AGENDA

1. Call to order at 7:00 p.m.

2. The Pledge of Allegiance.

3. PUBLIC MATTERS NOT ON THE AGENDA
   Any person may address the Planning Commission regarding matters not on the agenda and within the purview of the Commission.

4. INFORMATION/CORRESPONDENCE – For Information Only.

5. PLANNING COMMISSION MATTERS – Discussion / Action.
   A. Approval of Sign Permit – Matthew Gibson Winery, 85 Main Street (AON 018-153-001)
      Zoning = Downtown Commercial (DTC). Request for approval of one (1) double-sided hanging sign totaling 16 sq.ft. and one (1) single-sided building mounted sign totaling 3.75 sq.ft. for a total signage request of 19.75 sq.ft.

6. PUBLIC HEARINGS - 7:00 P.M. OR AS SOON THEREAFTER AS THE MATTERS MAY BE HEARD.
   Discussion/Action.
   A. HOME OCCUPATION PERMIT – Stephen Summerbell, 24 Randolph St. (APN 018-162-016)
      Stephen Summerbell has submitted an application for a Home Occupation Permit to conduct a bookkeeping business from his home. Zoning/General Plan = Residential (R1), Historic District (HD). The Commission will review the findings, conditions of approval, and CEQA compliance and provide direction to staff.
   B. CONDITIONAL USE PERMIT – VICCI FIKES – 29 SPANISH STREET (APN 018-152-045).
      Ms. Fikes has submitted an application for approval to allow vacation rental use of her existing single family home at 29 Spanish Street as a short term vacation rental unit. Zoning & General Plan = Residential (R1), Historic District (HD). The Commission will review the findings, conditions of approval, and CEQA compliance and provide direction to staff.

REPORTS
   A. Planning Commissioner Reports – Discussion Item Only
   B. Design Review Committee Update – Discussion Item Only
   C. Planning Department Reports – Discussion Items Only

ADJOURNMENT

The next meeting of the Planning Commission will be held on Monday, August 13, 2018

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact City Hall staff at (209) 267-5647 or (209) 267-1655(fax).

Requests must be made as early as possible and at least two-full working days before the start of the meeting.

Any writing that is distributed to a majority of the Commission by any person in connection with an agenda item is a disclosable public record (subject to any exemption under the Public Records Act) and is available for inspection at City Hall, 18 Main Street, Sutter Creek, CA 95685 during regular business hours.

Any public documents distributed to the Commission less than 72 hours prior to a meeting will be posted at City Hall.
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<tr>
<th>Date</th>
<th>Time/Day</th>
<th>Event Description</th>
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<tr>
<td>July 04, 2018</td>
<td>1:00 PM - 2:00 PM</td>
<td>Design Review Committee -- Auditorium</td>
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<tr>
<td>July 06, 2018</td>
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<td>Planning Commission Completed Agenda Posting &amp; Distribution</td>
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<tr>
<td>July 09, 2018</td>
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<td>Planning Commission Regular Meeting</td>
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<td>July 18, 2018</td>
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<td>Design Review Committee -- Auditorium</td>
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<td>July 19, 2018</td>
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<td>Applicant submittal of final documents - Staff determination of completeness and prep for Architectural Review</td>
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<td>July 20, 2018</td>
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<td>Planning Dept. completion of Staff Report for Public Hearing Matters</td>
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<td>Public Hearing 500' Adjacent Property Owner Notification</td>
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<td>July 23, 2018</td>
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<td>Public Hearing Notification to ALD</td>
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<td>July 30, 2018</td>
<td>4:00 PM - 4:30 PM</td>
<td>City Council / Planning Commission Workshop on the current General Plan Update</td>
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STAFF REPORT

TO:          PLANNING COMMISSION
MEETING DATE: JULY 9, 2018
FROM:       MARY BETH VAN VOORHIS, ADMINISTRATIVE ANALYST
SUBJECT: SIGN PERMIT APPROVAL – MATTHEW GIBSON WINERY
           85 MAIN STREET, SUTTER CREEK, APN 018-153-001

RECOMMENDATION:
Planning Commission approval of a sign permit application for Matthew Gibson Winery at 85 Main Street for one, double sided, hanging sign, totaling 16 sq.ft. and one single-sided building mounted sign totaling 3.75 sq.ft. for a total signage request of 19.75 sq.ft.

