotmail.com</u>
City: <u>Sutter Creek</u> State: <u>CA</u>	Zip: <u>95685</u>
Is this person the project contact? If not, please specify who the contact person is.	
Name: <u>Randy Korsgaard</u>	
Mailing Address: <u>PO Box 1440, Sutter Creek</u>	
Phone: <u>209-290-2493</u>	Email: <u>ra112975@yahoo.com</u>
SIGNS TO BE PREPARED BY: <u>Erik Peterson</u>	
BUILDING FRONTAGE @ PRIMARY ENTRANCE: _____ in LINEAL FEET	
EXISTING SIGNS: TO BE UTILIZED FOR THIS BUSINESS: (INCLUDE NUMBER OF SIDES AND DIMENSIONS FOR EACH SIGN)	
PROPOSED SIGNS: FOR EACH PROPOSED SIGN ATTACH A SKETCH/PHOTO SHOWING THE FOLLOWING: (CHECK EACH BOX UPON COMPLETION)	
<input type="checkbox"/> Sign design: _____ (Attached lettering and graphics, drawn to scale)	<input type="checkbox"/> Type of Materials to be used: <u>wood/Aluminum</u> (briefly describe)
<input type="checkbox"/> Total signage requested: <u>27.7</u> Sq.Ft.	<input type="checkbox"/> Method of attachment: <u>aluminum angle brackets</u>
<input type="checkbox"/> Total allowable signage: _____ Sq.Ft. (Per Sign Ordinance)	<input type="checkbox"/> Total number of sides: <u>1</u>
<input type="checkbox"/> Location of sign(s): <u>rooftop</u>	<input type="checkbox"/> Colors: <u>black, burgundy, gold</u> (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.	
<u>Heather Gardella</u> <u>9/30/24</u> APPLICANT'S SIGNATURE DATE	
<u>Randy Korsgaard</u> <u>9/30/24</u> PROPERTY OWNER SIGNATURE DATE	
PLANNING COMMISSION ACTION: APPROVED: <input type="checkbox"/> DENIED: <input type="checkbox"/> MEETING DATE: _____	



DOFTOP SIGN SIZE



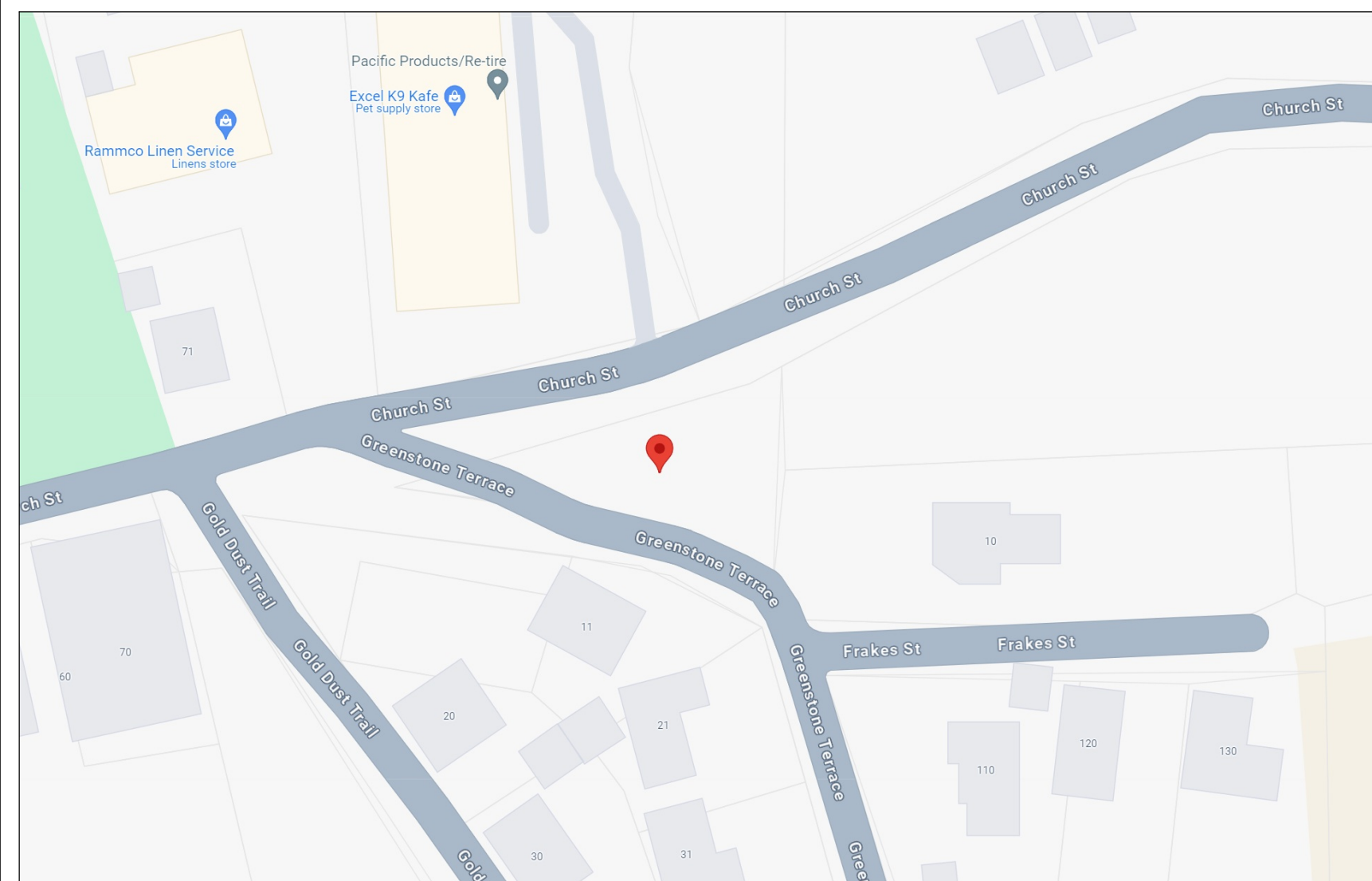
DOFTOP SIGN CONSISTING OF TWO LAYERED PANELS

**ATERIALS : 1/2" MDO PANELS WITH 1/8" ALUMINUM COMPOSITE FACES
OIL BASE PAINTS AND HP VINYL GRAPHICS**

ITSALL METHOD : 6 ALUMINUM ANGLE BRACKETS MOUNTED TO ROOF AND SIGN



Wolcott - Two Story



Vicinity Map



Project Information

Owner:
Ken and Jodi Wolcott
PO Box 746
Sutter Creek, CA 95685

General Contractor:

Building Site:
8 Greenstone Terrace
Sutter Creek, CA 95685

APN#018-019-027

Elevation: 1220ft

Scope of Project:

New Construction, SFR

Residence 2917 Sq. Ft.
Covered Porch 288 Sq. Ft.
Garage 481 Sq. Ft.

Lot Coverage -
52' x 31' - 1612 Sq. Ft. SFR
19' x 24' - 456 Sq. Ft. Garage
2,068 Sq. Ft. - Total Coverage
9,158 Sq. Ft. - Total Lot Sq. Ft.
2,068/9,148 = 23% Lot Coverage

Design Criteria:

R-3 SFR, Garage U-Occupancy
Building Type V-B
Two Story
Raised Foundation
Sprinklers to be installed - Deferred submittal
Solar System to be installed - Deferred submittal

Soil 1500 psf allowable bearing
Snow Load 20 psf
Seismic Design Category C, per GRC Table R301.2.2.1.1
Wind - 110 MPH Exposure B
Concrete 28 day compressive strength = 2500 psi min.
Roof Live Load 20 psf
Floor Live Load 40 psf

Continuously Sheathed Wood Structural Panel (exterior) & GB (interior)

All exterior walls 2x6 for conditioned space
All material for use in this project shall be DF#2 & better
Posts & Beams shall be DF#2 & better

Codes For The Project Are:

2022 CALIFORNIA BUILDING CODE
2022 CALIFORNIA RESIDENTIAL CODE
2022 CALIFORNIA MECHANICAL CODE
2022 CALIFORNIA PLUMBING CODE
2022 CALIFORNIA ELECTRICAL CODE
2022 CALIFORNIA GREEN BUILDING STANDARDS CODE
2022 CALIFORNIA ENERGY EFFICIENCY STANDARDS
2022 CALIFORNIA FIRE CODE

Index	
Sheet #	Title
A1	Wolcott - Two Story
A2	Site Plan
A3	Exterior Elevations
A4	1st Floor Plan
A5	2nd Floor Plan

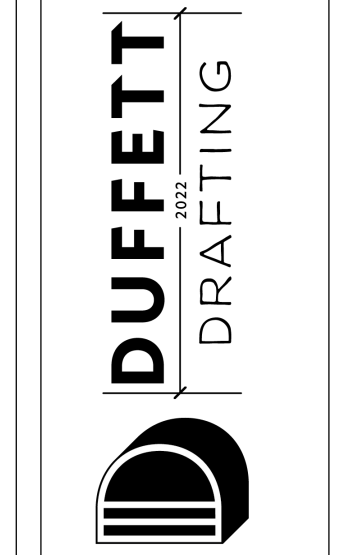
Date	Revised By	Revision Title	Description

Building Site:
8 Greenstone Terrace
Sutter Creek, CA 95685
APN# 018-019-027

Owner:
Ken & Jodi Wolcott
PO Box 746
Sutter Creek, CA 95685

Engineer of Record

Drawings By: Matthew Duffett
Matthew Duffett
3267 Crowell Lane
Valley Springs, CA 95252
209-712-6722
matthew@duffettdrafting.com

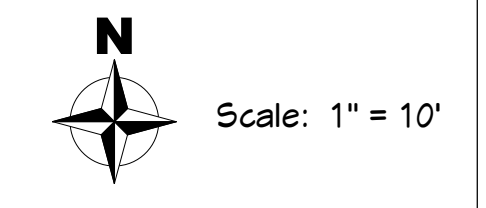


DATE
9/7/24

SCALE

SHEET
A1

Site Plan



KEY	
	DESCRIPTION
	Proposed 3' tall picket fence
	Existing tree
	Proposed ground cover - poppies
	Proposed full-sun tolerant plants*
	6' fence
	Microclover
	Gravel path

*i.e. sedum, russian sage, lavender, rudbeckia, veronica, roses, rosemary, nasturtium, oregano, thyme

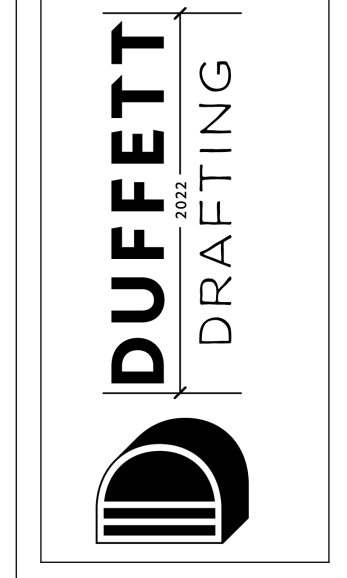
- Erosion & SWPPP Control Measures
- 1.) Protect all areas reserved for vegetation or preservation.
 - 2.) Stockpile all soil. Preserve native soil onsite where allous and protect from run-on or run-off.
 - 3.) Protect construction materials from run-on or run-off at the end of every work day and during precipitation events.
 - 4.) Provide a designated waste disposal area. Clearly identify separate waste areas onsite. Protect against run-on or run-off.
 - 5.) Provide perimeter controls on the downhill boundaries of the site such as sediment filter logs or silt fences.
 - 6.) Provide inlet sediment controls such as sand or rock bags, where required. Remove accumulated sediment at halfway point of control.
 - 7.) Provide a designated washout area. Washout areas shall be contained. Never wash into storm drains or streams.

Date	Revised By	Description

Building Site:
8 Greenstone Terrace
Sutter Creek, CA 95685
APN# 018-019-027

Owner:
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PO Box 746
Sutter Creek, CA 95685

Engineer of Record
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3267 Crowell Lane
Valley Springs, CA 95252
209-712-5722
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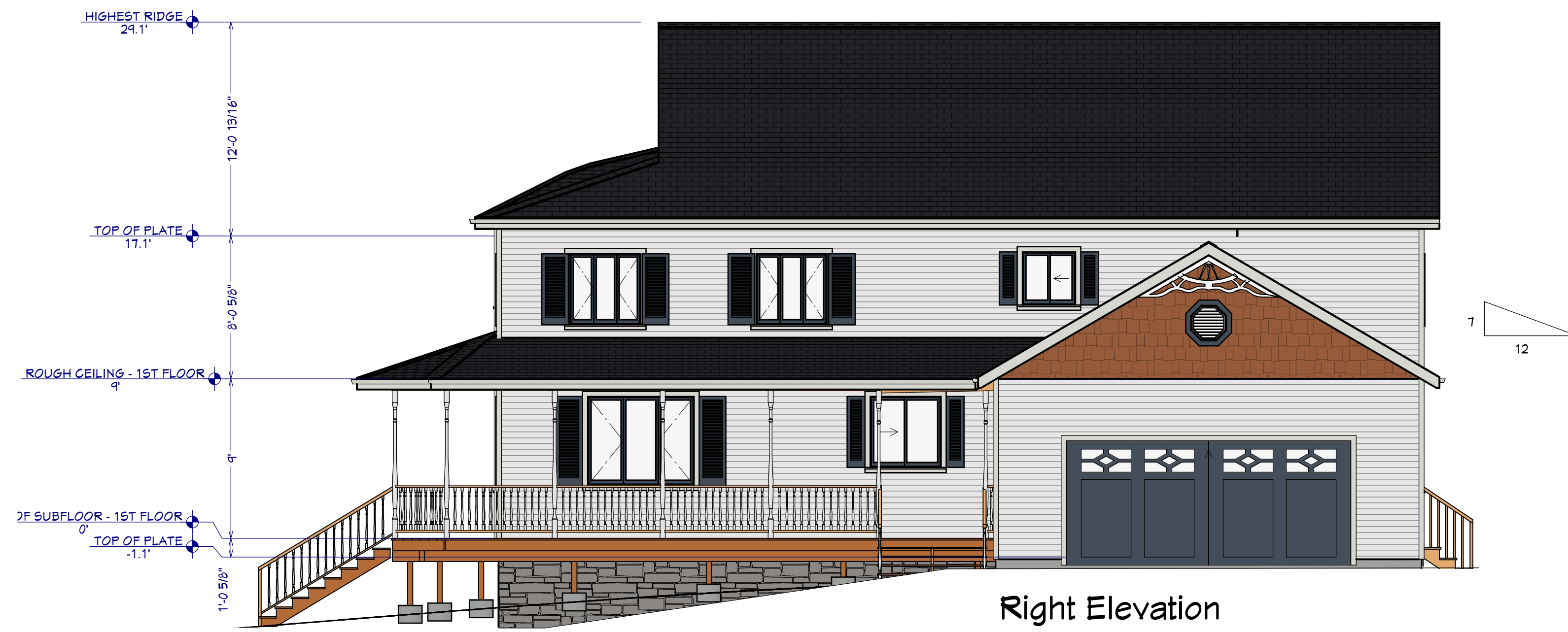


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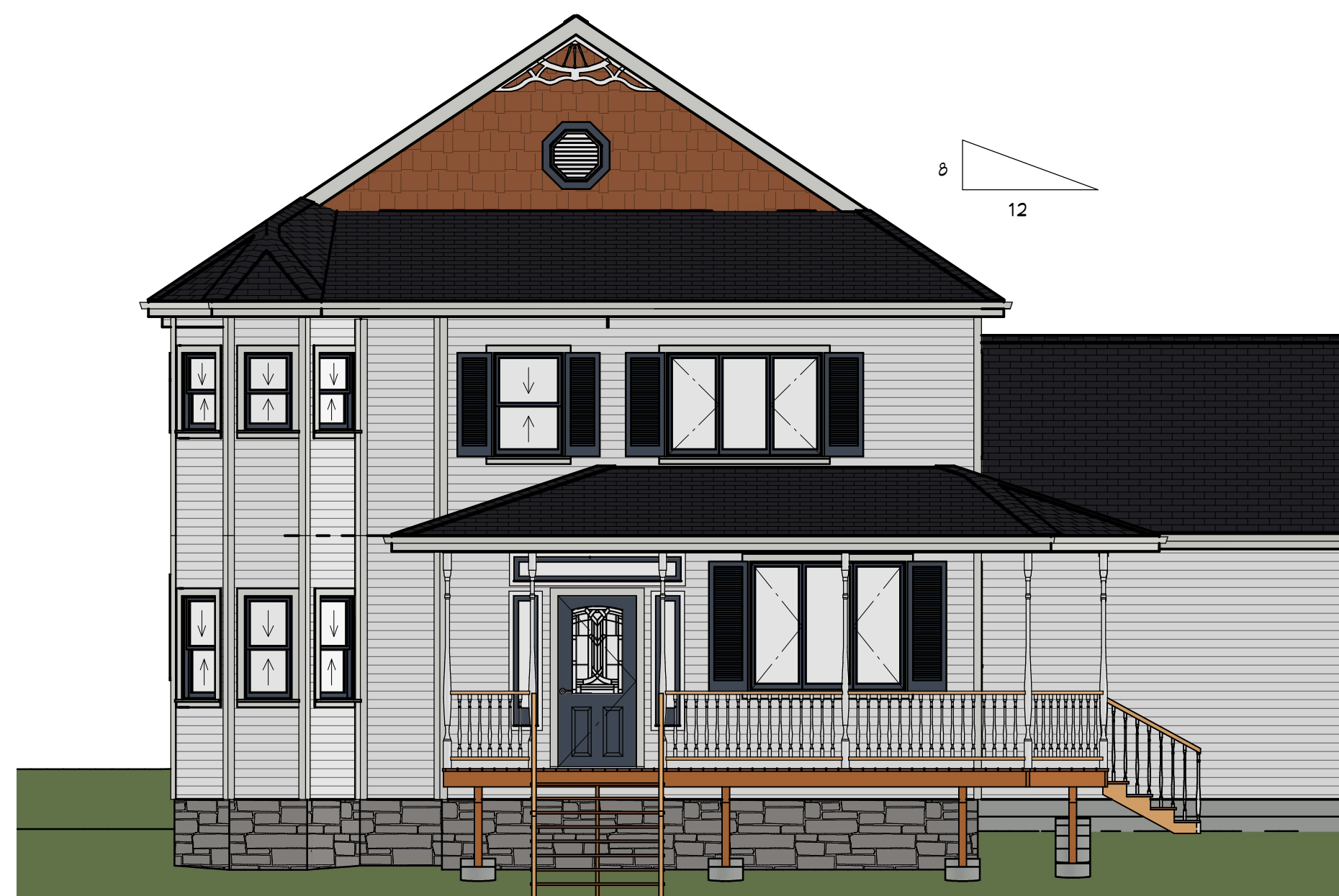
SCALE
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SHEET
A2

