



MEMORANDUM

City of Angels City Council

Date: November 18, 2025

To: City of Angels City Council

From: Amy Augustine, AICP - City Planner

Re: Appeal of October 9, 2025, Planning Commission decision Approving Resolution 25-15 Finding of Architectural Conformity and Conditional Use Permit for Pastoral Offices and Community Education Center, School

RECOMMENDATION:

The City Council may take one of the following actions:

1. Adopt Resolution 25-87A Denying the appeal/Upholding the Planning Commission's Approval of Resolution 25-15 with the conditions as approved by the Planning Commission; or
2. Adopt Resolution 25-87A Denying the appeal/Upholding the Planning Commission's Approval of Resolution 25-15 with changes to the conditions as approved by the Planning Commission; or
3. Adopt Resolution 25-87B Upholding the Appeal/Denying the Project. **If the City Council pursues this option, the City Attorney recommends this item be returned to Staff to allow the City Attorney and Staff to prepare the appropriate findings based upon City Council direction.**

PROJECT DESCRIPTION:

OWNER: David and Meg Swarbrick

APPLICANT: Brook Moes

LOCATION: 1250 South Main (Formerly Cascabel's)

**ASSESSOR'S
PARCEL NO.:** 060-012-026

**GENERAL PLAN/
ZONING:** Historical Commercial (HC)

PROJECT:

Finding of Architectural Conformity and Conditional Use Permit for:

1. Pastoral Offices for Calaveras Presbyterian Church
2. Education Center (school) for Church members and the community at large

- a. Classes for high school (none of the younger students will be at this location, therefore, no need for outdoor play area). May include music classes for violin, piano, music theory, senior citizen tai chi class, marriage or parenting classes, various bible studies, etc.
- b. Building occupancy is not anticipated to exceed 25.

No alterations to the building are proposed.

BACKGROUND:

The site was formerly a restaurant, Cascabel's. SOME of the restaurant equipment has been removed. Permanent restaurant fixtures (e.g., sinks, Ansul hood) remain. A parking lot located



behind the restaurant supplements on-site parking for businesses in this location.

On October 9, 2025, The City of Angels Planning Commission approved Resolution 25-15 Finding of Architectural Conformity and Conditional Use Permit for Pastoral Offices and Community Education Center, School. The vote was 4-0 to approve, with Commissioner Stammerjohan absent.

On October 17, 2025, the Planning Commission's decision was appealed. (**Attachment A**).

The following analysis summarizes the issues raised in the appeal as they pertain to the findings made by the City of Angels Planning Commission.

ANALYSIS:

PLANNING COMMISSION FINDING 1: FINDING OF ARCHITECTURAL CONFORMITY

Pursuant to AMC Section 17.26.080 a finding of architectural conformity is required for this use as follows:

*All buildings or structures which may hereafter be constructed or altered as to their exterior appearance, situated within the historical commercial district and fronting upon the streets or alleys within or bounding said district, shall as to their exterior appearance within public view substantially conform with the Mother Lode **architectural** style. A determination of conformity with the Mother Lode **architectural** style, as defined in Chapter [17.09](#), shall be made by the planning commission unless otherwise specified.*

Per AMC Chapter 17.09, the Mother Lode Style of Architecture is defined as:

*"Mother Lode **architectural** style" shall mean any one of the multiple **architectural** styles exhibited in Angels Camp. The historically and **architecturally** significant buildings in Angels Camp are diverse in style, as well as in method and period of construction. They were built of stone, brick, frame, and concrete and had sidings of brick, wood, stucco, and plaster. The **architectural** styles represented include: Greek Revival, Neoclassical, Italianate, Queen Anne, False-Front Commercial, Craftsman, Spanish Eclectic, and Art Deco.*

No changes to the existing building are proposed. Therefore, this finding can be made.

APPEAL to FINDING 1: The appeal does not challenge this finding. No response is required.

FINDINGS 2: CONDITIONAL USE PERMIT FINDINGS A- F

Pursuant to 17.78.010 of the AMC, the purpose of a conditional use permit is to allow public review and City discretion in the control of certain uses which may be necessary, but which may cause public concern, affect property values or disturb the character of a neighborhood if they are not carefully located or designed. The use permit process is necessary to carry out review and exercise discretion over this category of potentially inappropriate or incompatible uses. Conditional use permits may be approved or denied by the planning commission. Pursuant to AMC Section 17.78.030, the following findings are required for issuance of a conditional use permit:

- A. The proposed use is consistent with the City of Angels Municipal Code; and
- B. The proposed use is consistent with the City of Angels general plan; and
- C. The proposed use will not overburden existing municipal facilities; and
- D. The size and terrain of the parcel are suitable for the proposed use; and
- E. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety, or general welfare of persons in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood;
- F. The proposed use and design are consistent with adopted city design standards, codes, adopted city short- and long-range plans, and accepted planning and engineering practices.