BACKGROUND:
Applicant Kim & Matthew Gibson, seek approval for signage @ 85 Main Street (APN 018-153-001) for one 4’ x 2’ (8 sq.ft.), double sided = 16 sq.ft. total, hanging sign which will hang at the existing wooden post in the planter along with one single sided building mounted sign of 30” x 18” = 3.75 sq.ft.. for a total signage request of 19.75 sq.ft. Zoning = Downtown Commercial / Historic District.

DISCUSSION:
Chapter 15.16 of the Municipal Code regulates signs within the City of Sutter Creek. Chapter 15.16.070 regulates signage within the Historic District which Matthew Gibson Winery is located. Pursuant to Chapter 15.16.070(F) the aggregate area of all signs of any one business shall not exceed twenty-five square feet. Chapter 15.16.070(E) limits the largest individual sign to sixteen square feet in area. As previously mentioned, the proposed hanging sign is 4’ x 2’ (8 sq.ft.), double sided = 16 sq.ft. total and the single sided building mounted sign of 30” x 18” = 3.75 sq.ft.. for a total signage request of 19.75 sq.ft.

The proposed sign colors are a cream background with rose, black, gold lettering and accents. No additional signage for this business at this location is requested.

Property owner approval is provided on the application.

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

BUDGET IMPACT:
None.
Parcel Map Location
018-153-001

85 Main Street (photo from Google Maps)
SIGN PERMIT APPLICATION

Date Submitted: 1-12-19 Received By: [signature] Check No.: 1137 Fee Paid: $90.00

JULY 1, 2017

NOTE: PROVIDE ALL APPLICABLE INFORMATION OR THE PLANNING COMMISSION MAY NOT BE ABLE TO TAKE ACTION.

APPLICANT NAME: Kim L. Matt Gibson

TELEPHONE: 209-274-6054

BUSINESS NAME: Matthew Gibson Winery

TELEPHONE: 209-663-8417

BUSINESS MAILING ADDRESS: 75 Main St Sutter Creek 95685

BUSINESS SITU ADDRESS: (Assigned City Address) Nearest Cross Street: Harford

ASSESSOR PARCEL NUMBER WHERE BUSINESS IS LOCATED:

PURSUIT TO THE SIGN ORDINANCE, WHICH DISTRICT IS THIS BUSINESS LOCATED:

Historic District / Commercial or Industrial Zone

SIGNS TO BE PREPARED BY: [signature]

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/PRESSHOWING THE FOLLOWING:

(CHECK EACH BOX UPON COMPLETION)

☐ Sign design:

Attached lettering and graphics, drawn to scale

☐ Type of Materials to be used:

WOOD

☐ Total signage requested: 19.75 Sq.Ft.

☐ Total allowable signage: 25 Sq.Ft.

☐ Method of attachment:

Double sided

Per Sign Ordinance

☐ Total number of sides: 1-2-sided 1-sided

☐ Location of sign(s):

Pole on corner of Harford St/Main St

☐ Colors:

CREME ROSE BLACK GOLD

HISTORY CERTIFICATION:

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.

Kim Gibson

PROPERTY OWNER SIGNATURE

018-153-061

APPLICANT'S SIGNATURE

DATE

The signs proposed under this Sign Permit Application meet the requirement of the Uniform Building Code (where applicable).

NA

BUILDING INSPECTOR

DATE

PLANNING COMMISSION ACTION:

APPROVED: \(\text{(VOTE)}\) DENIED: \(\text{(VOTE)}\) MEETING DATE: \(\text{_______}_______\)

18 Main Street \ Sutter Creek, CA 95685 \ Telephone (209) 267-5647 \ Fax (209) 267-0639
Matthew Gibson
WINERY

2

4

Double sided
8\(\times\) 2 = 16 ft
MEETING DATE: July 9, 2018
FROM: Mary Beth Van Voorhis, Administrative Analyst
SUBJECT: HOME OCCUPATION PERMIT – Stephen Summerbell
24 Randolph Street (APN 018-162-016) Sutter Creek, CA 95685
Bookkeeping (aka Summ Bookin)
Zoning = R1 (Single Family Residential)
General Plan Land Use Designation = RSF (Residential Single Family)

RECOMMENDATION:
1) Conduct a public hearing and receive public input, and;
2) Approve Resolution #18-19-** for a Home Occupation Permit with the attached Conditions of Approval for Stephen Summerbell, to conduct a home office for a bookkeeping business.