Exterior Elevations



Right Elevation



Front Elevation



Back Elevation



Left Elevation

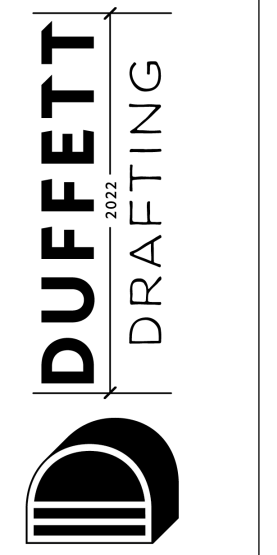
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Drawings by: Matthew Duffett
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209-712-8722
matthew@duffettdrafting.com



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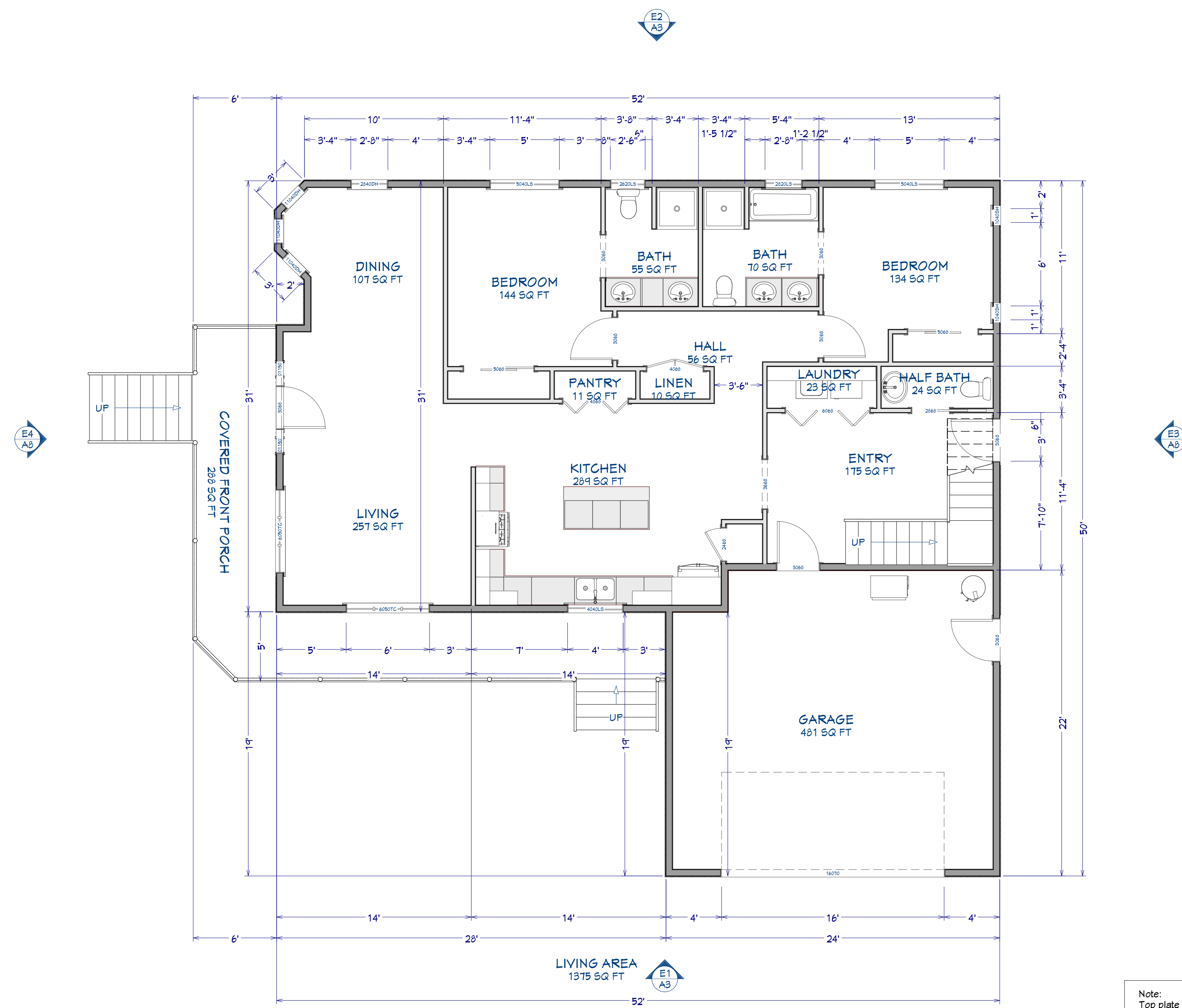
SCALE
3/16" = 1'

SHEET
A3

1st Floor Plan

Related specifications: Sheet S8, column C

Living Area
Sq. Ft.



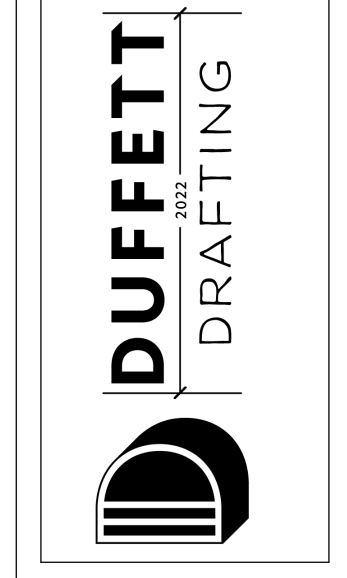
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DATE
9/7/24

SCALE
1/4" = 1'

SHEET
A4

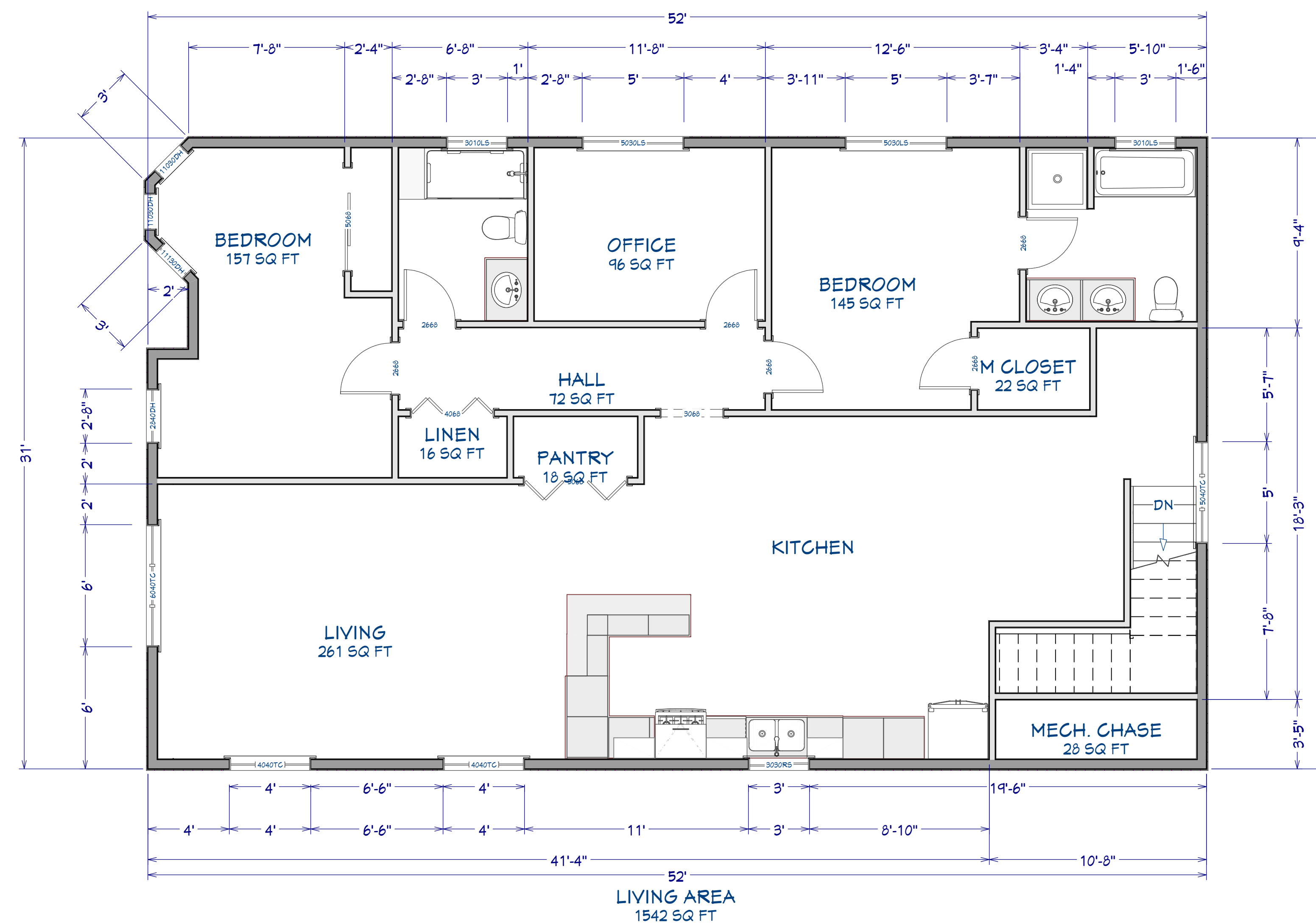
Note:
Top plate laps shall be nailed with no less than 8-16d nails on each side of each break in the top plate. Minimum 24" lap splice length each side of end joint - typical U.N.O.

Garage shall be separated from the dwelling, storage room, and attic areas by means of a minimum 1/2" gypsum board applied to the garage side.

Plate Line @ 9'

2nd Floor Plan

Related specifications: Sheet S8, column C



Note:
 Top plate laps shall be nailed with no less than 8-16d nails on each side of each break in the top plate. Minimum 24" lap splice length each side of end joint - typical U.N.O.
 Garage shall be separated from the dwelling, storage room, and attic areas by means of a minimum 1/2" gypsum board applied to the garage side.
 Plate Line @ 8'

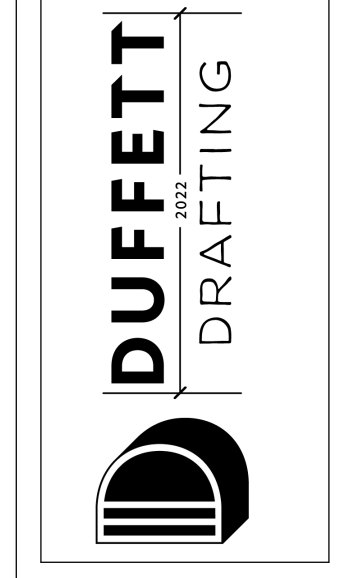
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Owner:
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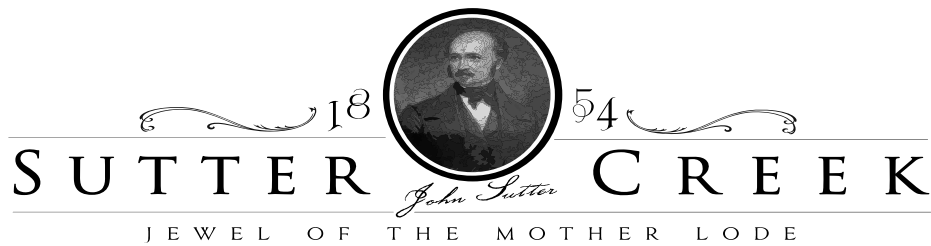
Drawings by: Matthew Duffett
Matthew Duffett
 3267 Crowell Lane
 Valley Springs, CA 95252
 209-712-8722
 matthew@duffettdrafting.com



DATE
 9/7/24

SCALE
 1/4" = 1'

SHEET
 A5



TO: CITY OF SUTTER CREEK PLANNING COMMISSION

DATE: October 15, 2024

FROM: Erin Ventura, Contract Planner

SUBJECT: Discussion and Direction- 8 Greenstone Terrace (APN: 018-019-027)
Zoning: C-2 Commercial
Applicant: Jodi and Ken Wolcott

RECOMMENDATION:

No action is required at this time. Staff is asking for direction only.

BACKGROUND:

This report seeks the Planning Commission's direction regarding a proposed residential structure located within the C-2 (General Commercial) zone. The applicant has submitted a request to construct a single-family residential building, which raises questions land use compatibility.

The C-2 zone in Sutter Creek is primarily intended for commercial activities, including retail, office, and service uses. However, the zoning ordinance allows for certain residential uses with the approval of a Conditional Use Permit. The subject property is currently vacant and is located at 8 Greenstone Terrace.

DISCUSSION:

The applicant is proposing to construct a new two-story single-family residence of approximately 2,917 SF, with a 481 SF garage, and 307 sq. ft. covered porch.

As part of the approval process the applicant must obtain the following approvals:

1. Design Clearance – Project within the Historic District (Sutter Creek Design Standards)
2. Site Plan – New building in the C-2 (Sutter Creek Municipal Code 18.50.020)
3. Conditional Use Permit- New or remodeled residential structures in a commercial or industrial zone (Sutter Creek Municipal Code 18.060.020)

On September 9, 2024, the application was reviewed by the Design Review Committee. At that meeting, they provided feedback regarding the design of the proposed structure and the siting of the structure on the lot. They suggested that staff request direction from the Planning Commission before the applicant began the making design changes.

The lot is unique as it is triangle shaped and has powerlines running through it. The applicant has inquired about relocating the powerlines and the cost is prohibitive.

The lot is also considered a Through Lot, as it has frontage on two streets.

Section 5, Item A.

















- **18.10.080 - Through lots-** On through lots either line separating such lot from a public thoroughfare may be designated by owner as the front lot line. In such cases the minimum rear yard shall be the average of the yards on lots next adjoining. If such lots next adjoining are undeveloped, the minimum yard shall conform to the front yard setback for the zone in which the property is located.

Use







The DRC felt that it is appropriate for a residential structure to be located on the lot, at long as the structure fits the lot, had appropriate setbacks, and was in keeping with the neighborhood. The neighborhood is predominantly residential uses, with the neighboring houses also being located in the C-2 zone.

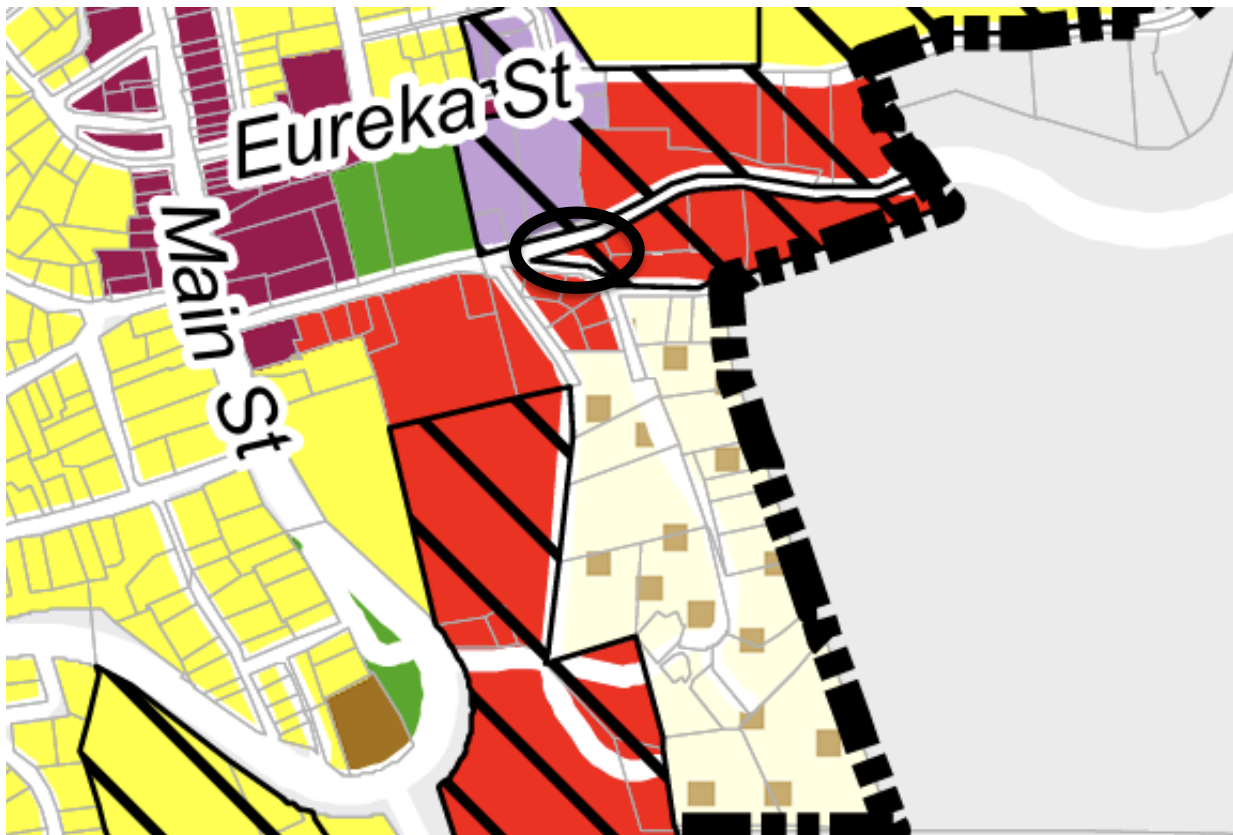
- Legend**
-  Sutter Creek City Limits
 -  Gold Rush Ranch Specific Plan (GRRSP)
 -  Planned Development Overlay
 -  Combining District, 5 ac. min.

Zoning Designations

-  A - Agriculture
-  R-E - Residential Estates
-  R-L - Residential Low Density
-  R-1 - One Family Dwelling
-  R-2 - Two-Family Dwelling
-  R-3 - Limited Multiple Family
-  R-4 - Multiple Family
-  C-1 - Limited Commercial
-  C-2 - Commercial
-  DTC - Downtown Commercial
-  I-1 - Light Industrial
-  I-2 - Heavy Industrial
-  MU - Mixed Use
-  R - Recreation
-  OS - Open Space
-  P-S - Public Service

GRRSP Zoning Designations

-  GRRSP-MU
-  GRRSP-OS
-  GRRSP-R
-  GRRSP-R-1
-  GRRSP-R-1 (PD)
-  GRRSP-R-4



The homes within the surrounding neighborhood also have varying setbacks and orientation.

The closest residential zoning district to the project site is RE, which requires a minimum lot size of 40,000sf, which most lots in that assigned zone do not have. The lot size of the project site is most similar to the R-1 zone. The development standards for the residential zoning districts within the City are included in this report.

Setbacks

The application, as proposed, meets the setback of the C-2 zoning district.

Setbacks	Required	Proposed
Front	5	--
Side	5	7
Rear	10	44

The municipal code does not require additional setback for residential structures in commercial zones. The code does require approval of a Conditional Use Permit for the structure. In order to approve a CUP the following findings must be made:

- A. The proposed uses of the property are desirable to the public convenience or welfare
- B. The proposed uses will not impair the integrity and character of the area in which it is located or the zoning district;
- C. The proposed uses would not be detrimental to public health, safety, or general welfare;
- D. There are adequate public utilities and services available for the proposed uses; and
- E. The proposed uses of the property are in harmony with the various elements or objectives of the general plan and the purposes of this title.

Based on the required findings, there is leeway for the Commission to impose additional regulations on the application.