PLANNING COMMISSION Finding A: The proposed use is consistent with the City of Angels Municipal Code

Pursuant to Angels Municipal Code 17.26.040(F), a school requires a conditional use permit. Pursuant to AMC Section 17.26.080, a finding of architectural conformity is required.

Approval of this proposed conditional use permit and a finding of architectural conformity would make the proposed use consistent with the Angels Municipal Code subject to the proposed project conditions and Finding A could be made.

APPEAL TO FINDING A:

The appeal states that the project is inconsistent with the intent of the Historical Commercial Zone (i.e., municipal code). The appeal further states that the “HC zone exists to preserve both the character and economic vitality of Angles Camp’s Main Street. The adaptive reuse of prime, street-level commercial storefront for a private, non-retail, tax-exempt institutional use runs counter to that purpose. Downtown storefronts should remain accessible to the public, contributing to pedestrian traffic and active commerce. Converting one into a private educational facility effectively removes a retail-facing space from the commercial inventory and diminishes overall downtown activity. There is already a struggle with the large amount of vacant or “dark” buildings and this does not go unnoticed by our visitors. When visitors come to a historic district that is largely comprised of empty or office or administrative type buildings, they are less likely to return, thus impacting a local economy that is greatly dependent on tourism.”

APPEAL RESPONSE:

The intent of the HC district is economic development, including retail and restaurants; but the intent *also* is to achieve a living, vital, downtown district, supported by tourists and residents and workers served by a wide range of *multiple* uses including non-retail, service-based, and civic uses as stated in Angels Municipal Code Section 17.26.010 (Historical Commercial) as follows:

The city council finds and declares that the area described in this section is one of great historical interest and aesthetic value. Within said district are many places and buildings which are important historical exhibits and unique architectural specimens. Said places and buildings are symbolic of the city’s historical past as a mining town during the days of the California gold rush and thereafter.

The historic character and distinctive architecture of such places and buildings, and of the historic district as a whole, have attracted tourists and visitors to the city in great numbers, thereby augmenting the economy and general welfare of the city and its inhabitants. The preservation of such places and buildings and of the architectural appearance of the surrounding properties within the district is essential to the economic and cultural life of the city.

To permit a departure from the established type of architecture in the construction of new buildings, in the alteration of existing buildings within the district, and to permit the uncontrolled use of advertising signs therein, would be detrimental to the historical places and buildings, and would tend to depreciate the values of all properties within the district. In order to promote the public health, safety, and the general welfare, it is necessary, pursuant to Section [37361](#) of the California Government Code, to provide for such places and buildings having a special historical or aesthetic interest or value, special conditions and regulations of their protection, enhancement and perpetuation, and to provide appropriate and reasonable control of the appearance of neighboring property within public view.

The historical commercial (HC) district is intended for the historical buildings of the city. The district is intended to provide a range of commercial facilities, servicing not only the city, but surrounding unincorporated areas and the passing tourist traffic. Typical uses in this district

include: restaurants, hotels, specialty shops, bed and breakfast inns, and theaters. The district will also maintain the character and integrity of the city's designated historic district and provide live-work opportunities by allowing upper level residential uses above commercial establishments.

As shown, the stated intent of the HC district includes retail sales and economics as a large part of the district; however, there are *multiple* purposes for the HC zone intended to create a living, vibrant downtown reflective of the historic Angels Camp downtown. These multiple uses provide not only tourist-serving uses; but also services for the community (e.g., salons, music lessons, therapists, chiropractors, post office, a gym, salons, a fraternal lodge). These "multiple" uses contribute to a living, vibrant downtown and provide a potential customer base for restaurants and retail by providing office workers, parents, teachers, apartment residents, single-family resident, those visiting the post office and gym and members of civic organizations.

The intended multi-purpose nature of the HC district is further reflected in the Angels Municipal Code's list of permitted uses allowed:

Some permitted uses in HC include (AMC 17.26.030): banks; art, music, and dance studios; residential hotels; places of assembly (as approved by the fire marshal); self-service laundries; specialty grocery stores (up to one thousand five hundred square feet.)

The intended multi-purpose/multi-use nature also is found in the conditional uses potentially allowed:

Some conditional uses in HC include (AMC 17.26.040): Vehicle rental agencies; churches and/or other places of worship; residential uses; theaters, and historical retail business conducted on the premises...that are not objectionable due to noise, odor, dust, smoke, vibration or similar causes ...including: bakeries, print or photocopy shops, dry cleaners, electronic appliance repair shops, shoe repair, flower shops, upholstery shops, cabinet shops and other uses considered to be similar in the opinion of the planning commission.

