



Planning Commission Meeting Agenda

Monday, June 09, 2025 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 City Planning Commission meeting will be available in person and LIVE on YouTube at <https://www.youtube.com/@CityofSutterCreek>.

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

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

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

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

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

2. Pledge of Allegiance to the Flag

3. Public Forum

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

4. Consent Agenda

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

A. [Planning Commission Minutes of May 12, 2025](#)

[Recommendation: Approval of Minutes](#)

5. Public Hearings

A. A. CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL

70 Broad Street APN 018-163-001

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 Brandi Oneto to operate a Short Term Rental at 70 Broad Street based on the proposed Findings and subject to the proposed Conditions of Approval.

B. A. CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL

290 Gopher Flat Road APN 040-200-001

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 Brandi Oneto to operate a Short Term Rental at 290 Gopher Flat Road based on the proposed Findings and subject to the proposed Conditions of Approval.

6. Adjournment



Planning Commission Meeting Minutes

Monday, May 12, 2025 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 City Council Meeting will be available via Zoom and in person.

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

Present: Planning Commissioners Robert Trudgen, Lucy Mulvey, Thomas Baggett, Laura Damiani (arrived 6:03)

Absent: Michael Kirley

Staff: Erin Ventura – Contract City Planner, Aaron Wolcott – City Clerk

2. Pledge of Allegiance to the Flag

The pledge of allegiance was led by Thomas Baggett

3. Public Forum

No public forum comment.

4. Consent Agenda

A. Planning Commission Minutes of April 14, 2025

B. Sign Permit for 54 Main Street - Bespoke Perfume Bar

Motion to approve the Consent Agenda, by Trudgen, seconded by Mulvey

AYES: Trudgen, Mulvey, Baggett

NOES:

ABSENT: Kirley, Damiani

MOTION CARRIED 3-0

Commissioner Damiani arrived at 6:03 after the motion and vote on Consent Agenda.

5. Public Hearings

A. CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL

110 Gopher Flat Road APN 018-092-003 - Continued from April 14, 2025

The 110 Gopher Flat Road application was a continuation from the previous meeting. Contract City Planner Ventura explained that the property owner planned to hire a company, mostly likely Evolve, to manage the property on their behalf and would have services available in the event of an emergency. Commissioner Baggett queried if that would actually involve a truly local contact. Commissioner Damiani noted that the contract is not yet signed and preferred to continue the item again until the owner has a signed contract with someone who will provide a local contact.

Motion to continue the hearing until the next regular meeting by Trudgen, seconded by Mulvey

AYES: Trudgen, Mulvey, Baggett, Damiani

NOES:

ABSENT: Kirley

MOTION CARRIED 4-0

B. SITE PLAN PERMIT - 250 Hanford Street - Sutter Creek Baptist Church

Contract City Planner, Ventura, explained that the permit application was for shed construction at 250 Hanford Street and that the application had already been approved by the Design Review Committee and was coming to the Planning Commission due to its C-2 zoning. Commissioner Mulvey noted that the application met all the requirements and motioned to approve.

Motion to approve the Site Plan Permit for 250 Hanford Street by Mulvey, seconded by Trudgen.

AYES: Trudgen, Mulvey, Baggett, Damiani

NOES:

ABSENT: Kirley

MOTION CARRIED 4-0

C. CONDITIONAL USE PERMIT FOR A MOBILE FOOD TRUCK

30 Ridge Road (APN 044-020-015) - CUP - Mobile Food Truck

Contract City Planner, Ventura, explained that the application was for a conditional use permit to put a food truck at the location which is zoned C-2. The food truck would be removed from the site each night and there would not be permanent seating at the location. In addition to normal conditions of approval this site also has an added condition to clean up the site before use.

During public comment, a resident raised concerns about placing a food truck at the site. The resident raised concerns about the number of food trucks already in the area as well as impact to existing restaurants.

Commissioner Damiani expressed concern regarding potential oversaturation of restaurants in that area of town. Commission Mulvey pointed to public health concerns at the site, including lack of clear parking for

customers and the presence of a diesel pump on the site. The other commissioners agreed that there were public health concerns related to putting a food truck at the location.