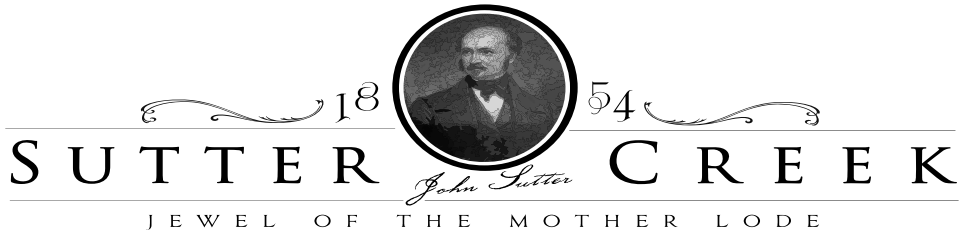
In order to process this application in a timely and efficient manner staff would like direction on to which additional regulations will be required for this application. This way the applicant will have additional information to make the required changes they need to to their application.

Below are the development standards for residential zones within the City:

Development Standards	RR	RE	RL	R-1	R-2	R-3
Area Requirement						
	5 aces/ 217,00 0 Sf	40,000 sf	20,000 st net	7,000 sf ¹	Duplex: 7,000 sf (3,500 sf per half- plex) One- family dwelling: 5,000 sf	3,500sf or 1,000sf per DU
Setbacks²						
Front	35 ft	35 ft	30 ft	25 ft	20 ft	10 ft
Side	20 ft	15 ft	10 ft	5 ft	5 ft	5 ft
Street side/ Corner Lot	30 ft	20 ft	15 ft	12 ft	10 ft	10 ft
Rear	40 ft	40 ft	25 ft	15 ft	10 ft	10 ft
Building Height						
	35 ft 2.5 Stories	35 ft 2.5 Stories	35 ft 2.5 Stories	35 ft 2.5 Stories	35 ft 2.5 Stories	40ft 3 stories
Lot Coverage						
	15%	15%	30%	50%	75%	75%
Residential Density (Max)						
	1 unit/ 5 acres	1 unit/ acre	2 unit/ acre	6.22 units/acr e	15 units/acr e	16-29 units/acr e
Animal Standard						
Number of Animals	No limit	N/A	N/A	N/A	N/A	N/A
Setback from property lines	100 ft	N/A	N/A	N/A	N/A	N/A
Distance Between Building						

Dwelling and Accessory	6ft	6ft	6ft	6ft	6ft	6ft	
Accessory Buildings	6ft	6ft	6ft	6ft	6ft	6ft	Section 5, Item A.
Dwellings	N/A	N/A	N/A	N/A	one-family dwelling 10 ft duplex: 0 ft		6ft

Feedback will be provided to the applicant and if they decide to make changes to their application it will first be brought back to the DRC. Once Design Clearance has been obtained the Site Plan application and Conditional Use Permit will be brought back to the Planning Commission for review. A decision on the project cannot be made at this meeting as this item requires a Public Hearing and this is a discussion only item.



STAFF REPORT

TO: PLANNING COMMISSION
MEETING DATE: OCTOBER 14, 2024
FROM: ERIN VENTURA, PLANNER
SUBJECT: CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL
85 BROAD STREET, SUTTER CREEK, APN 018-132-014

RECOMMENDATION:

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorical Exempt under Class 32 of the CEQA Guidelines; and
3. Adopt Resolution 24-25-* approving a Conditional Use Permit for Troy Fine to operate a Short-Term Rental at 85 Broad Street based on the proposed Findings and subject to the proposed Conditions of Approval.

BACKGROUND:

Property owner Troy Fine have submitted an application for a Conditional Use Permit (Exhibit A) to use a single family residence as a short term rental. The house located at 85 Broad Street contains 3 bedrooms and 1 bathroom.

Site Location	85 Broad Street (APN 018-132-014)
Building Plan	3 bedroom, 1 bath house, approx.1,535sf
Lot size	3,920 Sq. Ft.
Zoning	R1 (Single Family Residential)
General Plan Land Use Designation	RSF (Residential Single Family)
Main Street Historic District	No
Historic District	Yes
Parking Required per Municipal Code Section 18.48.030 Parking Requirements by Land Use, Transient occupancy. The requirement is one (1) space for each guest room plus one (1) space for each five (or less) guest rooms.	3 spaces required.

DISCUSSION:

During the Council meeting on November 25, 2019, the Council instructed staff to keep track of the number of approved short-term rentals and to report back when the total reached twenty. Currently, there are seventeen active short-term rentals. Although it might appear that there are more, some have discontinued their operations. If this application and the application that went before it are approved tonight it would bring the total of short term rentals to nineteen.

General Plan and Zoning

The home is located in a single-family Residential Zone (R-1). Short-term rental units are functionally equivalent to Bed and Breakfast Inns. Bed and Breakfast Inns are permitted in any zone upon securing a Conditional Use Permit. (Municipal Code Section 18.60.020(B).

Parking

The home has a driveway that can accommodate three cars, parked in tandem.

California Environmental Quality Act (CEQA) Guidelines

This use qualifies for a Categorical Exemption under Class 32 (In-Fill Development Projects)

Staff recommends the following conditions of approval:

1. Maintain the exterior appearance of the vacation rental unit compatible with the single-family residence.
2. Maintain three (3) off-street parking spaces that is available for use by vacationing families.
3. Maintain a valid City of Sutter Creek Business License.
4. Pay the monthly Transient Occupancy Tax to the City of Sutter Creek.
5. Provide a completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) It is the owner's responsibility to ensure that the short-term rental is and remains in substantial compliance with all applicable codes regarding fire, building and safety, health and safety, and other relevant laws.
6. The maximum number of overnight guests for a short-term rental unit shall not exceed two persons per bedroom, except that children under the age of four shall not be counted for purposes of calculating this limitation so long as the children sleep in the same bedroom as at least one of their parents or legal guardians. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m., with the maximum daytime guests not to exceed two persons per bedroom plus four.
7. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 10.50 of this Code concerning noise.

8. The owner or operator shall provide each occupant of the short-term rental unit with the following information prior to occupancy of the unit and shall post such information in a prominent location within the unit:
 - A. The contact information for the operator, with 24-hour availability.
 - B. The maximum number of overnight occupants and the maximum number of daytime occupants as permitted under this permit;
 - C. Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property;
 - D. A copy of the Chapter 10.50 of this Code concerning noise; and
 - E. Notification that the occupant or owner may be cited or fined by the City in accordance with this Code.
9. While a short-term rental unit is rented, the owner, operator, or local contact person shall be available 24 hours per day, seven days per week for the purpose of responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit or their guests.
10. The owner, operator, or local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental unit.
11. Prior to occupancy of a short-term rental unit, the owner or operator shall obtain the name, address, and a copy of a valid government identification of the responsible person and require such responsible person to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term rental unit and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the short-term rental unit.
12. The owner, operator, or local contact person shall upon notification that the responsible person and/or any occupant and/or guest of the short-term rental unit has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term unit, promptly respond within 60 minutes and appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner, and/or operator to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental unit within 60 minutes and appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the City.
13. The owner, operator, or local contact person shall report to the City Manager the

name, violation, date, and time of disturbance of each person involved in *any* disorderly conduct activities, disturbances, or other violations of any applicable law, rule, or regulation pertaining to the use and occupancy of the subject short-term unit.

14. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. The owner or operator shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 9.08 of the City's Municipal Code.
15. A violation of any provision of this Chapter by any occupant, owner, or operator shall constitute grounds for modification, suspension, or revocation of the short-term rental permit. In addition, the failure of the owner or operator to satisfy any of its obligations and requirements of Chapter 4.16 concerning transient occupancy taxes shall be an independent basis for modification, suspension, or revocation of any permit issued under this Chapter.
16. Whenever any owner or operator fails to comply with any provision of this Chapter, the City, after giving the operator or owner ten days written notice specifying the time and place of a hearing before the Planning Commission, and requiring him to show cause why the short-term rental permit should not be modified, suspended, or revoked, may modify, suspend, or revoke the permit held by the operator or owner.
17. The City may enforce this Chapter, including the terms and conditions of any permit granted under this Chapter, by any means provided for in Chapter 1.16 of this Code or by any other means authorized by law.
18. This is a non-transferrable permit.

RESOLUTION 24-25-*
A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING
A CONDITIONAL USE PERMIT FOR
TROY FINE
85 BROAD STREET, SUTTER CREEK, CA 95685
APN 018-132-014

WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, October 14, 2024, held a public hearing on a Conditional Use Permit for TROY FINE for Vacation Rental Use of single family residence at 85 Broad Street, Assessor Parcel No. 018-132-014 after properly noticing said hearing; and

WHEREAS, the Planning Commission did at said public hearing receive a report from the planning staff, receive input from the Applicant and members of the public in attendance at said public hearing, and at the closing of said public hearing did deliberate and consider the same; and

WHEREAS, the Planning Commission does find the proposal is exempt from environmental review as a Class 32 Categorical Exemption under CEQA.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves a Conditional Use Permit for Troy Fine based on the following Findings:

1. The proposed use of the property is essential or desirable to the public convenience or welfare because it will provide an important tourist-related service to the community.
2. The proposed use is in compliance with the Sutter Creek General Plan goals, policies, and Residential Single-Family Land Use designation.
3. The proposed use will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-1 Zone – One Family Dwelling.
4. The proposed use would not be detrimental to public health, safety or general welfare because appropriate conditions of approval have been attached to the project.
5. The proposed use of the property implements the Sutter Creek General Plan and the purposes of the Planning Title, because the General Plan and Zoning Ordinance recognize the importance of providing visitor lodging to promote and encourage commercial activity in the community.

BE IT FURTHER RESOLVED, the Planning Commission hereby approves the Use Permit, subject to the following Conditions of Approval:

1. Maintain the exterior appearance of the vacation rental unit compatible with the single-family residence and detached accessory structure.
2. Maintain three (3) off-street parking spaces available for use by vacationing families.

3. Maintain a valid City of Sutter Creek Business License.
4. Pay the monthly Transient Occupancy Tax to the City of Sutter Creek.
5. Provide a completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) It is the owner's responsibility to ensure that the short-term rental is and remains in substantial compliance with all applicable codes regarding fire, building and safety, health and safety, and other relevant laws.
6. The maximum number of overnight guests for a short-term rental unit shall not exceed two persons per bedroom, except that children under the age of four shall not be counted for purposes of calculating this limitation so long as the children sleep in the same bedroom as at least one of their parents or legal guardians. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m., with the maximum daytime guests not to exceed two persons per bedroom plus four.
7. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 10.50 of this Code concerning noise.
8. The owner or operator shall provide each occupant of the short-term rental unit with the following information prior to occupancy of the unit and shall post such information in a prominent location within the unit:
 - A. The contact information for the operator, with 24-hour availability;
 - B. The maximum number of overnight occupants and the maximum number of daytime occupants as permitted under this permit;
 - C. Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property;
 - D. A copy of the Chapter 10.50 of this Code concerning noise; and
 - E. Notification that the occupant or owner may be cited or fined by the City in accordance with this Code.
9. While a short-term rental unit is rented, the owner, operator, or local contact person shall be available 24 hours per day, seven days per week for the purpose of responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit or their guests.
10. The owner, operator, or local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental unit.
11. Prior to occupancy of a short-term rental unit, the owner or operator shall obtain the

- name, address, and a copy of a valid government identification of the responsible person and require such responsible person to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term rental unit and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the short-term rental unit.
12. The owner, operator, or local contact person shall upon notification that the responsible person and/or any occupant and/or guest of the short-term rental unit has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term unit, promptly respond within 60 minutes and appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner, and/or operator to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental unit within 60 minutes and appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the City.
 13. The owner, operator, or local contact person shall report to the City Manager the name, violation, date, and time of disturbance of each person involved in *any* disorderly conduct activities, disturbances, or other violations of any applicable law, rule, or regulation pertaining to the use and occupancy of the subject short-term unit.
 14. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. The owner or operator shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 9.08 of the City's Municipal Code.
 15. A violation of any provision of this Chapter by any occupant, owner, or operator shall constitute grounds for modification, suspension, or revocation of the short-term rental permit. In addition, the failure of the owner or operator to satisfy any of its obligations and requirements of Chapter 4.16 concerning transient occupancy taxes shall be an independent basis for modification, suspension, or revocation of any permit issued under this Chapter.
 16. Whenever any owner or operator fails to comply with any provision of this Chapter, the City, after giving the operator or owner ten days written notice specifying the time and place of a hearing before the Planning Commission, and requiring him to show cause why the short-term rental permit should not be modified, suspended, or revoked, may modify, suspend, or revoke the permit held by the operator or owner.
 17. The City may enforce this Chapter, including the terms and conditions of any permit granted under this Chapter, by any means provided for in Chapter 1.16 of this Code or by any other means authorized by law.
 18. This is a non-transferrable permit.

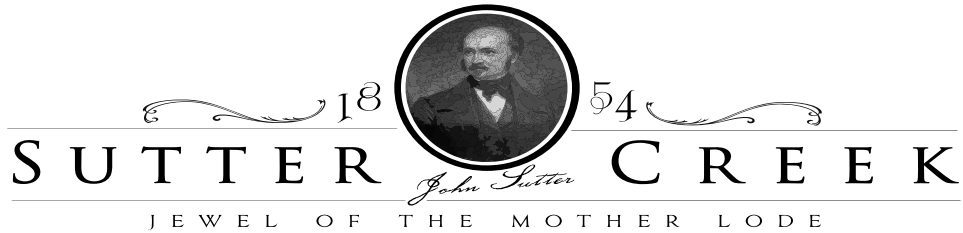
PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 14^h day of October, 2024 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Michael Kirkley, Chairman

Karen Darrow, City Clerk



STAFF REPORT

TO: PLANNING COMMISSION
MEETING DATE: OCTOBER 14, 2024
FROM: ERIN VENTURA, PLANNER
SUBJECT: CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL
193 BADGER STREET, SUTTER CREEK, APN 018-121-021

RECOMMENDATION:

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorical Exempt under Class 32 of the CEQA Guidelines; and
3. Adopt Resolution 24-25-* approving a Conditional Use Permit for Douglas and Victoria Spainhower to operate a Short-Term Rental at 193 Badger Street based on the proposed Findings and subject to the proposed Conditions of Approval.

BACKGROUND:

Property owners Douglas and Victoria Spainhower have submitted an application for a Conditional Use Permit (Exhibit A) to use a single family residence as a part time short term rental. They are proposing to use 3 bedrooms and 3 bathrooms within the house for tenants. There is an additional bedroom/bathroom located within the house that will not be used by the short term rental tenant.

Site Location	193 Badger Street (APN 018-121-021)
Building Plan	4 bedroom, 4 bath house, approx.2,900sf
Lot size	9,147 Sq. Ft.
Zoning	R1 (Single Family Residential)
General Plan Land Use Designation	RSF (Residential Single Family)
Main Street Historic District	No
Historic District	Yes
Parking Required per Municipal Code Section 18.48.030 Parking Requirements by Land Use, Transient occupancy. The requirement is one (1) space for each guest room plus one (1) space for each five (or less) guest rooms.	3 spaces required.

DISCUSSION:

During the Council meeting on November 25, 2019, the Council instructed staff to keep track of the number of approved short-term rentals and to report back when the total reached twenty. Currently, there are seventeen active short-term rentals. Although it might appear that there are more, some have discontinued their operations. Approving this item would increase the total number of short-term rentals to eighteen.

General Plan and Zoning

The home is located in a single-family Residential Zone (R-1). Short-term rental units are functionally equivalent to Bed and Breakfast Inns. Bed and Breakfast Inns are permitted in any zone upon securing a Conditional Use Permit. (Municipal Code Section 18.60.020(B).

Parking

The home has a driveway that can accommodate three cars plus an additional parking pad that can accommodate two additional cars.

California Environmental Quality Act (CEQA) Guidelines

This use qualifies for a Categorical Exemption under Class 32 (In-Fill Development Projects)

Staff recommends the following conditions of approval:

1. Maintain the exterior appearance of the vacation rental unit compatible with the single-family residence.
2. Maintain three (3) off-street parking spaces that is available for use by vacationing families.
3. Maintain a valid City of Sutter Creek Business License.
4. Pay the monthly Transient Occupancy Tax to the City of Sutter Creek.
5. Provide a completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) It is the owner's responsibility to ensure that the short-term rental is and remains in substantial compliance with all applicable codes regarding fire, building and safety, health and safety, and other relevant laws.
6. The maximum number of overnight guests for a short-term rental unit shall not exceed two persons per bedroom, except that children under the age of four shall not be counted for purposes of calculating this limitation so long as the children sleep in the same bedroom as at least one of their parents or legal guardians. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m., with the maximum daytime guests not to exceed two persons per bedroom plus four.
7. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 10.50 of this Code concerning noise.

8. The owner or operator shall provide each occupant of the short-term rental unit with the following information prior to occupancy of the unit and shall post such information in a prominent location within the unit:
 - A. The contact information for the operator, with 24-hour availability.
 - B. The maximum number of overnight occupants and the maximum number of daytime occupants as permitted under this permit;
 - C. Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property;
 - D. A copy of the Chapter 10.50 of this Code concerning noise; and
 - E. Notification that the occupant or owner may be cited or fined by the City in accordance with this Code.
9. While a short-term rental unit is rented, the owner, operator, or local contact person shall be available 24 hours per day, seven days per week for the purpose of responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit or their guests.
10. The owner, operator, or local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term rental unit do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental unit.
11. Prior to occupancy of a short-term rental unit, the owner or operator shall obtain the name, address, and a copy of a valid government identification of the responsible person and require such responsible person to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term rental unit and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the short-term rental unit.
12. The owner, operator, or local contact person shall upon notification that the responsible person and/or any occupant and/or guest of the short-term rental unit has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term unit, promptly respond within 60 minutes and appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner, and/or operator to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental unit within 60 minutes and appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the City.
13. The owner, operator, or local contact person shall report to the City Manager the

name, violation, date, and time of disturbance of each person involved in *any* disorderly conduct activities, disturbances, or other violations of any applicable law, rule, or regulation pertaining to the use and occupancy of the subject short-term unit.

14. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. The owner or operator shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 9.08 of the City's Municipal Code.
15. A violation of any provision of this Chapter by any occupant, owner, or operator shall constitute grounds for modification, suspension, or revocation of the short-term rental permit. In addition, the failure of the owner or operator to satisfy any of its obligations and requirements of Chapter 4.16 concerning transient occupancy taxes shall be an independent basis for modification, suspension, or revocation of any permit issued under this Chapter.
16. Whenever any owner or operator fails to comply with any provision of this Chapter, the City, after giving the operator or owner ten days written notice specifying the time and place of a hearing before the Planning Commission, and requiring him to show cause why the short-term rental permit should not be modified, suspended, or revoked, may modify, suspend, or revoke the permit held by the operator or owner.
17. The City may enforce this Chapter, including the terms and conditions of any permit granted under this Chapter, by any means provided for in Chapter 1.16 of this Code or by any other means authorized by law.
18. This is a non-transferrable permit.