BACKGROUND:
Stephen Summerbell has submitted the attached application for a Home Occupation Permit to conduct a home office for his bookkeeping business.

The home based business will be located at 24 Randolph Street (APN 018-162-016). The property is zoned Single Family Residential (R-1) and carries a Residential Single Family (RSF) General Plan Land Use Designation. Property owner approval is included on the application.

Parcel Map
Chapter 18.08.260 describes a Home Occupation as “an occupation carried on by the occupant of a dwelling as a secondary use in connection with a personal business in which there is no display; no stock in trade nor commodity sold upon the premises; no person employed on the premises; and no mechanical equipment on the premises used except such electrical or electronic devices utilized for the business. Also includes individuals who conduct ‘telecommuting’ in conjunction with regular employment”.

The procedures outlined in Municipal Code Chapter 18.06 have been met; however, Municipal Code Chapter 18.60.050 – Home Occupation Use Permits directs applications for a home occupation use permit to be processed in the same manner as site plan permits pursuant to Chapter 18.50. The issue with processing under Chapter 18.50 is that 18.50.020(A) states “provisions of this chapter shall apply to all R-3, R-4, commercial and industrial zones” and the application before the Commission is for a single family residence in the R1 zone.

DISCUSSION:

The application meets the standards established in Chapter 18.08.260 and this Chapter does not limit the zone in which a home occupation may be conducted. The procedures of Chapter 18.60.050 have been met including processing per Chapter 18.50. The Staff interprets that the application meets the requirements of the zoning code for Home Occupations and the processing requirements of Chapter 18.50. The staff recommends that the requirement of 18.50.020 (A) is not applicable to the processing of Home Occupation permits. It is recommended the Planning Commission approve the Home Occupation permit and direct the City Attorney to review the provisions of the Municipal Code and recommend modifications to clarify the processing of Home Occupation permits.

The project qualifies for a California Environmental Quality Act Categorical Exemption under Section 15300.1 – Ministerial Projects.

BUDGET IMPACT:

No impact.
HOME OCCUPATION PERMIT APPLICATION

Name of Applicant: Stephen Summerbell
Phone #: (735) 750-7524

Address: 24 Randolph St
City: Sutter Creek
State: CA

Property Owner (if different than applicant): Bevan Allen
Address: 320 N Main St
City: Jackson
State: CA

PROPERTY OWNER AUTHORIZED AGENT: I have read this application, and consent to its filing.

Signed: Bevan Allen
Date: 4/29/18

Zoning: R1 018.162.01
General Plan (land use designation): RSF

Notes: Bookkeeping

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 Home Occupation Permit 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.

Stephen Summerbell
Date: 5/2/18

HOME OCCUPATION PERMIT FEE: $175.00 Deposit * plus Staff Costs

*20% City Administrative cost will be added to professional fees.
*Clerical: $30.00/hour
*City Sanitary Engineer: $135.00/hour
*City Planner: $170.00/hour
*City Engineer: $185.00/hour
*City Attorney: $195.00/hour

Payment: $175.00 (22500) Check #: 4003
Date: 5/2/18
By: MWSW

July 1, 2017
Home Occupation Permit
HOME OCCUPATION PERMIT AND CONDITIONS OF APPROVAL

Your application for Home Occupation Permit No. 2018-03 to operate a business within your residence is hereby approved subject to the following conditions:

1) The requirements of all concerned governmental agencies having jurisdiction by law, including but not limited to the issuance of appropriate permits, shall be met.

2) The approval of this permit constitutes approval only to the extent that the project complies with the City of Sutter Creek Zoning Ordinance Section 18.60.050 and 18.50 and other applicable City of Sutter Creek Municipal Code regulations.

3) Discarded items, junk or inoperable machinery shall not accumulate or be stored on the property.

4) The home occupation activities shall be limited as follows:
   A. There shall be no exterior evidence of the conduct of the home occupation, including, but not limited to, deliveries, outside storage, electrical interference, dust, smoke, vibration, noise, odors, or fumes.
   B. It is conducted in the home, an attached garage, or in a residential accessory building.
   C. It shall be conducted only by persons residing at the dwelling unit in which the home occupation exists. Employees not residing at the dwelling unit shall be prohibited from working on the property, or meeting at the property for business purposes.
   D. It will generate no customer vehicle trips.