Motion to deny the Conditional Use Permit application because the Commission could not make the finding that it will not be detrimental to public health, safety and general welfare by Mulvey, seconded by Trudgen.

AYES: Trudgen, Mulvey, Baggett, Damiani

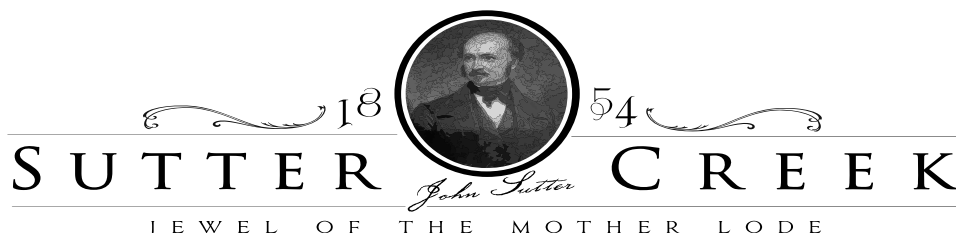
NOES:

ABSENT: Kirley

MOTION CARRIED 4-0

6. Adjournment

The meeting was adjourned at 6:24 PM



STAFF REPORT

TO: PLANNING COMMISSION
MEETING DATE: JUNE 9, 2025
FROM: ERIN VENTURA, PLANNER
SUBJECT: CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL
 70 BROAD STREET, SUTTER CREEK, APN 018-163-001

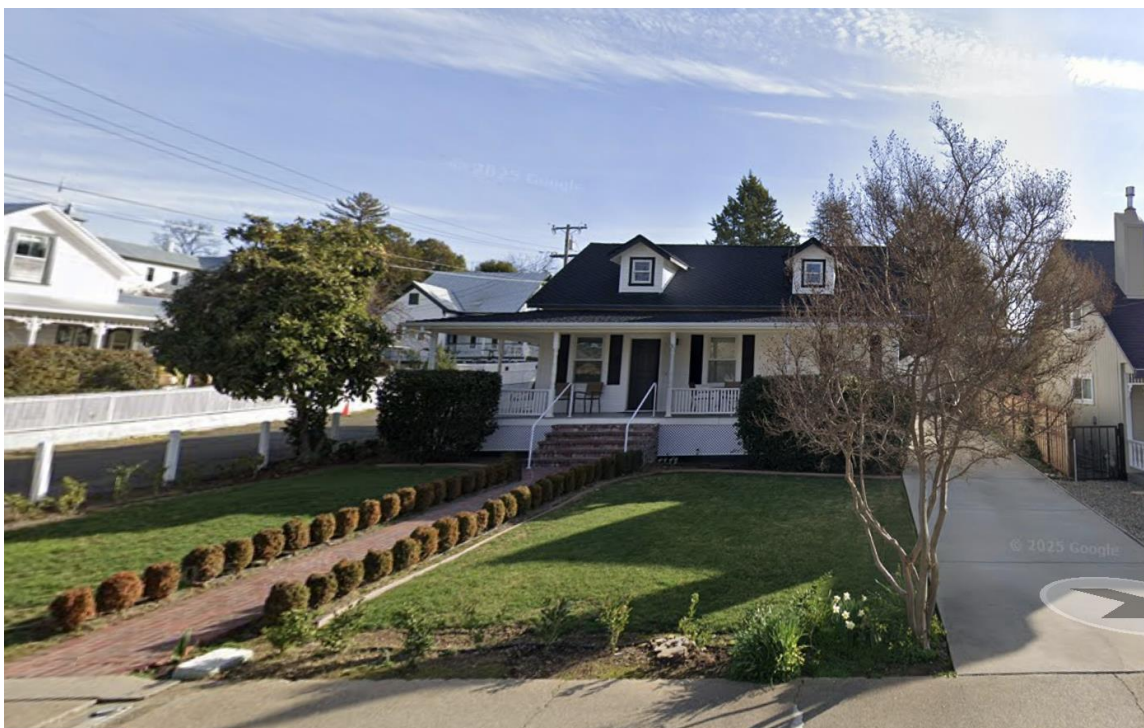
RECOMMENDATION:

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 Brandi Oneto to operate a Short-Term Rental at 70 Broad Street based on the proposed Findings and subject to the proposed Conditions of Approval.