RESOLUTION 24-25-*
A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING
A CONDITIONAL USE PERMIT FOR
DOUGLAS AND VICTORIA SPAINHOWER
193 BADGER STREET, SUTTER CREEK, CA 95685
APN 018-121-021

WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, October 14, 2024, held a public hearing on a Conditional Use Permit for DOUGLAS AND VICTORIA SPAINHOWER for Vacation Rental Use of single family residence at 193 Badger Street, Assessor Parcel No. 018-121-021 after properly noticing said hearing; and

WHEREAS, DOUGLAS AND VICTORIA SPAINHOWER propose to use 3 bedrooms and 3 bathrooms of their existing 4 bedroom and 4 bathroom home for Vacation Rental Use; and

WHEREAS, the Planning Commission did at said public hearing receive a report from the planning staff, receive input from the Applicant and members of the public in attendance at said public hearing, and at the closing of said public hearing did deliberate and consider the same; and

WHEREAS, the Planning Commission does find the proposal is exempt from environmental review as a Class 32 Categorical Exemption under CEQA.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves a Conditional Use Permit for Douglas and Victoria Spainhower based on the following Findings:

1. The proposed use of the property is essential or desirable to the public convenience or welfare because it will provide an important tourist-related service to the community.
2. The proposed use is in compliance with the Sutter Creek General Plan goals, policies, and Residential Single-Family Land Use designation.
3. The proposed use will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-1 Zone – One Family Dwelling.
4. The proposed use would not be detrimental to public health, safety or general welfare because appropriate conditions of approval have been attached to the project.
5. The proposed use of the property implements the Sutter Creek General Plan and the purposes of the Planning Title, because the General Plan and Zoning Ordinance recognize the importance of providing visitor lodging to promote and encourage commercial activity in the community.

BE IT FURTHER RESOLVED, the Planning Commission hereby approves the Use Permit, subject to the following Conditions of Approval:

1. Maintain the exterior appearance of the vacation rental unit compatible with the single-family residence and detached accessory structure.
2. Maintain three (3) off-street parking spaces available for use by vacationing families.
3. Maintain a valid City of Sutter Creek Business License.
4. Pay the monthly Transient Occupancy Tax to the City of Sutter Creek.
5. Provide a completed checklist for fire safety (fire extinguishers, smoke alarms, carbon monoxide detectors, etc.) It is the owner's responsibility to ensure that the short-term rental is and remains in substantial compliance with all applicable codes regarding fire, building and safety, health and safety, and other relevant laws.
6. The maximum number of overnight guests for a short-term rental unit shall not exceed two persons per bedroom, except that children under the age of four shall not be counted for purposes of calculating this limitation so long as the children sleep in the same bedroom as at least one of their parents or legal guardians. Additional daytime guests are allowed between the hours of 7:00 a.m. and 10:00 p.m., with the maximum daytime guests not to exceed two persons per bedroom plus four.
7. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 10.50 of this Code concerning noise.
8. The owner or operator shall provide each occupant of the short-term rental unit with the following information prior to occupancy of the unit and shall post such information in a prominent location within the unit:
 - A. The contact information for the operator, with 24-hour availability;
 - B. The maximum number of overnight occupants and the maximum number of daytime occupants as permitted under this permit;
 - C. Trash pick-up day and applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property;
 - D. A copy of the Chapter 10.50 of this Code concerning noise; and
 - E. Notification that the occupant or owner may be cited or fined by the City in accordance with this Code.
9. While a short-term rental unit is rented, the owner, operator, or local contact person shall be available 24 hours per day, seven days per week for the purpose of responding within 60 minutes to complaints regarding the condition, operation, or conduct of occupants of the short-term rental unit or their guests.
10. The owner, operator, or local contact person shall use reasonably prudent business practices to ensure that the occupants and/or guests of the short-term rental unit do

- not create unreasonable noise or disturbances, engage in disorderly conduct, or violate any applicable law, rule or regulation pertaining to the use and occupancy of the short-term rental unit.
11. Prior to occupancy of a short-term rental unit, the owner or operator shall obtain the name, address, and a copy of a valid government identification of the responsible person and require such responsible person to execute a formal acknowledgement that he or she is legally responsible for compliance by all occupants of the short-term rental unit and their guests with all applicable laws, rules, and regulations pertaining to the use and occupancy of the short-term rental unit.
 12. The owner, operator, or local contact person shall upon notification that the responsible person and/or any occupant and/or guest of the short-term rental unit has created unreasonable noise or disturbances, engaged in disorderly conduct, or committed violations of any applicable law, rule or regulation pertaining to the use and occupancy of the subject short-term unit, promptly respond within 60 minutes and appropriate manner to immediately halt or prevent a recurrence of such conduct by the responsible person and/or any occupants and/or guests. Failure of the owner, and/or operator to respond to calls or complaints regarding the condition, operation, or conduct of occupants and/or guests of the short-term rental unit within 60 minutes and appropriate manner shall be subject to all administrative, legal, and equitable remedies available to the City.
 13. The owner, operator, or local contact person shall report to the City Manager the name, violation, date, and time of disturbance of each person involved in *any* disorderly conduct activities, disturbances, or other violations of any applicable law, rule, or regulation pertaining to the use and occupancy of the subject short-term unit.
 14. Trash and refuse shall not be left stored within public view, except in proper containers for the purpose of collection by the City's authorized waste hauler on scheduled trash collection days. The owner or operator shall use reasonably prudent business practices to ensure compliance with all the provisions of Chapter 9.08 of the City's Municipal Code.
 15. A violation of any provision of this Chapter by any occupant, owner, or operator shall constitute grounds for modification, suspension, or revocation of the short-term rental permit. In addition, the failure of the owner or operator to satisfy any of its obligations and requirements of Chapter 4.16 concerning transient occupancy taxes shall be an independent basis for modification, suspension, or revocation of any permit issued under this Chapter.
 16. Whenever any owner or operator fails to comply with any provision of this Chapter, the City, after giving the operator or owner ten days written notice specifying the time and place of a hearing before the Planning Commission, and requiring him to show cause why the short-term rental permit should not be modified, suspended, or revoked, may modify, suspend, or revoke the permit held by the operator or owner.

- 17. The City may enforce this Chapter, including the terms and conditions of any permit granted under this Chapter, by any means provided for in Chapter 1.16 of this Code or by any other means authorized by law.
- 18. This is a non-transferrable permit.

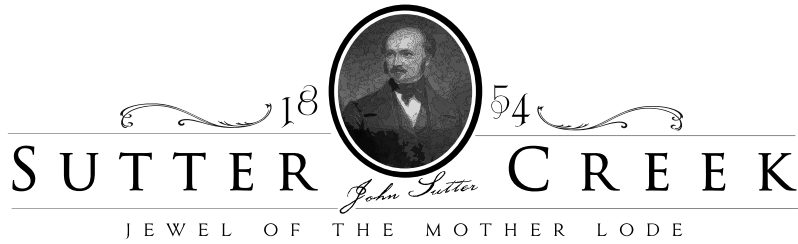
PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 14th day of October, 2024 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Michael Kirkley, Chairman

Karen Darrow, City Clerk



STAFF REPORT

TO: PLANNING COMMISSION
MEETING DATE: OCTOBER 15, 2024
FROM: ERIN VENTURA, PLANNING CONSULTANT
SUBJECT: VESTING TENTATIVE PARCEL MAP No. 2920

RECOMMENDATION:

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under 15061 (b)(3) of the CEQA Guidelines; and
3. Adopt Resolution 2024-2025-* approving Vest Tentative Parcel Map #2920 based on the recommended Findings and submitted to the recommended Conditions of Approval.

BACKGROUND:

The Project is located within the City of Sutter Creek west of Hanford Street, north of Amelia Street, south of N. Amelia Street and east of Spanish Street as shown on the location maps, Figure 1 and site photo.

The property owner, Roman Catholic Bishop of Sacramento, as applied for a Vesting Tentative Parcel map that would allow them to split two existing lots into three lots. This is the first step of a multi-step process to vacate a portion of the existing Fogarty Road between Spanish and North Amelia Streets in the City of Sutter Creek.

The vacation of Fogarty Road will happen when the applicant receives a Boundary Line Adjustment at a later date.

The Project is within the General Plan RSF Residential Single Family land use designation and the R1 Zone – One Family Dwelling.

The existing building is used to house a preschool and the parking lot is also used for the preschool.

Table 1. General Analysis.

Site Location	190 Fogarty Road/115 Amelia Street (APN 018-064-002, 018-063-014, 018-063-015)
Building Plan	No changes to the exterior of the existing building
Lot Size	Parcel 1 20,037 SF Parcel 2 31,798 SF
General Plan Land Use Designation	RSF – Residential Single Family (no change)
Zoning	R-1 – One Family Dwelling (no change)

Main Street Historic District

No

Section 6, Item C.

Historic District

Yes

Figure 1
SITE LOCATION:



Figure 2
View from Spanish Street to the Northwest



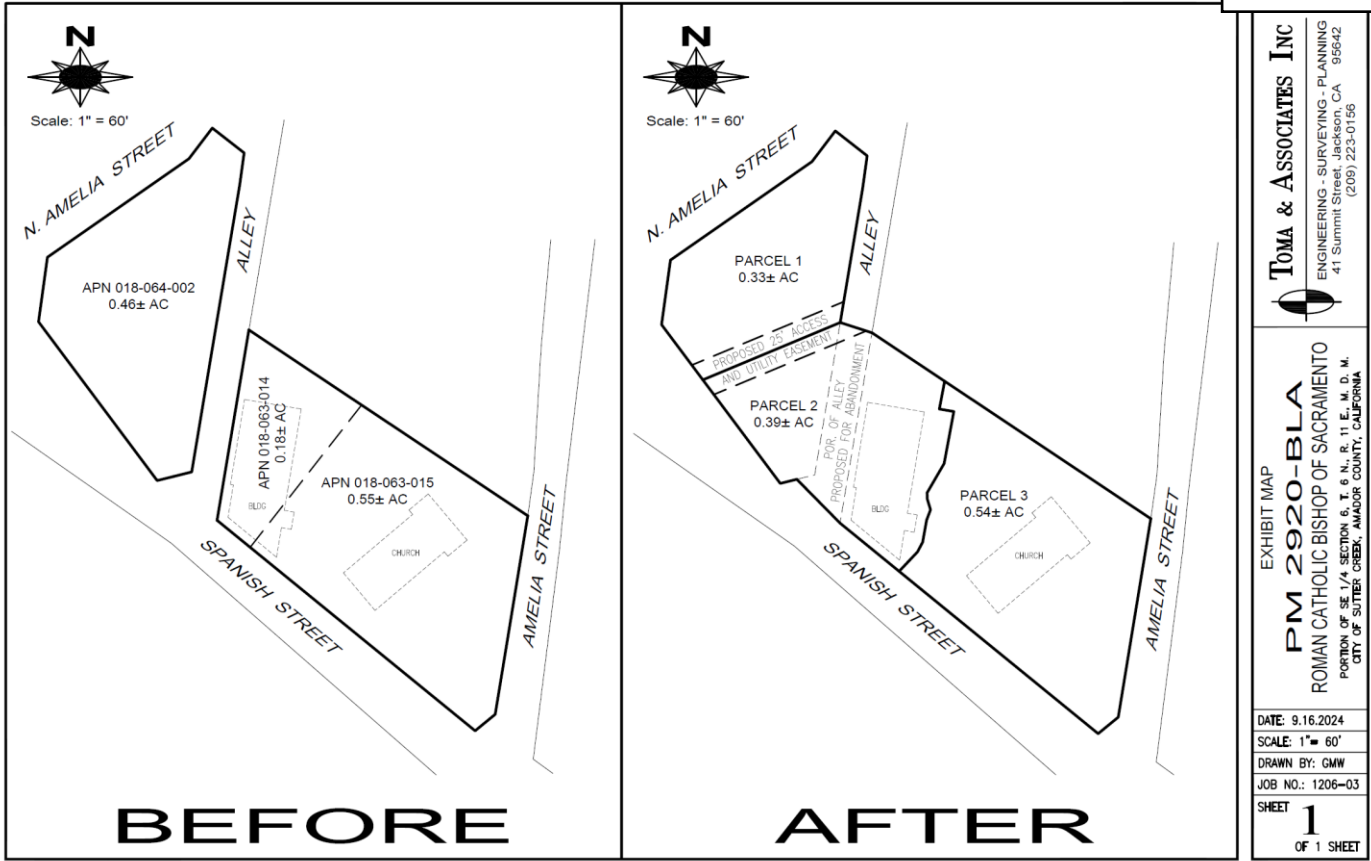
DISUSSION:

The applicant has been working to adjust the lot lines and abandon this portion of Fogarty Road since 2012. The application was reviewed by the Planning Commission and recommend for City Council approval on November 13, 2012. The City Council reviewed the application, continued it, and asked the applicant to resolve a fire truck turnaround issue. The project was then put on hold.

The applicant is asking to adjust the lot lines of the three existing parcels, abandon a portion of Fogarty, and create an access and utility easement for a neighboring property.

The applicants have also worked with the fire department, and they are satisfied with the access for emergency vehicle access.

The City Engineer has reviewed the Vesting Tentative Parcel Map and has recommended that the Planning Commission approve the map with conditions.



TOMA & ASSOCIATES INC
 ENGINEERING - SURVEYING - PLANNING
 41 Summit Street, Jackson, CA 95642
 (209) 223-0156

EXHIBIT MAP
PM 2920-BLA
 ROMAN CATHOLIC BISHOP OF SACRAMENTO
 PORTION OF SE 1/4 SECTION 6, T. 6 N., R. 11 E., M. D. M.
 CITY OF SUTTER CREEK, AMADOR COUNTY, CALIFORNIA

DATE: 9.16.2024
 SCALE: 1" = 60'
 DRAWN BY: GMW
 JOB NO.: 1206-03
 SHEET **1**
 OF 1 SHEET

EXHIBIT A

California Environmental Quality Act (CEQA) Guidelines: This project qualifies for a Categorical Exemption under Section 15061 (b)(3). There is no physical activity on the land resulting from the action because the road is currently a parking lot that would cause an environmental impact and thus no potential for a significant effect on the environment.

FINDINGS:

1. The proposed split of the property into three parcels is essential or desirable to the public convenience or welfare;
2. The proposed action is in compliance with the Sutter Creek General Plan goals, policies, and RSF designation.
3. The proposed action will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-1 Zone, which allows a lot split in which the area of the resulting lots is greater than 7,000 square feet.
4. The proposed action would not be detrimental to public health, safety or general welfare.
5. The proposed split of the property implements the Sutter Creek General Plan and the purposes of the Planning Title.

CONDITIONS OF APPROVAL:

All conditions shall be met as appropriate, prior to or concurrent with the recording of a Parcel Map.

1. The Parcel Map shall be in substantial compliance with the Tentative Parcel Map as approved by Commission and on file at the offices of the City of Sutter Creek.
2. Upon approval of the Planning Commission, a Parcel Map shall be prepared and processed in accordance with City Code Chapter 17.22 "Parcel Maps."
3. The Applicant shall pay the \$50.00 Notice of Exemption filing fee to the Amador County Recorder.
4. This subdivision shall consist of a maximum of three R-1 parcels.
5. The Tentative Parcel Map is valid for an initial period of 24-months from the date of approval, with extension requests filed prior to the expiration of the map.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SUTTER CREEK APPROVING VESTING TENTATIVE PAREL MAP 2920 FOR APNs 018-064-002, 018-063-014, 018-063-015 AT 190 FOGARTY ROAD/115 AMELIA STREET

WHEREAS, on the Planning Commission of the City of Sutter Creek did on Tuesday October 15, 2024, hold a public hearing for Vesting Tentative Map 2920 to split APNs 018-064-002, 018-063-014, 018-063-015 into three separate lots to hear public comments regarding the proposed lot split; and

WHEREAS, the Planning Commission did at said public hearing receive a report from the planning staff, receive input from the Applicant and members of the public in attendance at said public hearing, and at the closing of said public hearing did deliberate and consider the same; and

WHEREAS, the Planning Commission does find the proposal is exempt from environmental review as a Class 153332 Infill under CEQA.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves Vesting Tentative Parcel Map 2920 based on the following Findings:

1. The proposed split of the property into three parcels is essential or desirable to the public convenience or welfare;
2. The proposed action is in compliance with the Sutter Creek General Plan goals, policies, and RSF designation.
3. The proposed action will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-1 Zone, which allows a lot split in which the area of the resulting lots is greater than 7,000 square feet.
4. The proposed action would not be detrimental to public health, safety or general welfare.
5. The proposed split of the property implements the Sutter Creek General Plan and the purposes of the Planning Title.

BE IT FURTHER RESOLVED the Planning Commission hereby approves Vesting Tentative Parcel Map 2920, subject to the following Conditions of Approval. All conditions shall be met as appropriate, prior to or concurrent with the recording of a Parcel Map.

1. The Parcel Map shall be in substantial compliance with the Tentative Parcel Map as approved by the Planning Commission and on file at the offices of the City of Sutter Creek.
2. Upon approval of the Planning Commission, a Parcel Map shall be prepared and processed in accordance with City Code Chapter 17.22 “Parcel Maps.”
3. The Applicant shall pay the \$50.00 Notice of Exemption filing fee to the Amador County Recorder.
4. This subdivision shall consist of a maximum of three R-1 parcels.
5. The Tentative Parcel Map is valid for an initial period of 24-months from the date of approval, with extension requests filed prior to the expiration of the map.

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on Tuesday the 15th day of October 2024 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

THE CITY OF SUTTER CREEK

Michael Kirkley, Chairman

ATTEST:

Section 6, Item C.

Karen Darrow, City Clerk

City of Sutter Creek

18 Main Street
Sutter Creek, CA 95685
209-267-5647
www.citysuttercreek.org

SUBMISSION REQUIREMENTS

- 1-Entitlement Application*
- 2-Map*
- 3-Fees (refer to current fee schedule)
- *All documentation must be submitted via the application portal on the City

ENTITLEMENT APPLICATION

Project Location (address or vicinity): 190 FOGARTY RD. / 115 AMELIA ST.
 Assessor's Parcel Number(s) (APN): 018-064-002, 018-063-014, 018-063-015

Applicant Information

Applicant Name: ROMAN CATHOLIC BISHOP OF SACRAMENTO
 Address: 11361 PROSPECT DR. Phone: (209) 223-2970
JACKSON City: Email: frcolinwen@gmail.com
 State: CA Zip Code: 95642

Entitlements Requested:

<input type="checkbox"/> Adjustment (ADJ) _____	<input type="checkbox"/> Oak Tree Permit (OTP) _____
<input type="checkbox"/> Administrative Permit (AP) _____	<input type="checkbox"/> Sign Review (SR) _____
<input type="checkbox"/> Architectural Design Review (ADR) _____	<input type="checkbox"/> Temporary Use Permit (TUP) _____
<input type="checkbox"/> Conditional Use Permit (CUP) _____	<input type="checkbox"/> Tentative Tract Map (No. _____)
<input type="checkbox"/> Development Review (DR) _____	<input checked="" type="checkbox"/> Tentative Parcel Map (No. <u>2920</u>)
<input type="checkbox"/> Hillside Development Review (HDR) _____	<input type="checkbox"/> Variance (VAR) _____
<input type="checkbox"/> Landscape Plan Review (LPR) _____	<input type="checkbox"/> Zone Change (ZC) _____
<input type="checkbox"/> Minor Use Permit (MUP) _____	<input type="checkbox"/> Other _____

Primary Point of Contact/Consultant: TOMA & ASSOCIATES, ATTN: GINA WAKLEE
Address: 41 SUMMIT ST. Phone: (209) 223-0156
JACKSON City: Email: gina@tomasurvey.com
State: CA Zip Code: 95642

Property Owner: ROMAN CATHOLIC BISHOP OF SACRAMENTO
Address: 11361 PROSPECT DR. Phone: (209) 223-2970
JACKSON City: Email: frcolinwen@gmail.com
State: CA Zip Code: 95642

Engineer: TOMA & ASSOCIATES
Address: 41 SUMMIT ST. Phone: (209) 223-0156
JACKSON City: Email: gina@tomasurvey.com
State: CA Zip Code: 95642

Architect: N/A
Address: _____

City: _____
State: _____ Zip Code: _____
Phone: _____ Email: _____

JUSTIFICATION STATEMENT / PROJECT DESCRIPTION

Project Name: TENTATIVE PARCEL MAP No. 2920
ROMAN CATHOLIC BISHOP OF SACRAMENTO

State what the project is and why the application(s) should be approved based on the required findings (if any).