5) The permit shall not be transferable if ownership of the property changes.

6) No advertisement signs shall be allowed for this project.

7) Maintain a valid City business license.

8) If any of the above conditions are violated, revocation proceedings to revoke your permit will be initiated immediately.

9) If the use or activity of this planning permit is, or has been unused, abandoned, or discontinued for a period of twelve months, said planning permit shall become null and void and of no effect.

APPLICANT

I, Stephen Summerbell, the undersigned and applicant for Home Occupation Permit No. 2018-03, located at 234 Randolph Street, Assessor’s Parcel No. 018-162-010, do hereby agree to all of the conditions stated above.

Applicant Signature

Property Owner Signature

Date

Date
WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, July 9, 2018 hold a public hearing on a Home Occupation Permit for Stephen Summerbell at 24 Randolph Street (APN 018-162-016); 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 in compliance with Section 15300.0 - Ministerial Projects; and

WHEREAS, the Planning Commission does find the Project is consistent with the General Plan and Zoning Code.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves a Home Occupation Permit #2018-03 for 24 Randolph Street by Stephen Summerbell based on the Findings attached hereto as "Exhibit A," and subject to the Conditions of Approval attached hereto as "Exhibit B."

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 9th Day of July 2018 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

____________________________________
Frank Cunha, Chairman

Mary Beth Van Voorhis, Administrative Analyst
EXHIBIT A

FINDINGS

1. The proposed use of the property is essential or desirable to the public convenience or welfare because it will continue to provide local-related service to the community.

2. The proposed use is in compliance with the Sutter Creek General Plan goals and policies.

3. The proposed use will not impair the integrity and character of the zoning district because the use is permitted within the R1 - Single Family Residential Zone.

4. The proposed use meets the standards established in Chapter 18.08.260.

5. The procedures of Chapter 18.60.050 have been met including processing per Chapter 18.50.
EXHIBIT B

CONDITIONS OF APPROVAL

1) The requirements of all concerned governmental agencies having jurisdiction by law, including but not limited to the issuance of appropriate permits, shall be met.

2) The approval of this permit constitutes approval only to the extent that the project complies with the City of Sutter Creek Zoning Ordinance Section 18.60.050 and 18.50 and other applicable City of Sutter Creek Municipal Code regulations.

3) Discarded items, junk or inoperable machinery shall not accumulate or be stored on the property.

4) The home occupation activities shall be limited as follows:
   A. There shall be no exterior evidence of the conduct of the home occupation, including, but not limited to, deliveries, outside storage, electrical interference, dust, smoke, vibration, noise, odors, or fumes.
   B. It is conducted in the home, an attached garage, or in a residential accessory building.
   C. It shall be conducted only by persons residing at the dwelling unit in which the home occupation exists. Employees not residing at the dwelling unit shall be prohibited from working on the property, or meeting at the property for business purposes.
   D. It will generate no customer vehicle trips.

5) The permit shall not be transferable if ownership of the property changes.

6) No advertisement signs shall be allowed for this project.

7) Maintain a valid City business license.

8) If any of the above conditions are violated, revocation proceedings to revoke your permit will be initiated immediately.

If the use or activity by this planning permit is, or has been unused, abandoned, or discontinued for a period of twelve months, said planning permit shall become null and void and of no effect.
MEETING DATE: July 9, 2018

FROM: Mary Beth Van Voorhis, Administrative Analyst

SUBJECT: Conditional Use Permit
Vicci Fikes (The Entrust Group Inc.) – Vacation Rental
29 Spanish Street (APN 018-152-045)
Zoning = Residential (R1) / Historic District (HD)
General Plan Land Use Designation = Residential

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 18-19-** approving a Conditional Use Permit for Vicci Fikes (sole owner of The Entrust Group) to operate a Single Family Vacation Rental at 29 Spanish Street based on the proposed Findings and subject to the proposed Conditions of Approval.

BACKGROUND

Property owner Vicci Fikes has submitted an application for a Conditional Use Permit (Exhibit A) to use an existing single family residence as a short term, vacation rental unit. The existing residential dwelling is located in the Residential (R1) zone and within the Historic District, at 29 Spanish Street.