BACKGROUND:

Property owner Brandi Oneto 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 70 Broad Street contains 3 bedrooms and 1 bathroom.

Site Location	70 Broad Street (APN 018-163-001)
Building Plan	3 bedroom, 1 bath house, approx. 1,580 sf
Lot size	7,405 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.



Street View- 70 Broad Street

DISCUSSION:

The City recently became aware of two short-term rentals operating within City limits without prior approval. One such property, located at 70 Broad Street, received approval from the County and has been remitting transient occupancy tax since January 2025. In April 2025, the County identified the property as outside its jurisdiction and informed the applicant accordingly.

Upon learning of the jurisdictional error, the applicant contacted the City and is now seeking a Conditional Use Permit (CUP) to continue operating the short-term rental.

This property has operated without incident since January 2025.

If approved, this CUP would bring the total number of permitted short-term rentals within the City to 20.

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 up to 10 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 are 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 the City with proof of insurance.
6. Provide the City with a Site Plan and Floor Plan for the short-term rental.
7. 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.
8. 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.
9. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 10.50 of this Code concerning noise.
10. 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.

11. 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.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.

18. 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.
19. 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.
20. This is a non-transferrable permit.

City of Sutter Creek
18 Main Street
Sutter Creek, CA 95685
209-267-5647

www.cityofsuttercreek.org

Section 5, Item A.

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

CONDITIONAL USE PERMIT APPLICATION

Page 1 of 1

Project Applicant:

Project Address:

70 Broad St. Sutter Creek

Phone:

209-304-6430

Email:

Brandionets@yahoo

APN: _____

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

Property Owner:

Name:

Susan Oneto

Mailing Address:

154 Main St.

City:

Jackson

State:

CA

Zip:

95642

Phone:

209-609-5635

Email: _____

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

Name:

Brandi Oneto

Mailing Address:

PO Box 64 Sutter Creek

Phone:

209-304-6430

Email:

Same ↑

Description of work to be performed: (please provide a detailed desription using the back if necessary)

Air BnB/ Vrbo Short term rental

Decription of Property:

3 Bedroom House

Proposed Use of Property:

Describe how land is being used currently on adjacent parcels

North: _____

East: _____

South: _____

West: _____

Additional Information:

RESOLUTION 24-25-
A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING
A CONDITIONAL USE PERMIT FOR
BRANDI ONETO
70 BROAD STREET, SUTTER CREEK, CA 95685
APN 018-163-001

WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, June 9, 2025, held a public hearing on a Conditional Use Permit for BRANDI ORENTO for Vacation Rental Use of single family residence located within the single family residence at 70 Broad Street, Assessor Parcel No. 018-163-001 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 Brandi Oneto 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.

2. Maintain three (3) off-street parking spaces that are 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 the City with proof of insurance.
6. Provide the City with a Site Plan and Floor Plan for the short-term rental.
7. 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.
8. 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.
9. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 10.50 of this Code concerning noise.
10. 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.
11. 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.

12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.

19. 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.
20. This is a non-transferrable permit.

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 9th day of June, 2025 by the following vote:

AYES:

NOES:

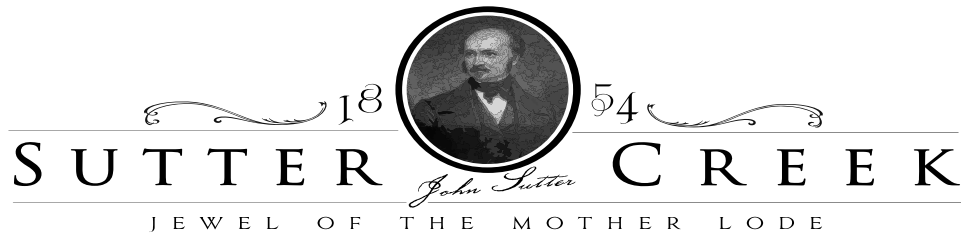
ABSTAIN:

ABSENT:

ATTEST:

Michael Kirkley, Chairman

Aaron Wolcott, City Clerk



STAFF REPORT

TO: PLANNING COMMISSION
MEETING DATE: JUNE 9, 2025
FROM: ERIN VENTURA, PLANNER
SUBJECT: CONDITIONAL USE PERMIT FOR A SHORT-TERM RENTAL
 290 Gopher Flat Road, SUTTER CREEK, APN 040-200-001

RECOMMENDATION:

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 Brandi Oneto to operate a Short-Term Rental at 290 Gopher Flat Road based on the proposed Findings and subject to the proposed Conditions of Approval.

BACKGROUND:

Property owner Brandi Oneto 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 290 Gopher Flat Road contains 3 bedrooms and 2.5 bathroom.

Site Location	290 Gopher Flat Road (APN 040-200-001)
Building Plan	3 bedroom, 2.5 bath house, approx. 2,571 sf
Lot size	22,215 Sq. Ft.
Zoning	R1 (Single Family Residential)
General Plan Land Use Designation	RSF (Residential Single Family)
Main Street Historic District	No
Historic District	No
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.



Street View- 290 Gopher Flat Road

DISCUSSION:

The City recently became aware of two short-term rentals operating within City limits without prior approval. One such property, located at 290 Gopher Flat Road, received approval from the County and has been remitting transient occupancy tax since January 2024. In April 2025, the County identified the property as outside its jurisdiction and informed the applicant accordingly. Upon learning of the jurisdictional error, the applicant contacted the City and is now seeking a Conditional Use Permit (CUP) to continue operating the short-term rental.

This property has operated without incident since January 2024.

If approved, this CUP would bring the total number of permitted short-term rentals within the City to 21.

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 up to 10 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 are 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 the City with proof of insurance.
6. Provide the City with a Site Plan and Floor Plan for the short-term rental.
7. 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.
8. 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.
9. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 10.50 of this Code concerning noise.
10. 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.

11. 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.
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14. 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.
15. 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.
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17. 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.

18. 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.
19. 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.
20. This is a non-transferrable permit.

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

CONDITIONAL USE PERMIT APPLICATION

Page 1 of 1

Project Applicant:

Project Address: 290 Gopher Flat Rd. Sutter Creek
Phone: 209-304-6430 Email: _____
APN: _____
Is this located in the Historic District? Yes ☐ No ☐
If yes, please see checklist for Design Review.

Property Owner:

Name: Brandi Oneto
Mailing Address: PO Box 64 Sutter Creek
City: _____ State: CA Zip: 95685
Phone: Same Email: Brandioneto@yahoo.com
Is this person the project contact? If not, please specify who the contact person is.
Name: _____
Mailing Address: _____
Phone: _____ Email: _____

Description of work to be performed: (please provide a detailed desription using the back if necessary)

Air BnB / Vrbo

Decription of Property: House 3 Bdrm

Proposed Use of Property: _____

Describe how land is being used currently on adjacent parcels

North: _____
East: _____
South: _____
West: _____

Additional Information: _____

RESOLUTION 24-25-
A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING
A CONDITIONAL USE PERMIT FOR
BRANDI ONETO
290 GOPHER FLAT ROAD, SUTTER CREEK, CA 95685
APN 040-200-001

WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, June 9, 2025, held a public hearing on a Conditional Use Permit for BRANDI ORENTO for Vacation Rental Use of single family residence located within the single family residence at 290 Gopher Flat Road, Assessor Parcel No. 040-200-001 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 Brandi Oneto 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.

2. Maintain three (3) off-street parking spaces that are 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 the City with proof of insurance.
6. Provide the City with a Site Plan and Floor Plan for the short-term rental.
7. 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.
8. 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.
9. Occupants of the short-term rental unit shall comply with all standards and regulations stated in Chapter 10.50 of this Code concerning noise.
10. 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.
11. 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.

12. 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.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.

19. 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.
20. This is a non-transferrable permit.

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 9th day of June, 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Michael Kirkley, Chairman

Aaron Wolcott, City Clerk