Attach additional pages and exhibits if necessary.

PROPOSED PARCEL MAP TO RECOGNIZE
APN 018-063-014 (EXISTING HALL BUILDING)
AS A LEGAL PARCEL. 3 PARCELS PROPOSED
THAT WOULD CONFORM TO EXISTING "R-1"
CH. 18,16.070 ZONING REQUIREMENTS OF
7000 SQ. FT. MIN. LOT SIZE.

Signature of Applicant

PROPERTY OWNER(S) STATEMENT

STATE OF CALIFORNIA
COUNTY OF AMADOR CITY
OF SUTTER CREEK

Roman Catholic Bishop of Sacramento in Trust for
I/We, St. Katharine Drexel Parish, Martell, declare that I/we am/are the owner(s) of the property described herein and hereby give authorization for the filing of this application. Further, I/we do, by my/our signature(s) on this agreement, absolve the City of Sutter Creek of all liabilities regarding any deed restrictions that may be applicable to the property described herein. (Signature of all property owners is required. The owner in escrow is not acceptable.)

I/We declare that all encumbrances on the subject property are shown on the submitted site plan (or are attached on a separate sheet) and that the purpose of all encumbrances (and ownership of all easements) is stated. In the case of a tentative map, I/we further declare that the property involved in this application is free from all encumbrances that would conflict with the project application, particularly dedications of the right to further subdivide to the County of Amador or City of Sutter Creek.

I/We understand that, in the event that the City incurs greater expense in processing the application(s) than is covered by the standard processing fee(s), that I/we will be responsible for payment of such fees and that permits will not be issued and/or occupancy will not be granted until all fees have been paid in full.

I/We hereby grant the City admittance to the subject property as necessary for processing of the project application.

I/We declare under penalty of perjury that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Signed Christopher R. Frazee

Signed _____

Signed _____

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Sacramento

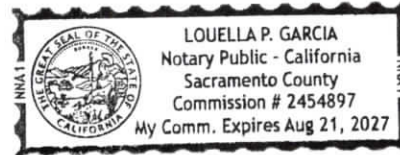
On February 23, 2024, before me, Lowella P. Garcia, Notary Public personally appeared
Date Notary Public

Christopher Frazer who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL

Loella P. Garcia
Signature of Notary Public



(Seal)

FINANCIAL INTEREST DISCLOSURE

In order for the approving authority to adequately assess the potential for conflict of interest in rendering decisions on land use matters, the following information is required. Should the applicant(s) in the requested action be or include a partnership, the name of the corporation and of all officers of said corporation shall be printed below. If there are any other business or joint venture parties, property owners, or individuals which have a financial interest in this action not otherwise covered as a partnership or corporation, then their names shall be printed below.

Partnership:

Name of Partnership

Names of Partners

Property Owners:

Corporations:

**Roman Catholic Bishop of Sacramento,
a corporation sole**

Name of Corporation

Most Rev. Jaime Soto

Bishop/Incumbent

**Pastor of St. Katharine Drexel Parish,
Martell, a corporation sole**

Name of Corporation

Rev. Colin Wen

Pastor/Incumbent

Other:

I hereby certify that the foregoing information is accurate and complete to the best of my knowledge and belief.

Christopher R. Frazer

Signature of Applicant

Rev. Christopher R. Frazer, Vicar General
Name (Please Print)

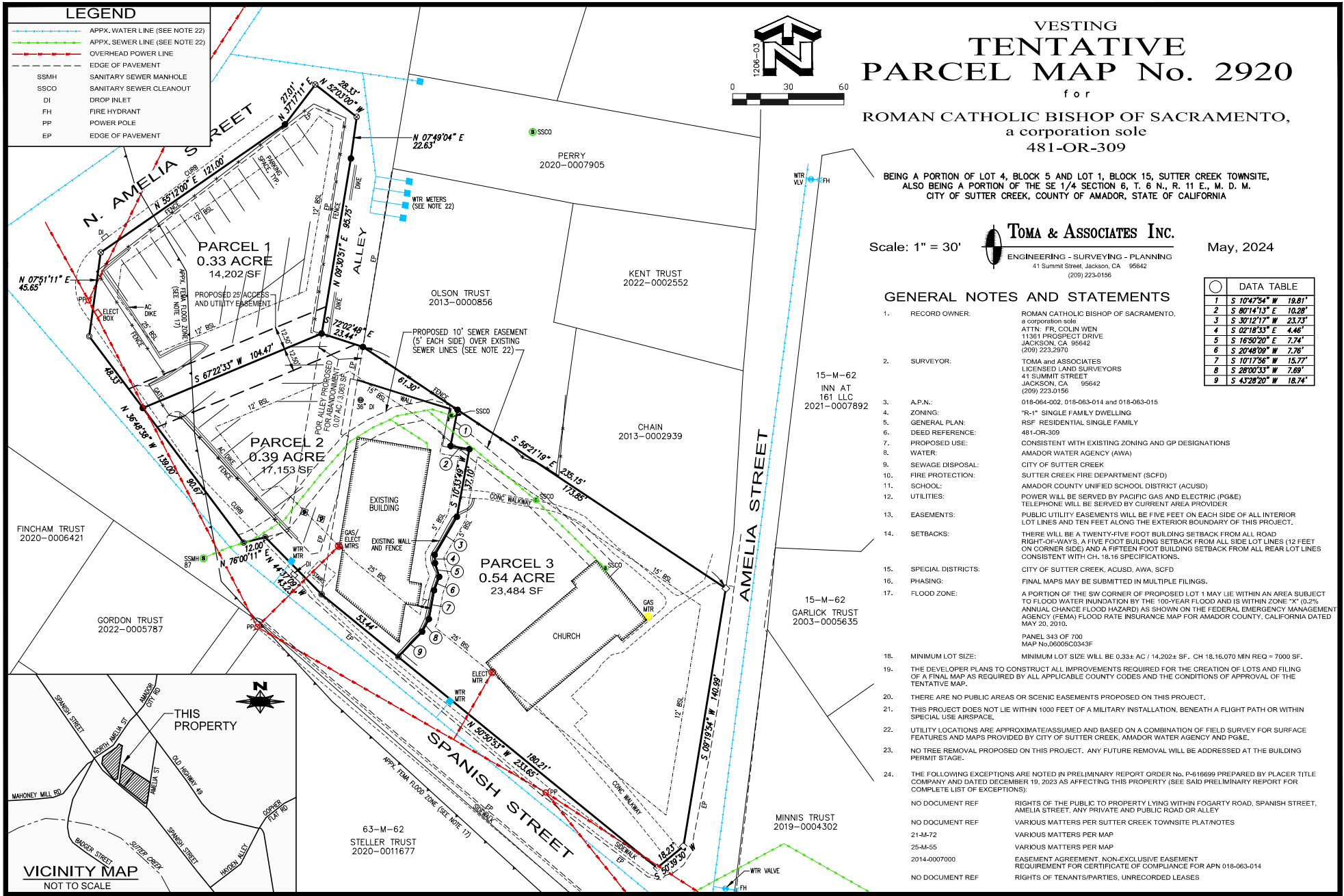
2/23/24
Date

[Signature]

Signature of Applicant

Rev. Colin Wen, Pastor
Name (Please Print)

2/23/24
Date



VESTING TENTATIVE PARCEL MAP No. 2920

for

ROMAN CATHOLIC BISHOP OF SACRAMENTO,
a corporation sole
481-OR-309

BEING A PORTION OF LOT 4, BLOCK 5 AND LOT 1, BLOCK 15, SUTTER CREEK TOWNSITE,
ALSO BEING A PORTION OF THE SE 1/4 SECTION 6, T. 6 N., R. 11 E., M. D. L.
CITY OF SUTTER CREEK, COUNTY OF AMADOR, STATE OF CALIFORNIA

Scale: 1" = 30'

TOMA & ASSOCIATES INC.
ENGINEERING - SURVEYING - PLANNING
41 Summit Street, Jackson, CA 95642
(209) 223-0156

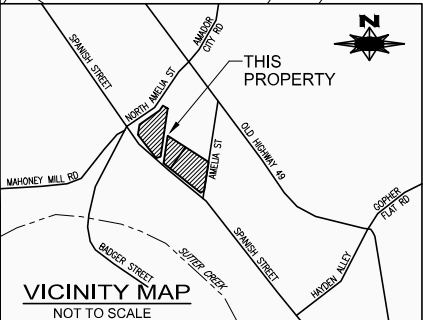
May, 2024

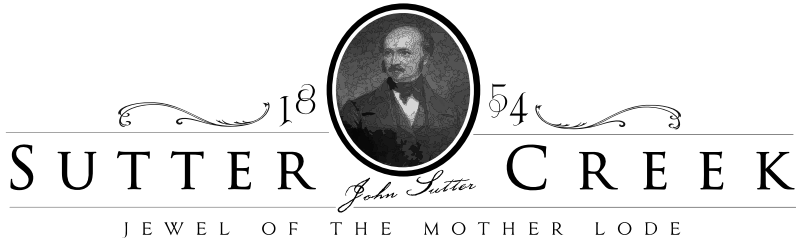
GENERAL NOTES AND STATEMENTS

1. RECORD OWNER: ROMAN CATHOLIC BISHOP OF SACRAMENTO, a corporation sole
ATTN: FR. COLIN WEN
11381 PROSPECT DRIVE
JACKSON, CA 95642
(209) 223-2970
2. SURVEYOR: TOMA and ASSOCIATES
LICENSED LAND SURVEYORS
41 SUMMIT STREET
- JACKSON, CA 95642
(209) 223-0156
3. A.P.N.: 018-064-002, 018-063-014 and 018-063-015
4. ZONING: "R-1" SINGLE FAMILY DWELLING
5. GENERAL PLAN: RSF RESIDENTIAL SINGLE FAMILY
6. DEED REFERENCE: 481-OR-309
7. PROPOSED USE: CONSISTENT WITH EXISTING ZONING AND GP DESIGNATIONS
8. WATER: AMADOR WATER AGENCY (AWA)
9. SEWAGE DISPOSAL: CITY OF SUTTER CREEK
10. FIRE PROTECTION: SUTTER CREEK FIRE DEPARTMENT (SCFD)
11. SCHOOL: AMADOR COUNTY UNIFIED SCHOOL DISTRICT (ACUSD)
12. UTILITIES: POWER WILL BE SERVED BY PACIFIC GAS AND ELECTRIC (PG&E) TELEPHONE WILL BE SERVED BY CURRENT AREA PROVIDER
13. EASEMENTS: PUBLIC UTILITY EASEMENTS WILL BE FIVE FEET ON EACH SIDE OF ALL INTERIOR LOT LINES AND TEN FEET ALONG THE EXTERIOR BOUNDARY OF THIS PROJECT.
14. SETBACKS: THERE WILL BE A TWENTY-FIVE FOOT BUILDING SETBACK FROM ALL ROAD RIGHT-OF-WAYS, A FIVE FOOT BUILDING SETBACK FROM ALL SIDE LOT LINES (12 FEET ON CORNER SIDE) AND A FIFTEEN FOOT BUILDING SETBACK FROM ALL REAR LOT LINES CONSISTENT WITH CH. 18.16 SPECIFICATIONS.
15. SPECIAL DISTRICTS: CITY OF SUTTER CREEK, ACUSD, AWA, SCFD
16. PHASING: FINAL MAPS MAY BE SUBMITTED IN MULTIPLE FILINGS.
17. FLOOD ZONE: A PORTION OF THE SW CORNER OF PROPOSED LOT 1 MAY LIE WITHIN AN AREA SUBJECT TO FLOOD WATER INUNDATION BY THE 100-YEAR FLOOD AND IS WITHIN ZONE "X" (0.2% ANNUAL CHANCE FLOOD HAZARD) AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD RATE INSURANCE MAP FOR AMADOR COUNTY, CALIFORNIA DATED MAY 20, 2010.
PANEL 343 OF 700
MAP No.06005C0343F
18. MINIMUM LOT SIZE: MINIMUM LOT SIZE WILL BE 0.334 AC / 14,202+ SF. CH 18.16.070 MIN REQ = 7000 SF.
19. THE DEVELOPER PLANS TO CONSTRUCT ALL IMPROVEMENTS REQUIRED FOR THE CREATION OF LOTS AND FILING OF A FINAL MAP AS REQUIRED BY ALL APPLICABLE COUNTY CODES AND THE CONDITIONS OF APPROVAL OF THE TENTATIVE MAP.
20. THERE ARE NO PUBLIC AREAS OR SCENIC EASEMENTS PROPOSED ON THIS PROJECT.
21. THIS PROJECT DOES NOT LIE WITHIN 1000 FEET OF A MILITARY INSTALLATION, BENEATH A FLIGHT PATH OR WITHIN SPECIAL USE AIRSPACE.
22. UTILITY LOCATIONS ARE APPROXIMATE/ASSUMED AND BASED ON A COMBINATION OF FIELD SURVEY FOR SURFACE FEATURES AND MAPS PROVIDED BY CITY OF SUTTER CREEK, AMADOR WATER AGENCY AND PG&E.
23. NO TREE REMOVAL PROPOSED ON THIS PROJECT. ANY FUTURE REMOVAL WILL BE ADDRESSED AT THE BUILDING PERMIT STAGE.
24. THE FOLLOWING EXCEPTIONS ARE NOTED IN PRELIMINARY REPORT ORDER No. P-616689 PREPARED BY PLACER TITLE COMPANY AND DATED DECEMBER 19, 2023 AS AFFECTING THIS PROPERTY (SEE SAID PRELIMINARY REPORT FOR COMPLETE LIST OF EXCEPTIONS):

NO DOCUMENT REF	RIGHTS OF THE PUBLIC TO PROPERTY LYING WITHIN FOGARTY ROAD, SPANISH STREET, AMELIA STREET, ANY PRIVATE AND PUBLIC ROAD OR ALLEY
NO DOCUMENT REF	VARIOUS MATTERS PER SUTTER CREEK TOWNSITE PLAT/NOTES
21-M-72	VARIOUS MATTERS PER MAP
25-M-55	VARIOUS MATTERS PER MAP
2014-0007000	EASEMENT AGREEMENT, NON-EXCLUSIVE EASEMENT REQUIREMENT FOR CERTIFICATE OF COMPLIANCE FOR APN 018-063-014
NO DOCUMENT REF	RIGHTS OF TENANTS/PARTIES, UNRECORDED LEASES

DATA TABLE	
1	S 10°47'54" W 19.81'
2	S 80°14'13" E 10.28'
3	S 30°12'17" W 23.73'
4	S 02°18'33" E 4.46'
5	S 16°50'20" E 7.74'
6	S 22°48'00" W 7.76'
7	S 10°17'56" W 15.77'
9	S 43°28'20" W 18.74'





TO: CITY OF SUTTER CREEK PLANNING COMMISSION
MEETING DATE: October 15, 2024
FROM: Erin Ventura, Contract Planner
SUBJECT: Vesting Tentative Parcel Map #2925, 381, 383, and 385 Sutter Hill Road (APN 180-314-026)

RECOMMENDATION:

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under 15332 (Infill) CEQA Guidelines; and
3. Adopt Resolution 2023-2024-* Approving the Vesting Tentative Parcel Map #2925 based on the recommended Findings and subject to the recommended Conditions of Approval and subject to City Council approval of an exception to the Subdivision code 17.16.100.

BACKGROUND:

The Project is located within the City of Sutter Creek on the west side of Sutter Hill Road as shown on the location map, Figure 1. The Project is within the General Plan Residential Medium Density land use designation and the R-3 zone. The parcel is primarily flat with an existing single family house, duplex, and two sheds. One of the sheds is proposed for removal. The site is surrounded by existing single-family residences, a mobile home park, and undeveloped space.

The applicant is requesting the approval of a Vesting Tentative Parcel Map (Exhibit A) to divide one 1.06-acre (46,173 square feet) parcel zoned and designated R-3/RM Residential Medium Density, into two parcels zoned and designated R-3/RM Residential Medium Density -Family;

- Lot 1 – 0.85 acre (37,026 square feet), 42.25’ lot frontage width.
- Lot 2 – 0.21 acre (9,147 square feet), 52.57’ lot frontage width

Table 1. General Analysis.

Site Location	381, 383, and 385 Sutter Hill Road (APN 180-314-026)
Building Plan	N/A
Lot Size	1.06 acres to be split into two parcels: <ul style="list-style-type: none"> • Lot 1 – 0.85 acre (37,026 square feet), 42.25’ lot frontage width, plus 14.05’. • Lot 2 – 0.21 acre (9,147 square feet), 88.2’ lot frontage width
General Plan Land Use Designation	RM – Residential Medium Density (no change)
Zoning	R-3 – Multifamily (no change)
Main Street Historic District	No
Historic District	No

Figure 1: Parcel Location Map (approximate property lines)



DISCUSSION:

The applicant is proposing to use the existing driveway that currently serves the front house and the duplex in the rear. The driveway is proposed as part of Lot 1 with an access easement for Lot 2. This was discussed and reviewed by both planning and engineering staff. Staff felt it was safer to have one shared driveway on Sutter Hill Road than requiring separate driveways. If the properties are redeveloped in the future, site access and circulation will be reevaluated.

General Plan and Zoning Compliance

The application, as proposed, is consistent with the General Plan Land Use Designation of RM – Residential Medium Density and Zoning designation of R-3. The minimum parcel or lot size is 3,500 square feet (0.08 acre) for lots within the R-3 zoning.

The proposed division of one parcel into two parcels is in compliance with the General Plan and zoning code of the City of Sutter Creek. No amendments are proposed or required for this application.

Subdivision Code Compliance

The applicant is requesting an exemption to comply with the Subdivision Code, Section 17.16.100 regarding lot size. Section 17.16.100 states:

“17.16.100 Lots

A. The design of lots shall be in conformance with Title 18 of this Code. Unless the proposed subdivision is part of a planned development (PD) project, no lot shall have less than sixty feet of street frontage except residential lots on curved or cul-de-sac streets, which may have a minimum street frontage of fifty feet, provided there is a minimum width at the established front yard setback line of sixty feet. The provisions above do not include flag lots.”