29 Spanish Street is located near the commercial downtown historic district at the intersection of Spanish Street, Clear Creek Way, and Fiefield Alley. This area is within easy walking distance to the Main Street Historic District as shown in Map 1 below. Figure 1, Site Plan, Figure 2 shows the existing residential structure, Figure 3 shows the attached two car garage.

Map 1. Parcel location of Proposed CUP.
Figure 1. Site Plan.

Figure 2. Existing Residence – 29 Spanish Street.
DISCUSSION

General Plan and Zoning
The house is located within the (R1) Residential zone. The home is 1,150 sq.ft. square feet, has two (2) bedroom and two and one-half (2.5) bathrooms. Vacation 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
Parking requirements for the project are established in 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. The parking, as shown above, is suitable for four (4) vehicles and meets the parking requirement of three (3) on-site spaces.

Environmental Considerations
This use qualifies for a Categorical Exemption under Class 32 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines.
USE PERMIT APPLICATION

INSTRUCTIONS TO APPLICANT: Type or print legibly. Use additional sheets as necessary. Attach plans, diagrams, etc. as appropriate.

Owner(s): Vicci Fikes PO Box 296 Valley Springs 95252

Name(s) Mailing Address, City, State, ZIP

Telephone: 209-304-7605 E-Mail Address

Agent or Representative (If not owner):

Name: Mailing Address, City, State, ZIP

Telephone E-Mail Address

Project Location:

a. Assessor Parcel Number(s): 018-152-045
b. Physical Address(es): 29 Spanish St, Sutter Creek

c. Deed references (book and page): 2018-03019

d. General description of location (cross street, name of existing business etc.):

Near Spanish and Hayes, one block from Main st.

Zoning District: Historic General Plan Land Use Designation: R-1

Complete the following:

a. I am requesting a Use Permit in order to allow the following use which is not specifically allowed in the above zoning district to be conducted on the above referenced property according to an attached site plan. Vacation Rental

b. I believe the above requested use and the attached site plan is essential and desirable to the public convenience or welfare and is in conformance with the City’s General Plan because:

ENVIRONMENTAL INFORMATION

1. Describe Project: Vacation Rental

2. Existing use of property(ies): Rental

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
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 meadowland and other brush to be cleared for building pads; over 100 small shrubs and oak trees to be cleared, etc.): 

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: Vacation Rental
   b. Lot Size: 0.22
   c. Building Sizes: 1140 #
   d. Access: paved road
   e. Parking: 2-car garage, driveway and street
   f. Water Source: public
   g. Estimated Water Consumption: minimal
   h. Method of Sewage Disposal: sewer
   i. Nature of Business: Vacation Rental
   j. Estimated Daily Volume of Traffic: minimal
   k. Estimated Number of Employees: 0
   l. Estimated Energy Consumption: minimal
   m. Percentage of lot to be covered by buildings/paving: N/A
   n. Construction schedule: N/A
   o. Any historical/archaeological features on property: no
   p. Other (please explain):

8. Describe special circumstances of the project or project site which may result in problems or adverse environmental effects. (Example: steep slopes, drainage, 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"): 

Use Purcell Application 6/2017
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 a Use Permit 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.

Signed: Vicci Fikes

Date: 6-20-18

USE PERMIT FEE: $1,600 Deposit +plus Staff Costs

*20% City Administrative cost will be added to professional fees.

- Clerical $50.00/hour
- City Sanitary Engineer $135.00/hour
- City Planner $170.00/hour
- City Engineer $185.00/hour
- City Attorney $195.00/hour

Payment: $800 (22.500) Check #: 316

Date: 6/18

By:  

Page 9 of 9
Planning Commission
RESOLUTION NO. 18-19-**
A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING
A CONDITIONAL USE PERMIT FOR
Vicci Fikes
29 Spanish Street – APN 018-152-045

WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, July 9, 2018, hold a public hearing on a Conditional Use Permit for Vicci Fikes (owner The Entrust Group, Inc.) for Vacation Rental Use of a single-family, two (2) bedroom with two and one-half (2.5) bathroom, home located at 29 Spanish Street, Assessor Parcel No. 018-152-045 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 Vicci Fikes based on the Findings attached hereto as "Exhibit A," and subject to the Conditions of Approval attached hereto as "Exhibit B."