The parcel is not located in a cul-de-sac or curved street and the total frontage width of the existing is 144.5 feet. Due to the location of the existing house and the current drive way the applicant is asking for an exception to lot frontage. The proposed Parcel 2 has a lot frontage of 88.2', and is compliant with the Code. Lot 1, which contains a duplex and shed, does not meet the 60' frontage requirement. The frontage of Lot 1 is split on either side of Lot 2, for a combined frontage of 56.3'. The applicant is proposing to use the existing driveway entrance off of Sutter Hill Road for both of the proposed lots.

Due to the configuration of the lot and the location of the existing home on the property, it is not feasible for both parcels to meet the 60' frontage requirement, despite the ability to meet the overall square footage requirements.

Exemptions can only be approved by the City Council after the Planning Commission has reviewed the proposed map and made the following three findings per Subdivision Code 17.30.010:

- A. That there are special circumstances or conditions affecting the property.
 - While there is more than adequate square footage to meet the minimum lot area requirements for each lot, the location of the existing structure on the property will not allow for a frontage of 60' on the proposed Lot 1. Allowing a smaller frontage width avoids making the existing structure non-conforming in terms of setbacks, and reduces the driveways proposed on Sutter Hill Road.
- B. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner.
 - The exception will allow for the creation of lots sized appropriately for the R-3 zone/ RM land use designation and will provide additional opportunity for multifamily house development.
- C. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated.
 - The frontages of lots within the area vary in size.

A General Plan review was conducted by City staff, and the General Plan policies are met. Conditions of Approval for the Project are attached as Exhibit B.

ENVIRONMENTAL:

Because this project requests an exemption to Subdivision Code Section 17.16.100 which requires 60-foot-wide lot frontages land, it does not qualify for a Categorical Exemption under Section 15315 (Minor Land Divisions) of the California Environmental Quality Act (CEQA) Guidelines. However, the project does qualify for a Categorical Exemption under Section 15332 (Infill) as this parcel is within a developed neighborhood.

ENGINEERING REVIEW:

A field review of this site conducted by the City Engineer's office. Based on the findings from the visit and the review of the submitted application materials the Engineering Department has recommended additional Conditions of Approval which are included within this report.

Staff recommends approval as presented, with the following Findings and Conditions of Approval:

FINDINGS:

1. The proposed split of the property into two parcels is essential or desirable to the public convenience or welfare;
2. The proposed action is in compliance with the Sutter Creek General Plan goals, policies, and RM designation.
3. The proposed action will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-3 Zone, which allows a lot split in which the area of the resulting lots is greater than 3,500 square feet.
4. The proposed action would not be detrimental to public health, safety or general welfare.
5. The proposed split of the property implements the Sutter Creek General Plan and the purposes of the Planning Title.

1. That there are special circumstances or conditions affecting the property:
While there is more than adequate square footage to meet the minimum lot area requirements for each lot, the location of the existing structure on the property will not allow for a frontage of 60' on the proposed Lot 1. Allowing a smaller frontage width avoids making the existing structure non-conforming in terms of setbacks, and reduces the number driveways proposed on Sutter Hill Road.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner:
The exception will allow for the creation of lots sized appropriately for the R-3 zone/ RM land use designation and will provide additional opportunity for multifamily house development.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated:
The frontages of lots within the area vary in size.

CONDITIONS OF APPROVAL:

All conditions shall be met as appropriate, prior to or concurrent with the recording of a Parcel Map.

Parcel Map Conditions

1. The Parcel Map shall be in substantial compliance with the Tentative Parcel Map as approved by the Planning Commission and on file at the offices of the City of Sutter Creek.
2. A Parcel Map, in accordance with Chapter 17.22 of City Code, shall be recorded within 24 months of Planning Commission Tentative Map approval.
3. The FEMA 100-year flood limit shall be identified on the map
4. All easements of record shall be noted on the Parcel Map. Property owner to extend the existing curb and gutter (C&G) along the frontage of the property in compliance with City Standards connecting to the existing C&G at the North end of the property.
5. A 5-foot public utility easement along the frontage of the property be dedicated to the City on the Parcel Map.
6. A 15' wide drainage easement along the ditch at back property line be dedicated to City on the Parcel Map.
7. Existing driveway encroachment within street Right of Way be brought to City Standards.

Additional Project Conditions

8. The Subdivider shall continue to meet the requirements of the City Subdivision Ordinance, Zoning Ordinance, Sign Ordinance, Noise Ordinance, Tree and Landscape Ordinance, and Park Dedication and In Lieu Fee Ordinance, unless otherwise specifically superseded by these Conditions of Approval.
9. Sewer service locations shall be verified by City Public Works staff and field marked.
10. The ordinance requirements of the Sutter Creek Fire District shall continue to be met.
11. The Applicant shall pay the \$50.00 Notice of Exemption filing fee to the Amador County Recorder.
12. This subdivision shall consist of a maximum of two Residential Multi-family parcels.
13. All improvements shall be made to City Improvement Standards.
14. The applicant shall pay to the City all appropriate fees and shall submit to the City grading detail, drainage studies, tree removal plans, and any other documentation required by the City prior to the issuance of development permits.
15. Any structural development on the parcels shall comply with the CBC and Title 24 regulations, as well as demonstrate defensible space.
16. Authorization by the City Council for an exception to the requirements of Subdivision section 17.16.100, allowing a lot frontage of less than 60 ft.

BUDGET IMPACT:

There is no budget impact directly.

EXHIBIT A TENTATIVE PARCEL MAP #2925

TENTATIVE MAP 2925

BEING A PORTION OF LOT 39, BLOCK 22
SUTTER CREEK TOWNSITE, ALSO BEING A PORTION OF THE
SE ¼ SECTION 7, T. 6 N., R. 11 E., M. D. M.
CITY OF SUTTER CREEK, COUNTY OF AMADOR, STATE OF CALIFORNIA

JULY 2024
MINUTES & SECONDS LAND SURVEYING
ORANGEVALE, 925-967-5441

NOTES

1. RECORD OWNER: BRETT & COURTNEY BRUSATORI
PO BOX 1131, SUTTER CREEK
2. SURVEYOR: MINUTES & SECONDS SURVEYING
ORANGEVALE CA. 925-967-5441
3. A.P.N: 018-314-026
4. ZONING: R-3 RESIDENTIAL
5. GENERAL PLAN: R-3 RESIDENTIAL
6. DEED REFERENCE: 2020 R. 009451
7. PROPOSED USE: LOT 1: RESIDENTIAL
LOT 2: RESIDENTIAL
8. WATER: AMADOR WATER AGENCY (EXISTING SERVICES FOR LOT 1 & LOT 2)
9. SEWAGE DISPOSAL: CITY OF SUTTER CREEK (EXISTING SERVICE FOR LOT 1)
CITY OF SUTTER CREEK (EXISTING SERVICE FOR LOT 2)
10. FIRE PROTECTION: SUTTER CREEK FIRE DEPARTMENT
11. SCHOOL: AMADOR COUNTY UNIFIED SCHOOL DISTRICT
12. UTILITIES: POWER AND GAS WILL BE SERVED BY POSE
13. EASEMENTS: 5' DRAINAGE EASEMENT ALONG COMMON LINE
14. SETBACKS: AS DEFINED IN CITY OF SUTTER CREEK ZONING ORDINANCE
15. SPECIAL DISTRICTS: CITY OF SUTTER CREEK, SUTTER CREEK FIRE DEPT., AMADOR COUNTY UNIFIED SCHOOL DISTRICT AND AMADOR WATER AGENCY
16. FLOOD ZONE: PROPERTY NOT IN A FLOOD ZONE

NOTES

- FLAG LOT DESIGN EXCEPTION: SHARED ACCESS THROUGH 24' ROAD ON NORTH SIDE OF PARCEL TO MINIMIZE ENCROACHMENTS TO SUTTER HILL RD.
- NO IMPROVEMENTS ARE PLANNED AT THIS TIME

OWNERS STATEMENT

I AM THE OWNER OF RECORD AND I CONSENT TO THE FILING OF THIS PARCEL MAP IN COMPLIANCE WITH THE REQUIREMENTS OF THIS TITLE AND TITLE 1, DIVISION 3 OF THE CALIFORNIA GOVERNMENT CODE, THE SUBDIVISION MAP ACT.

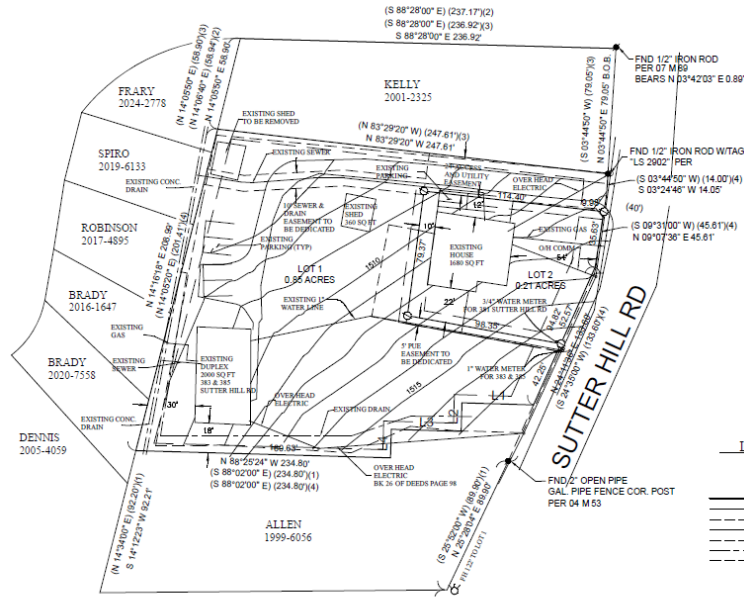
OWNER, BRETT BRUSATORI & COURTNEY BRUSATORI

BRETT BRUSATORI

COURTNEY BRUSATORI

- REFERENCES
(1) 04 M 53
(2) 07 M 89
(3) BK 87 PG. 321
(4) 2020 R. 9451

LINE	BEARING	DISTANCE
L1	S 88°17'31" E	45.00'
L2	S 01°42'48" W	18.01'
L3	S 88°17'31" E	44.00'
L4	N 01°42'29" E	18.00'



LEGEND & NOTES

- RECORD POSITION OF MON AS NOTED
- ⊗ PROPOSED PROPERTY CORNER
- ⊕ FIRE HYDRANT
- BOUNDARY LINE PER 2020-R-9051, A.C.R.
- ADJACENT BOUNDARY
- - - EASEMENT LINE
- - - EDGE OF PAVEMENT
- - - FENCE LINE
- - - FLOW LINE
- - - SETBACK LINE

REFERENCES

TENTATIVE MAP BASED UPON THE BOUNDARY DESCRIBED IN 2020-R-009451, AMADOR COUNTY RECORDS

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

SUBMISSION REQUIREMENTS

- 1-Entitlement Application*
- 2-Map*
- 3-Fees (refer to current fee schedule)
- *All documentation must be submitted via the application portal on the City

ENTITLEMENT APPLICATION

Project Location (address or vicinity): 381, 383 & 385 Sutter Hill Rd
Assessor's Parcel Number(s) (APN): 100-314-026

Applicant Information

Applicant Name: Brett & Courtney BRUSATORI
Address: Po Box 1131 Phone: 209.304.7262
Sutter Creek City: Email: BRUSATORILandSurveying@gmail.com
State: CA Zip Code: 95685

Entitlements Requested:

<input type="checkbox"/> Adjustment (ADJ) _____	<input type="checkbox"/> Oak Tree Permit (OTP) _____
<input type="checkbox"/> Administrative Permit (AP) _____	<input type="checkbox"/> Sign Review (SR) _____
<input type="checkbox"/> Architectural Design Review (ADR) _____	<input type="checkbox"/> Temporary Use Permit (TUP) _____
<input type="checkbox"/> Conditional Use Permit (CUP) _____	<input type="checkbox"/> Tentative Tract Map (No. _____)
<input type="checkbox"/> Development Review (DR) _____	<input checked="" type="checkbox"/> Tentative Parcel Map (No. _____)
<input type="checkbox"/> Hillside Development Review (HDR) _____	<input type="checkbox"/> Variance (VAR) _____
<input type="checkbox"/> Landscape Plan Review (LPR) _____	<input type="checkbox"/> Zone Change (ZC) _____
<input type="checkbox"/> Minor Use Permit (MUP) _____	<input type="checkbox"/> Other _____

Primary Point of Contact/Consultant: Brett Brosatori

Address: _____

City: _____
State: _____ Zip Code: _____

Phone: 209. 304. 7262
Email: BrosatoriLandSurveying@gmail.com

Property Owner: * Same *

Address: _____

City: _____
State: _____ Zip Code: _____

Phone: _____
Email: _____

Engineer: _____

Address: _____

City: _____
State: _____ Zip Code: _____

Phone: _____
Email: _____

Architect: _____

Address: _____

City: _____
State: _____ Zip Code: _____

Phone: _____ Email: _____

JUSTIFICATION STATEMENT / PROJECT DESCRIPTION

Project Name: 381 Sutter Hill Rd Lot Split

State what the project is and why the application(s) should be approved based on the required findings (if any).

Attach additional pages and exhibits if necessary.

This project splits the existing lot, 46,000 sq ft,
into two lots. Zoning remains at R-3. Each
building, house & duplex, have their own electric, gas &
water hook ups. See tentative map for more info

Signature of Applicant

PROPERTY OWNER(S) STATEMENT

STATE OF CALIFORNIA
COUNTY OF AMADOR CITY
OF SUTTER CREEK

I/We, Brett & Courtney Brusator, declare that I/we am/are the owner(s) of the property described herein and hereby give authorization for the filing of this application. Further, I/we do, by my/our signature(s) on this agreement, absolve the City of Sutter Creek of all liabilities regarding any deed restrictions that may be applicable to the property described herein. (Signature of all property owners is required. The owner in escrow is not acceptable.)

I/We declare that all encumbrances on the subject property are shown on the submitted site plan (or are attached on a separate sheet) and that the purpose of all encumbrances (and ownership of all easements) is stated. In the case of a tentative map, I/we further declare that the property involved in this application is free from all encumbrances that would conflict with the project application, particularly dedications of the right to further subdivide to the County of Amador or City of Sutter Creek.

I/We understand that, in the event that the City incurs greater expense in processing the application(s) than is covered by the standard processing fee(s), that I/we will be responsible for payment of such fees and that permits will not be issued and/or occupancy will not be granted until all fees have been paid in full.

I/We hereby grant the City admittance to the subject property as necessary for processing of the project application.

I/We declare under penalty of perjury that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Signed [Signature]

Signed Courtney Brusator

Signed _____

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of _____)

On _____ Date _____, before me, _____ Notary Public _____ personally appeared

_____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the forgoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL

Signature of Notary Public

(Seal)

FINANCIAL INTEREST DISCLOSURE

In order for the approving authority to adequately assess the potential for conflict of interest in rendering decisions on land use matters, the following information is required. Should the applicant(s) in the requested action be or include a partnership, the name of the corporation and of all officers of said corporation shall be printed below. If there are any other business or joint venture parties, property owners, or individuals which have a financial interest in this action not otherwise covered as a partnership or corporation, then their names shall be printed below.

Partnership:

Corporation:

Name of Partnership

Name of Corporation

Names of Partners

President

Vice President

Secretary

Other

Property Owners:

Other:

I hereby certify that the foregoing information is accurate and complete to the best of my knowledge and belief.

Signature of Applicant

Name (Please Print)

Date

TENTATIVE MAP 2925

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 SUTTER CREEK TOWNSITE, ALSO BEING A PORTION OF THE
 SE ¼ SECTION 7, T. 6 N., R. 11 E., M. D. M.
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16. FLOOD ZONE PROPERTY NOT IN A FLOOD ZONE

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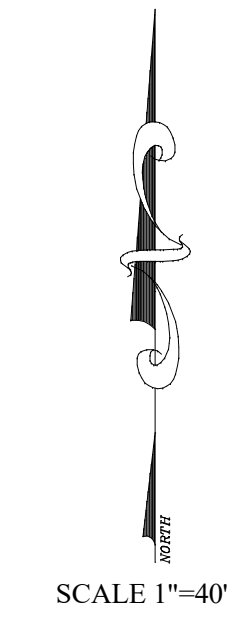
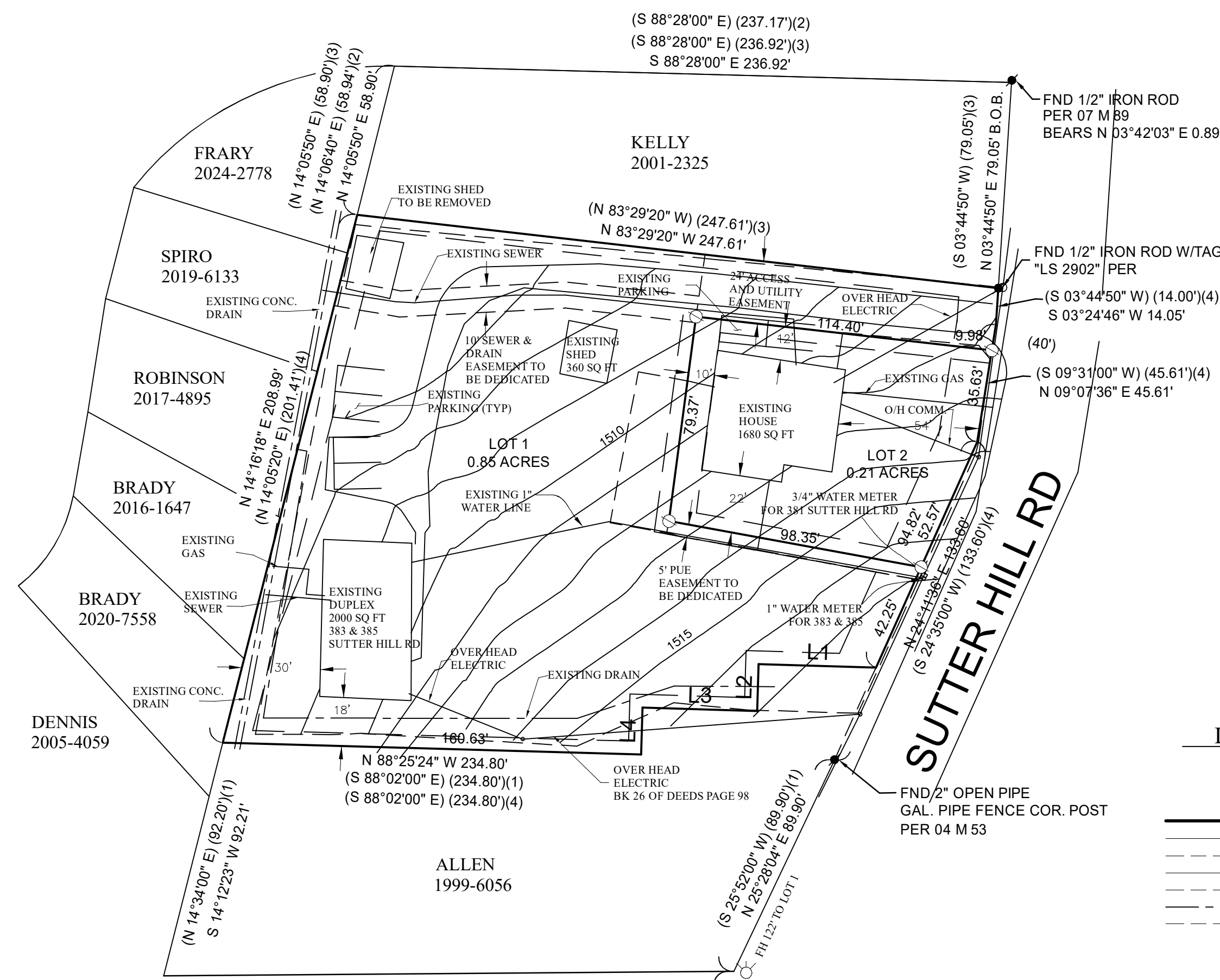
OWNERS STATEMENT

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OWNER: BRETT BRUSATORI & COURTNEY BRUSATORI

BRETT BRUSATORI

COURTNEY BRUSATORI



LEGEND & NOTES

- RECORD POSITION OF MON AS NOTED
- PROPOSED PROPERTY CORNER
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REFERENCES

TENTATIVE MAP BASED UPON THE BOUNDARY DESCRIBED IN 2020-R-009451, AMADOR COUNTY RECORDS

REFERENCES

- (1) 04 M 53
- (2) 07 M 89
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LINE	BEARING	DISTANCE
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L3	S 88°17'31" E	44.00'
L4	N 01°42'29" E	18.00'

RESOLUTION 23-24-*

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING VESTING TENTATIVE PAREL MAP 2925
FOR APN 018-294-018 AT 81 SPANISH STREET**

WHEREAS, on the Planning Commission of the City of Sutter Creek did on Tuesday October 15, 2024, hold a public hearing for Vesting Tentative Map 2925 to split 381, 383, and 385 Sutter Hill Road (APN 180-314-026) into two separate lots to hear public comments regarding the proposed lot split; and

WHEREAS, the Planning Commission did at said public hearing receive a report from the planning staff, receive input from the Applicant and members of the public in attendance at said public hearing, and at the closing of said public hearing did deliberate and consider the same; and

WHEREAS, the Planning Commission does find the proposal is exempt from environmental review as a Class 153332 Infill under CEQA.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves Vesting Tentative Parcel Map 2925 based on the following Findings:

1. The proposed split of the property into two parcels is essential or desirable to the public convenience or welfare;
2. The proposed action is in compliance with the Sutter Creek General Plan goals, policies, and RM designation.
3. The proposed action will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-3 Zone, which allows a lot split in which the area of the resulting lots is greater than 3,500 square feet.
4. The proposed action would not be detrimental to public health, safety or general welfare.
5. The proposed split of the property implements the Sutter Creek General Plan and the purposes of the Planning Title.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Sutter Creek recommend that the City Council authorize the Planning Commission to approve Tentative Map 2925 with an exception to lot frontage based on the following findings per Subdivision Code 17.30.010:

1. That there are special circumstances or conditions affecting the property:
While there is more than adequate square footage to meet the minimum lot area requirements for each lot, the location of the existing structure on the property will not allow for a frontage of 60' on the proposed Lot 1. Allowing a smaller frontage width avoids making the existing structure non-conforming in terms of setbacks, and reduces the number of driveways proposed on Sutter Hill Road.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner:
The exception will allow for the creation of lots sized appropriately for the R-3 zone/ RM land use designation and will provide additional opportunity for multifamily house development.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated:
The frontages of lots within the area vary in size.

BE IT FURTHER RESOLVED the Planning Commission hereby approves Vesting Tentative Parcel Map 2925, subject to the following Conditions of Approval. All conditions shall be met as appropriate, prior to or concurrent with the recording of a Parcel Map.

Parcel Map Conditions

1. The Parcel Map shall be in substantial compliance with the Tentative Parcel Map as approved by the Planning Commission and on file at the offices of the City of Sutter Creek.
2. A Parcel Map, in accordance with Chapter 17.22 of City Code, shall be recorded within 24 months of Planning Commission Tentative Map approval.
3. The FEMA 100-year flood limit shall be identified on the map
4. All easements of record shall be noted on the Parcel Map. Property owner to extend the existing curb and gutter (C&G) along the frontage of the property in compliance with City Standards connecting to the existing C&G at the North end of the property.
5. A 5-foot public utility easement along the frontage of the property be dedicated to the City on the Parcel Map.
6. A 15' wide drainage easement along the ditch at back property line be dedicated to City on the Parcel Map.
7. Existing driveway encroachment within street Right of Way be brought to City Standards.

Additional Project Conditions

8. The Subdivider shall continue to meet the requirements of the City Subdivision Ordinance, Zoning Ordinance, Sign Ordinance, Noise Ordinance, Tree and Landscape Ordinance, and Park Dedication and In Lieu Fee Ordinance, unless otherwise specifically superseded by these Conditions of Approval.
9. Sewer service locations shall be verified by City Public Works staff and field marked.
10. The ordinance requirements of the Sutter Creek Fire District shall continue to be met.
11. The Applicant shall pay the \$50.00 Notice of Exemption filing fee to the Amador County Recorder.
12. This subdivision shall consist of a maximum of two Residential Multi-family parcels.
13. All improvements shall be made to City Improvement Standards.
14. The applicant shall pay to the City all appropriate fees and shall submit to the City grading detail, drainage studies, tree removal plans, and any other documentation required by the City prior to the issuance of development permits.
15. Any structural development on the parcels shall comply with the CBC and Title 24 regulations, as well as demonstrate defensible space.
16. Authorization by the City Council for an exception to the requirements of Subdivision section 17.16.100, allowing a lot frontage of less than 60 ft.

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on Tuesday the 15th day of October, 2024 by the following vote:

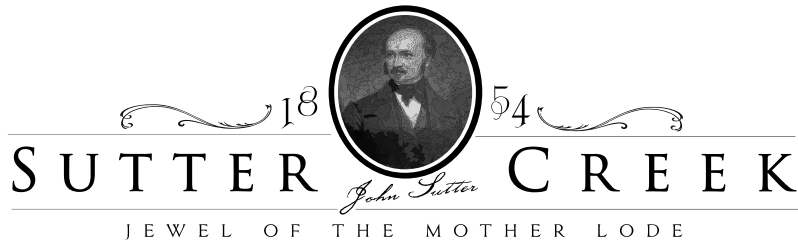
AYES:
NOES:
ABSTAIN:
ABSENT:

THE CITY OF SUTTER CREEK

Michael Kirkley, Chairman

ATTEST:

Karen Darrow, City Clerk



TO: CITY OF SUTTER CREEK PLANNING COMMISSION
MEETING DATE: OCTOBER 14, 2024
FROM: ERIN VENTURA, PLANNING CONSULTANT
SUBJECT: SITE PLAN PERMIT, BUSINESS PARK DRIVE AT RIDGE RD., JACKSON RANCHERIA DEVELOPMENT CORPORATION (APNS 044-510-004/-028/-045)

RECOMMENDATION:

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under 15332 (Infill) CEQA Guidelines; and
3. Adopt Resolution 22-23-** approving a Site Plan Permit for the Jackson Rancheria Development Corporation to operate a RV Storage facility based on the proposed Findings and subject to the proposed Conditions of Approval for APNs 044-510-004, 044-510-028, 044-510-045.

BACKGROUND:

Jackson Rancheria Development Corporation submitted an application for a Site Plan Permit to operate an RV Storage facility to accommodate up to 76 units. The proposed location is adjacent to their 206-unit mini-storage facility located at 92 Ridge Road at the end of the Business Park cul-de-sac. The mini-storage facility was approved in late 2022.

Table 1. Relevant Summary of Proposed Site

Description	Proposed	Meets Requirements?
Site	92 Ridge Road, at the end of the Ridge Business Park cul-de-sac.	-
Building Plan	No proposed structures	Yes
Lot Size	3.617 acres/157,556 square feet	Yes
Zoning	I-1	Yes
General Plan Land Use Description	Light Industrial	Yes
Is this in the Main Street Historic District?	No	-
Historic District?	No	-
Parking	Parking is adjacent to the storage units. No formal parking stall striping is proposed	The Code does not have parking requirements for RV storage.
Access	Access is off of Business Park Drive, which is a private road.	Yes
Fencing	6' chain link (new and existing)	Yes.
Trees and Landscaping per 13.24.120	No tree removal. Applicant is not proposing landscaping	No, the applicant is not proposing landscaping. Staff is recommending that the landscaping be similar to the landscaping along the entrance to the mini storage facility.

Map 1. Aerial Photo



DISCUSSION:

General Plan: The site was previously partially graded and graveled when the cul-de-sac and utility infrastructure was installed and is designated Light Industrial. This use is appropriate for the Light Industrial land use designation and similar in size and use to the other adjacent uses in the area.

Zoning: The site was previously improved for the Business Park cul-de-sac and is zoned I-1. The proposed use complies with the Section 18.40.020 Permitted Uses; #39, *Vehicle storage (cars, trucks, boats, and RVs)*.

Parking: The applicant is not proposing any dedicated short term parking spaces and none are required by the municipal code.

Access: Access to the RV storage facility is off of Business Park Drive. The applicant is proposing to relocate the existing gate that is located at the entry of the mini-storage facility. The gate, fencing and landscaping for the mini-storage were a condition of approval at it’s time of approval. The gates measure at least 14 feet in width and include a Knox box to ensure fire apparatus access.

There is adequate space within the facility for RVs to be maneuvered and placed in their spots.

Landscaping: Based on the existing site, there are no existing trees that would be removed. The is not proposing landscaping along the entrance of the storage facility. When the mini storage facility was approved in November 2022, landscaping was required at the front entrance along the decorative fence and wall, along the edge of the cul-de-sac at the gated entry. If the Planning Commission conditions the

project to require landscaping, as per staff's recommendation, a revised landscaping plan will need submitted in relation to the revised gated access location.

Staff is recommending that the landscaping be installed at the entrance of the facility and that the same decorative wall also be installed.

Fencing: The applicant is proposing to tie into the existing 6ft chain link fence that surrounds the mini storage facility. Parcel B already contains an existing fence along the northeast boundary line. Lot 3 also is partially fenced. Where Parcel B and Lot 3 abuts the existing mini storage there is an existing 6ft chain link fence.

California Environmental Quality Act (CEQA) Guidelines: This use qualifies for a Categorical Exemption under 15332 (In-Fill Development Projects) and a Notice of Exemption has been prepared for approval.

REFERRALS:

The application package was referred to City staff and affected agencies and comments have either been addressed or added as conditions of approval.

Staff recommends approval of the use as presented, with the following Findings and Conditions of Approval:

FINDINGS:

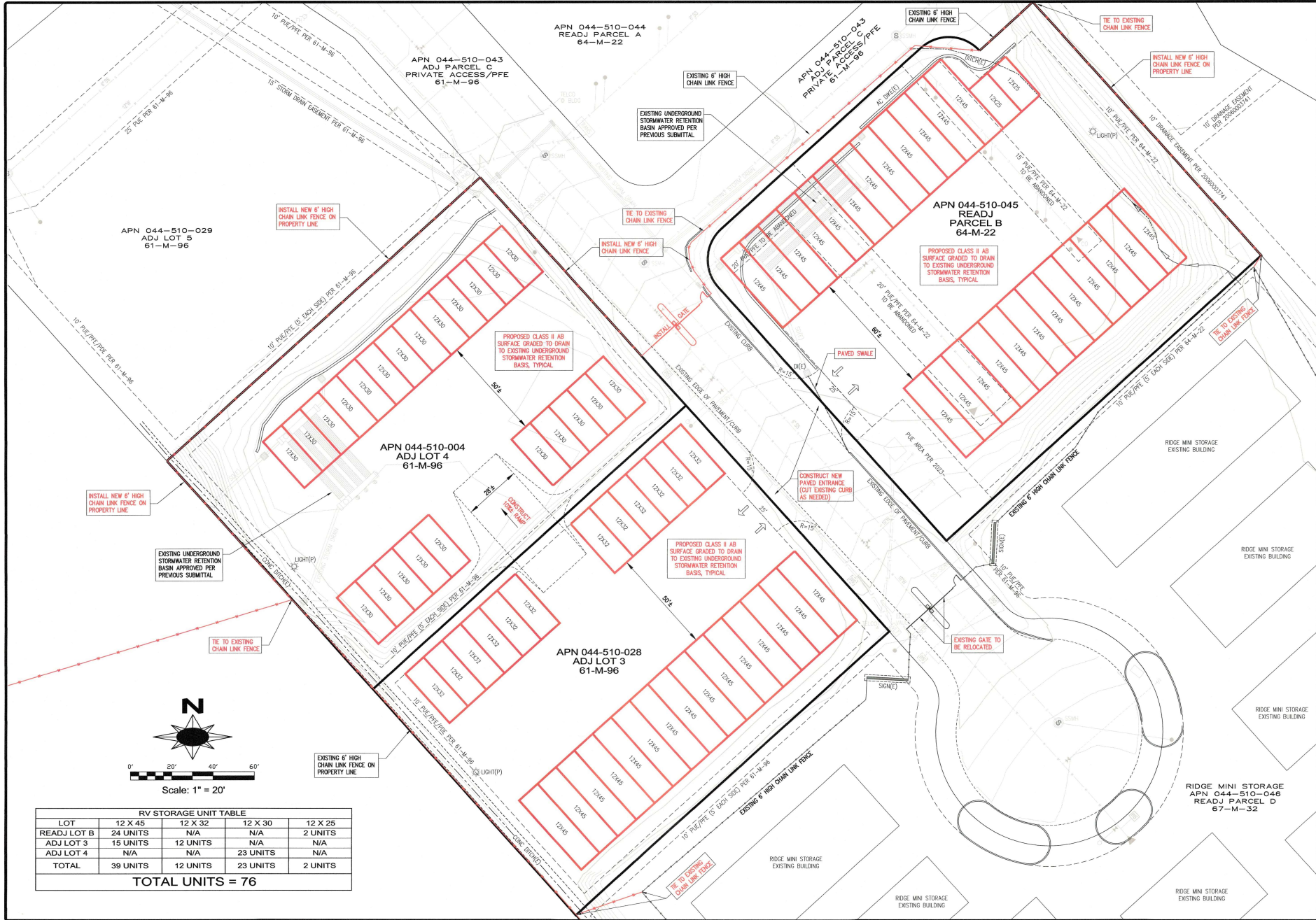
1. The proposed use of the property is essential or desirable to the public convenience or welfare.
2. The proposed use is in compliance with the Sutter Creek General Plan goals, policies, and Light Industrial I-1 designation.
3. The proposed use will not impair the integrity and character of the zoning district because the use is consistent with activities within the I-1 Zone and the existing adjacent uses.
4. The proposed use would not be detrimental to public health, safety or general welfare because appropriate conditions of approval have been attached to the project.
5. The proposed use of the property implements the Sutter Creek General Plan and the purposes of the Planning Title.

CONDITIONS OF APPROVAL:

1. Storage outside of RVs is prohibited;
2. RVs are allowed to be stored/parked within the facility. No habitation within the RVs is allowed.
3. Provide the City with revised drawings to scale depicting the revised gated access points, entry landscaping, entry walls, signage location, and entry systems prior to application for grading and building permits, for City review and approval.
4. The Applicant must prepare a final grading plan for review and approval by City staff that corresponds with the accepted drainage study entitled, "Stormwater Detention Structures, Rancheria Mini Storage, Jackson Rancheria Development, Lot 1, Ridge Business Park" dated August 24, 2023. Should the proposed grading require reconfiguring the drainage basins from the accepted drainage study, an updated drainage study will be required.
5. The applicant must provide the City written verification from all utility companies that the existing easements proposed to be abandoned are acceptable to them.
6. No RV sewer dump stations are allowed on the site.
7. All AWA facilities currently existing on or near the site shall be protected and/or relocated at the developers' expense by means and methods approved by AWA.
8. The development shall install bollards to protect the hydrant on Lot 4 in accordance with SW007 and receive AWA approval thereof.
9. The development shall provide continuous access to AWA for its utilities on or adjacent to the development.

10. The project fencing and landscaping shall be installed and maintained as shown on the sub plans, including decorative iron fencing at the entry with landscaping and chain link fencing around the remaining exterior.
11. Maintain a valid City of Sutter Creek Business License.
12. Applicant shall pay the \$50.00 Notice of Exemption filing fee to the Amador County Recorder.
13. Comply with Section 18.06.090 and 18.06.100 of the Zoning Code regarding the 12-month period to implement the Project and/or Extension of time.
14. Meet the requirements of the Amador Water Agency and health department for Water Service.
15. In accordance with Sutter Creek Fire District requirements, provide a Knox system as well as a Click-to-Enter system, the same type of system used for Pinewood Apartments, on the access gate.
16. Should any construction-related activity encroach onto Caltrans right-of-way, the applicant shall apply for an Encroachment Permit with the Caltrans Encroachment Permit office and provide all required documentation and associated fee payment.
17. Although not currently proposed, if the applicant should apply for signage for this project visible from the highway, it may be subject to the provisions of the California Outdoor advertising Act and may require a permit from the Caltrans Office of Outdoor Advertising. Should such signage be proposed in the future, the applicant shall consult with Caltrans and obtain the associated permits.
18. The Owner/Applicant shall ensure any exterior night lighting installed on the project site reflects the submitted photometric lighting plan and is dark sky compliant (Lithonia Lighting Outdoor LED vapor tight wall mount fixtures on the storage units attached at 7' above grade and ESX1 LED Area Luminaire size 1 P4 lumen package site perimeter lighting, downward facing on 25' light poles).
19. There shall be no temporary canopies or tents or modular buildings of any kind on the property without a site plan review by the Planning Commission.
20. No storage of chemicals is permitted on the property.
21. No outside vending machines shall be allowed on site.
22. No portable toilets shall be allowed onsite during operation of the facility.