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 9th Day of July, 2018 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

________________________________
Frank Cunha, Chairman

Mary Beth Van Voorhis, Administrative Analyst
EXHIBIT A

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 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 Residential Zone as a single 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.

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EXHIBIT B

CONDITIONS OF APPROVAL

1. Maintain the exterior appearance of the vacation rental unit compatible with the single-family residence.

2. Four (4) off-street parking spaces are available for use by one vacationing single family.

3. Maintain a valid City of Sutter Creek Business License.

4. Pay the monthly Transient Occupancy Tax to the City of Sutter Creek.

5. Compliance with the Sutter Creek Design Standards is required for any/all exterior modifications.

6. Maintain compliance with all local, state and federal codes at all times.
Attachment A

Comment letters received:

1. Lyla Osmundsen
   63 Badger Street
   Sutter Creek, CA  95685
   (1 page)

2. Pandora Pipiringos and Henry Adams
   73 Badger & 25 Clear Creek Way
   Sutter Creek, CA  95685
   (2 pages)
From: Lyla Osmundsen
Sent: Tuesday, July 03, 2018 3:59 PM
To: mvanvoorhis@cityofsuttercreek.org
Subject: Public Response Letter For Planning Commission Meeting On July 9

Lyla Osmundsen
63 Badger Street, Sutter Creek: PO Box 703, Sutter Creek, CA. 95685

Sutter Creek Planning Commission
18 Main Street, Sutter Creek, CA 95685


Recommendations:

1. Before approving another Conditional Use Permit for short term vacation rental use of a single family residential dwelling, the city needs to determine an acceptable ratio of short term vacation rentals to full time residences and pass an ordinance stating this ratio.

2. An ordinance needs to be drafted which establishes requirements for weekend rentals to be under the ownership and supervision of local residents.

Therefore, I request that you deny a Conditional Use Permit for Vicci Fikes for short term vacation rental use of a single family residential dwelling at 29 Spanish Street.
Mary Beth Van Voorhis

From: Pandora Pipringos
Sent: Thursday, July 05, 2018 3:58 PM
To: mvanvoorhis@cityofsuttercreek.org
Subject: Planning commission of Sutter Creek: 29 Spanish St. conditional use permit
Attachments: July 4 Sutter Creek letter.docx

I am very disappointed that I could not be there in person for this hearing. I have sent a letter to the planning commission of Sutter Creek for all of it's members to read and carefully consider before granting any more short term rental permits in my neighborhood. Attached is my letter. Thank you Pandora Pipringos. P.S. I have read Lyle Osmundsen's letter and agree with everything she is suggesting.
July 4, 2018
Pandora Pipiringos and Henry Adams
73 Badger Street, Sutter Creek CA.
25 Clear Creek Wy. Sutter Creek CA.
713 443-4360

Sutter Creek Planning Commission: The conditional use permit for Vicci Fikes for short term vacation rental use of a single family residential dwelling.
929 Spanish St. (APN 018-152-045(N)): residential.

My husband and I purchased our home on 73 Badger St. in 2005. We then bought a small lot directly across the creek from us in April of 2013. It is the natural beauty and small-town pace that brought us, and I suspect other people to this area. We chose this property specifically for the view and the sound of the creek. We are very concerned about green space for wildlife, and how little is left along the creek close to highway 49. The waterway provides protection for the local fauna and a safe avenue for animals traveling through town.
Commercializing this small remaining area with rentals and increased human traffic seems very short sighted. This is not a neighbor asking to make their property into a rental, but a business looking to exploit the area. Where does it stop? Can other businesses come into the area and buy up other properties nearby for the same reason? Being surrounded by rentals with absentee landlords is never a good situation, I know from experience. There is a good reason why local officials should regulate commercial rentals in residential areas. Rentals decrease a neighborhood's value and many times compromise safety. I see no benefit for adding yet another rental to this area that already has so many. I may not understand or be aware of all the zoning laws and how they work but I strongly suggest we protect our neighborhoods by allowing the people in our community some input when making these decisions. Without careful planning the beauty and atmosphere that brings people to this area could easily be destroyed. Please keep this the peaceful neighborhood we envisioned when my husband and I sank our life’s savings into this house and property.

Sincerely Pandora Pipiringos and Henry Adams