* * * *



APN 044-510-029
ADJ LOT 5
61-M-96

APN 044-510-043
ADJ PARCEL C
PRIVATE ACCESS/PFE
61-M-96

APN 044-510-044
READJ PARCEL A
64-M-22

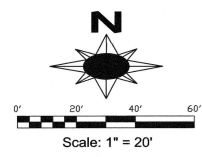
APN 044-510-045
ADJ PARCEL D
PRIVATE ACCESS/PFE
64-M-22

APN 044-510-045
READJ PARCEL B
64-M-22

APN 044-510-004
ADJ LOT 4
61-M-96

APN 044-510-028
ADJ LOT 3
61-M-96

APN 044-510-046
READJ PARCEL D
67-M-32



RV STORAGE UNIT TABLE				
LOT	12 X 45	12 X 32	12 X 30	12 X 25
READJ LOT B	24 UNITS	N/A	N/A	2 UNITS
ADJ LOT 3	15 UNITS	12 UNITS	N/A	N/A
ADJ LOT 4	N/A	N/A	23 UNITS	N/A
TOTAL	39 UNITS	12 UNITS	23 UNITS	2 UNITS
TOTAL UNITS = 76				

REVISIONS	BY

TOMA & ASSOCIATES INC.
ENGINEERING - SURVEYING - PLANNING
41 Summit Street, Jackson, CA 95642
(209) 223-0156

JACKSON RANCHERIA
RIDGE BUSINESS PARK
CITY OF SUTTER CREEK, AMADOR COUNTY, CALIFORNIA

RV STORAGE SITE PLAN

NO SITE ADDRESS ASSIGNED
READJ PARCEL B, 64-M-22
ADJ LOTS 3 + 4, 61-M-96
SUTTER CREEK, CA 95685
APNs 044-510-045,
044-510-004, 044-510-028

PREPARED FOR:
JACKSON RANCHERIA
DEVELOPMENT CORP.
PO BOX 1000
JACKSON, CA 95642
(209) 223-8607
DATE: 2/17/2024
SCALE: 1" = 20'
DRAWN BY: GMM
JOB NO: 2311-01
SHEET

1

OF 1 SHEET

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

RECEIVED:
FEE PAID:

Submission Requirements

- 1- Application*
 - 2- Map*
 - 3- Fees (Refer to current fee schedule. All Fees must be paid at City Hall)
- *All documentation must be submitted via the application portal on the City website

SITE PLAN APPLICATION

Page 1 of 8

Project Applicant:

Name: JACKSON PASTRYERIA DEN. CORP.
Mailing Address: PO BOX 096
City: JACKSON State: CA Zip: 95642

Phone:
Email:

Property Owner:

Name: JACKSON PASTRYERIA DEN. CORP.
Mailing Address: PO BOX 1090
City: JACKSON State: CA Zip: 95642

Phone:
Email:

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

Name: Randy Fage
Mailing Address: P.O. Box 1090, Jackson, CA 95642

Email: rfage@jacksoncasino.com

Project Location:

APN: 044-510-045, 044-510-004 AND 044-510-028
Project Address: NO STUS ASSIGNED, RIDGE RD, SUTTER CREEK

Is this located in the Historic District? Yes No
If yes, please see checklist for Design Review.

Deed References (book and page): 2013-0004972, 2014-0000763, 2013-0005460

General description of location: RIDGE BUSINESS PARK

Zoning District: I-1/PO General Plan Land Use Designation: INDUSTRIAL

Applicant certification, signature(s), and agreement to pay application processing costs.

I hereby certify that the statements furnished herein and on any attached pages present the data required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

I hereby certify that I own or am the authorized representative of the owner of the land hereby requesting Certificate of Compliance approval and that I am aware of and do agree to pay the hourly rates as established by Resolution of the City of Sutter Creek for the time spent by the City staff as necessary to process, review and provide consultation to the City concerning this application. I am also aware that said hourly charges are in addition to set fees required for preliminary review and administration and may also include charges to monitor compliance with conditions of approval if my request is approved.

Crystal Jack

Printed Name

Signature

7-31-24

Date

ENVIRONMENTAL INFORMATION

1. Describe Project: FENCED RV STORAGE

2. Existing use of property(ies): VACANT

3. Will grading occur on slopes of 10% or more? NO

4. Will any springs or wet areas be affected as a result of this project? NO

5. Estimated length of proposed roads and driveways: N/A - EXISTING

6. Estimated type and amount (acreage or number) of vegetation to be disturbed for grading, roads, driveways, building sites, or other alteration. (Examples: Approx. 1 acre of Manzanita and other Brush to be cleared for building pads; over 100 small shrubs and oak trees to be cleared, etc.):
N/A - PADS EXISTING

7. Project description: Use space below and/or attach additional sheets giving project description in sufficient detail to allow adequate evaluation of potential effects.
 - a. Proposed facilities: FENCED RV STORAGE SPACES

 - b. Building Sizes: N/A

 - c. Access: N/A - EXISTING

 - d. Parking: RV PARKING SPACES (SEE SIZES @ SITE PLAN)

 - e. Water Source: EXISTING ALWA SERVICES IN PLACE

 - f. Estimated Water Consumption: N/A

 - g. Method of Sewage Disposal: EXISTING CITY OF SUTTER CREEK SERVICE

 - h. Nature of Business: RV STORAGE SPACES

 - i. Estimated Daily Volume of Traffic: 10-20 TRIPS/DAY

 - j. Estimated Number of Employees: N/A - OFFSITE

 - k. Estimated Energy Consumption: 3 LED STREET LIGHTS

 - l. Percentage of lot to be covered by buildings/paving: N/A - 5" CLASS ILLAB

 - m. Construction schedule: SUMMER 2025

 - n. Any historical/archaeological features on property: NO

 - o. Other (please explain): N/A

8. Describe special circumstances of the project or project site which may result in problems or adverse environmental effects. (Example: steep slopes, drainages, noisy equipment, hazardous access, lack of services.): NONE

9. Indicate mitigation measures which may lessen problems or adverse environmental effects (including energy conservation) to be incorporated into project to eliminate or reduce adverse effects):

N/A

10. Describe most logical alternatives to project and how these alternatives would change the problems or effects discussed in items 13 and 14 above (include the alternative of "no project"):

N/A

SITE PLAN APPLICATION PROCESS AND REQUIREMENTS

City Code Title 18 divides the City into different zoning districts and specifies all uses that may be allowed in each district. The uses allowed on any lot or parcel of land in the City is governed by the rules of the zoning district in which it is located.

Site Plan Approval is required by the City for the construction of any development in any zone except for the development of agricultural uses, the construction of single family dwellings and the construction of two family dwellings in one building. Site plans are not required for construction of buildings for which a Conditional Use Permit or Variance has been obtained.

The following process is developed consistent with Title 18 and related state laws to guide applications for Site Plan Approval through required levels or review and to the Planning Commission for approval, conditional approval or denial. Any Planning Commission determination can be appealed to the City Council.

18.50.030 - Site plan—Layout design.

A site plan drawn accurately to scale and showing the proposed development of the entire buildable lot shall be submitted, and shall include, but not be limited to, the following information:

- A. The location of all existing and proposed structures on the property together with their dimensions, distance between structures and setback distances from property lines;
- B. Approximate location of all streams, drainage channels, and/or bodies of water and an approximate indication of slope and elevations of the property;
- C. Names, locations, and widths of all existing and proposed streets and rights-of-way on or near the property;
- D. Proposed type and location of driveways, parking areas, curbs, gutters and sidewalks, solid waste enclosures, fences, landscaping, and signage consistent with city standards;
- E. Location of water, sewer, electrical, natural gas and storm drainage facilities to serve the proposed structure(s);
- F. The relationship of the proposed structure(s) to the existing buildings and structures in the immediate vicinity; and
- G. Exterior front elevation of each proposed buildings along with building height dimensions, type, color and pitch of roof, and exterior building materials and colors.

1. Application Submittal: Applicant submits three (3) copies of all items necessary to make a complete application package to the Planning Department. Forms and requirements for a complete application package are attached. All items must be complete and legible, folded and collated into separate packages approximately 9" x 12" in size, for the application to be accepted for processing.

- () a. preliminary review and application processing fees as explained on the following page;
- () b. a completed site plan application form;
- () c. site plan drawing(s) drawn legibly on paper 18" x 24" minimum and folded to approximately 9" x 12" Showing all of the following:
 1. location and dimensions of property lines, the location of all existing and proposed structures on the property together with their dimensions, distance between structures and setback distances from property lines;
 2. approximate location of all streams, drainage channels, and/or bodies of water and an approximate indication of slope and elevations of the property;
 3. names and locations of all existing and proposed streets including their widths, composition and associated improvements such as sidewalks, curbs and gutters. Location of all right-of-ways located on or near the property known to the owner and any proposed street dedications.
 4. proposed type, dimensions and location of driveways, parking areas, sidewalks, fences, shrubs, landscaping, etc.;
 5. the relation to the existing buildings and structures in the general vicinity and area;
 6. dimensions, north point, and scale;
 7. all proposed grading (existing and finish contours);
 8. all proposed future development;
 9. location map, naming and locating principal streets and lanes within the area sufficient to precisely locate the map area;
 10. all proposed and existing easements;

11. design of proposed buildings and other improvements;
 12. height and area of buildings;
 13. type and pitch of roofs;
 14. exterior elevations showing detailed design of all 4 sides of proposed buildings;
 15. exterior building materials and colors to be used.
- () d. an environmental information form;
- () e. if the applicant is not the owner of the property involved, a letter bearing the original signature(s) of the person(s) owning record title to the land for which the site plan is requested, indicating full awareness of the project and specifying one person as authorized to serve as his/her representative and applicant for the project.
2. Explanation of preliminary review and application processing fees:
 - a. An application fee, as established by resolution, submitted together with two (2) copies of items a through e listed above (one copy of item #e shall contain original signatures).
 - b. When the Planning Department has determined that the application package is complete for processing pursuant to Step #7 below, the applicant shall submit 25 more copies of items a through d plus an application process fee as established by resolution. In addition, the applicant shall, by signing the required application form, agree to pay the city for City Engineer's, Planners, and Attorney's hourly rates plus any administration fee as established by resolution for time spent directly involved in review and consultation to the city concerning the subject application and the monitoring of conditions and mitigation measures if the application is approved, to the extent such charges exceed the amount of the application processing fee that is collected.
 3. City Planner's Review. The City Planner reviews the application package for completeness with respect to "City of Sutter Creek Site Plan Approval Requirements" and determines if the application package is complete or not complete for processing.
 4. Incomplete Application. The City Planner will notify the applicant in writing if the application package is incomplete and state specifically those parts of the application that are incomplete and the manner in which they may be made complete in accordance with "Sutter Creek Site Plan Approval Requirements".

NOTE: The applicant is under no time limit for resubmission of the application after it is determined to be incomplete. If, or when, the application is resubmitted, steps 1 through 4 are repeated. Each time an application is resubmitted the 30 day period required for determination of completeness will start over. The application will not proceed past step 4 until it is determined to be complete for processing. The applicant is hereby cautioned not to submit 25 copies of the application package until the City's written acceptance is received. Additional fees may be required when an incomplete application is submitted more than one time or an appeal is filed.
 5. Appeal of City Staff's Determinations. If the application is resubmitted more than one time and the City staff determines in each instance that the application is not complete, the applicant may appeal the City staff's decision in writing to the City Council. There shall be a written determination by the City Council within forty-five (45) calendar days after receipt of the applicant's written appeal. If the written determination is not made within the 45 day period, the application will be deemed complete for processing.
 6. Complete Application. When an application is determined to be complete, the City Planner will notify the applicant in writing that processing will begin.
 7. Acceptance and Review. The Planning Department will mark all copies accepted for processing. The Planning Department will direct the transmittal of application copies to all persons or agencies that are determined to have an interest therein. Each person or agency receiving copies of the application shall be required to submit their written comments upon the application to the Planning Department by a specified date this will be 7 days before the scheduled Planning Commission meeting. The Planning Department will schedule a Planning Commission meeting within 30 days of the date the application is accepted.
 8. Environmental Review. Unless the project is clearly exempt from the California Environmental Quality Act (CEQA), the Planning Department shall review the project for its potential effects upon the environment. The Planning Department shall complete an initial study environmental checklist and a recommendation whether a Negative Declaration (ND) or an Environmental Impact Report (EIR) should be prepared. If the Planning Department recommends a ND, it will prepare a DRAFT Negative Declaration (DND). If the Planning Department determines that and EIR should be prepared, it will draft the focus for an EIR. If the Planning Department is undecided it will recommend that the applicant submit additional information deemed essential for an adequate Planning Department determination. The Planning Department will deliver its recommendation in writing to the applicant.

9. Planning Department Recommendation. The Planning Department will make a recommendation according to a,b,c, or d below and cause said recommendation to be presented in a written report to the Planning Commission together with supportive findings of fact and possible conditions.
- a. Exempt from CEQA. When it is determined that a project is exempt from environmental review, the Planning Department shall direct that a notice of exemption be included in the Planner's report to the Planning Commission. If there is any question that exempt status may not be upheld by the Planning Commission, a draft negative declaration shall also be included in the Planner's report to the Planning Commission. Exempt status shall always be considered questionable when the Planning Department determines three or more conditions for approval are recommended.
 - b. Draft Negative Declaration. When the Planning Department determines that a project should be approved that is not exempt from environmental review and that the environmental effects of a project can be mitigated adequately by conditions, it will direct that a draft negative declaration with mitigation measures be included in the Planner's report to the Planning Commission. The mitigation measures shall be the same as the recommended conditions for approval.
 - c. EIR. When the Planning Department determines that information available is inadequate to determine acceptable mitigation measures/conditions, the Planning Department may recommend to the Planning Commission that an EIR be prepared before a recommendation for approval or denial is made.
 - d. Denial. When the Planning Department finds that the project will have a significant and unacceptable negative effect on the physical or social/economic environment that cannot be mitigated or that the project cannot conform to findings required by relevant section of Title 18 or the goals, policies or objectives of the General Plan or Municipal Codes, then it may recommend denial to the Planning Commission. Projects recommended for denial will include either a draft negative declaration or recommendation for an EIR in case the Planning Commission does not accept the Planning Department recommendation.
10. Public Notices and Review. The Planning Department will establish a 30 day public review period unless the project is found to be exempt from environmental review in which case a 10 day public review period will be established. The Planning Department will cause a public hearing concerning the project to be scheduled by the Planning Commission within 45 days of the date the Planning Department makes its recommendation. The Planning Department will cause notice of the public hearing to be provided pursuant to California Government Code Section 65091 and CEQA Section 15072. Such notice will include all information required by Government Code Section 65094 and will state that the project application and Planning Department recommendations are available for public review at City Hall during normal working hours. When a project may directly affect any state agency, the Planning Department will provide immediate, proper notification to the State Clearinghouse pursuant to Section 15106 of CEQA Guidelines.
11. Planner's Staff Report. The Planning Department will have a staff report prepared and transmitted to the applicant and Planning Commission members at least 7 days prior to the scheduled public hearing. The staff report will summarize the main steps and issues that have been involved in processing the application, it will reference laws or regulations which the Commission should consider and it will include the Planning Department's recommendation(s).
12. Planning Commission Hearing and Action. Upon completion of the public review period and the public hearing, the Planning Commission will make an action on the project. In preparing for their action the Commission will review and consider:
- a. The project application and the staff report including proposed finding and conditions,
 - b. The notice of exemption or initial environmental study and negative declaration or reasons (focus) for an EIR, and
 - c. All public comments submitted in writing during the public review period or presented orally during the public hearing.
- In approving or denying the application the Planning Commission will state clear reasons (findings of fact to support their action). When the Commission denies a project it need not adopt a negative declaration or an EIR. When the Commission intends to approve a project for which a negative declaration has been prepared, it will first adopt the negative declaration. When the Commission determines that an EIR should be prepared, no action on the project will be taken until the EIR is certified pursuant to "The City of Sutter Creek, Environmental Impact Report (EIR) Process".

RESOLUTION 24-253-*

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING THE SITE PLAN
FOR APNs 044-510-004, 044-510-0028, and 044-510-045 AT RIDGE ROAD**

WHEREAS, on the Planning Commission of the City of Sutter Creek did on Monday October 14, 2024, hold a public hearing for a site plan application for a 76 spot RV storage facility on three adjacent lots at the Business Park; and

WHEREAS, the Planning Commission did at said public hearing receive a report from the planning staff, receive input from the Applicant and members of the public in attendance at said public hearing, and at the closing of said public hearing did deliberate and consider the same; and

WHEREAS, the Planning Commission does find the proposal is exempt from environmental review as a Class 153332 Categorical Exemption under CEQA.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves a Site Plan Permit for APNs 044-510-004, 044-510-0028, and 044-510-045 based on the following Findings:

1. The proposed use of the property is essential or desirable to the public convenience or welfare.;
2. The proposed use is in compliance with the Sutter Creek General Plan goals, policies, and Light Industrial I-1 designation.
3. The proposed use will not impair the integrity and character of the zoning district because the use is consistent with activities within the I-1 Zone and the existing adjacent use.
4. The proposed use would not be detrimental to public health, safety or general welfare because appropriate conditions of approval have been attached to the project.
5. The proposed use of the property implements the Sutter Creek General Plan and the purposes of the Planning Title.

BE IT FURTHER RESOLVED the Planning Commission hereby approves the Site Plan Permit, subject to the following Conditions of Approval:

1. Storage outside of RVs is prohibited;
2. RVs are allowed to be stored/parked within the facility. No habitation within the RVs is allowed.
3. Provide the City with revised drawings to scale depicting the revised gated access points, entry landscaping, entry walls, signage location, and entry systems prior to application for grading and building permits, for City review and approval.
4. The Applicant must prepare a final grading plan for review and approval by City staff that corresponds with the accepted drainage study entitled, "Stormwater Detention Structures, Rancheria Mini Storage, Jackson Rancheria Development, Lot 1, Ridge Business Park" dated August 24, 2023. Should the proposed grading require reconfiguring the drainage basins from the accepted drainage study, an updated drainage study will be required.
5. The applicant must provide the City written verification from all utility companies that the existing easements proposed to be abandoned are acceptable to them.
6. No RV sewer dump stations are allowed on the site.
7. All AWA facilities currently existing on or near the site shall be protected and/or relocated at the developers' expense by means and methods approved by AWA.
8. The development shall install bollards to protect the hydrant on Lot 4 in accordance with SW007 and receive AWA approval thereof.

9. The development shall provide continuous access to AWA for its utilities on or adjacent to the development.
10. The project fencing and landscaping shall be installed and maintained as shown on the submitted plans, including decorative iron fencing at the entry with landscaping and chain link fencing around the remaining exterior.
11. Maintain a valid City of Sutter Creek Business License.
12. Applicant shall pay the \$50.00 Notice of Exemption filing fee to the Amador County Recorder.
13. Comply with Section 18.06.090 and 18.06.100 of the Zoning Code regarding the 12-month period to implement the Project and/or Extension of time.
14. Meet the requirements of the Amador Water Agency and health department for Water Service.
15. In accordance with Sutter Creek Fire District requirements, provide a Knox system as well as a Click-to-Enter system, the same type of system used for Pinewood Apartments, on the access gate.
16. Should any construction-related activity encroach onto Caltrans right-of-way, the applicant shall apply for an Encroachment Permit with the Caltrans Encroachment Permit office and provide all required documentation and associated fee payment.
17. Although not currently proposed, if the applicant should apply for signage for this project visible from the highway, it may be subject to the provisions of the California Outdoor advertising Act and may require a permit from the Caltrans Office of Outdoor Advertising. Should such signage be proposed in the future, the applicant shall consult with Caltrans and obtain the associated permits.
18. The Owner/Applicant shall ensure any exterior night lighting installed on the project site reflects the submitted photometric lighting plan and is dark sky compliant (Lithonia Lighting Outdoor LED vapor tight wall mount fixtures on the storage units attached at 7' above grade and ESX1 LED Area Luminaire size 1 P4 lumen package site perimeter lighting, downward facing on 25' light poles).
19. There shall be no temporary canopies or tents or modular buildings of any kind on the property without a site plan review by the Planning Commission.
20. No storage of chemicals is permitted on the property.
21. No outside vending machines shall be allowed on site.
22. No portable toilets shall be allowed onsite during operation of the facility.

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on Monday the 14th day of October, 2024 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

THE CITY OF SUTTER CREEK

Michael Kirkley, Chairman

ATTEST:

Karen Darrow, City Clerk