PLANNING COMMISSION Finding B: The proposed use is consistent with the City of Angels general plan

Applicable General Plan 2020 goals, policies and programs include:

Goal 10A *Maintain and enhance the city's economic vitality while conserving the city's social, cultural, environmental, and aesthetic resources.*

Policy 10.A.1 *Encourage a mixture of uses and activities that will maintain the vitality of the downtown area.*

The proposed project could contribute to the mix of uses downtown. This, in turn, can add to the economic vitality of the downtown area. At the same time, the architectural integrity of the downtown district is not impacted. Therefore, Finding B could be made.

APPEAL TO FINDING B:

The appeal disagrees with this Planning Commission finding (above) stating that removing a sales-tax-generating use (restaurant) and replacing it with a non-commercial use that contributes no economic output or fiscal benefit, reduces tourism-supportive diversity by introducing a use that neither attracts visitors nor invites public interaction, and sets a precedent for further conversion of storefronts to institutional or private uses, undermining the downtown revitalization goals the City has invested in. The appeal continues, citing

that a church education center operates during limited weekday hours leaving the storefront inactive for large portions of the week, attracts users (students and staff) who are not visiting other downtown shops or restaurants, thus removing vital circulation and cross-spending, creating a “dark window” in the downtown core, visually signaling reduced business vitality to visitors. Private institutional uses diminish the dynamic of open, publicly-engaging storefronts critical to sustaining tourism on the City’s Main Street corridor.

The appeal cites that the project eliminates one of the downtown’s few remaining restaurant-ready spaces, which are essential for tourism and community gathering, will not contribute property tax revenue, loss of sales and transient visitor spending reduces overall economic circulation that supports local jobs and small businesses; and, cumulatively, institutional uses occupying commercial spaces provide less sustainability for the downtown economy.

Precedent and Long-Term Planning Implications – The appeal cites that project approval would set a precedent encouraging other non-commercial low-activity uses within the core business district. Once converted, it is unlikely such spaces would easily transition back into commercial use, particularly after kitchen and restaurant infrastructure have been removed. This undermines years of coordinated effort by the City and business community to revitalize Main Street as a retail and dining destination.

APPEAL RESPONSE:

The former restaurant retains the Ansul (fire suppressing cooking) hood system and stainless-steel sinks. Therefore, the property could be returned to a restaurant in the future should the landowner desire to sell or lease the property to a tenant desiring to open a restaurant.

General Plan Policy 10.A.1 encourages a *mixture* (emphasis added) of uses to maintain downtown historic vitality. The Commission determined that the project adds to this mix. As with the intent of the HC district (Response A), the mixture of uses encouraged in the HC district pursuant to General Plan Policy 10.A.1 is not limited to tax-generating uses nor is it limited to visitor-attracting uses that attract visitors. It emphasizes a mix of uses to maintain downtown historic vitality (See Response A for additional information).

Setting Precedent/Long Term Planning Implications. That the project will set a precedent and result in long-term conversion of the district to non-retail, non-tourism uses is not supported by General Plan Policy 10.A.1 which encourages a *mixture* of uses. Over the past eight years, numerous non-tax generating/non-tourism generating uses have been approved in the HC district (e.g., gym, music lessons, offices, chiropractor, therapist). New restaurants and new retail shops have continued to open after these approvals. Historically, the post office has added pedestrian traffic downtown and the IOOF meeting room has further generated downtown pedestrians and traffic. All indicating that the emphasis on multiple uses in the HC district may encourage downtown vitality and reduce vacancies without necessarily eliminating economic development.

Cross-spending. Appellants state that students and staff do not visit other downtown businesses for cross-spending. While this is not a criterion for approval or denial of a conditional use permit under the Angels Municipal Code and general plan; it is noted that staff cannot verify that students, staff (and parents) are or are not/may or may not visit the historic district’s bakery, eat breakfast or lunch at a downtown restaurant or eatery, order dinner to take home, or make a purchase at one of the gift, clothing or antique stores.

Standards for approval. The appellant cites the open hours of the school. The City can regulate the hours of operation for a business but generally does so by requiring them to close during certain

hours, not by requiring them to remain open and only as necessary to protect public health, safety, and welfare (e.g., reducing noise or other disturbances during late hours). Many uses in addition to the school do not remain open during the same hours as restaurants and retail shops.

“Dark Window”. While this is not a criterion for approval or denial of a conditional use permit under the Angels Municipal Code and general plan; in approving the school, it is noted that the property does not revert to a vacancy adding to the list of downtown vacancies.

PLANNING COMMISSION Finding C: The proposed use will not overburden existing municipal facilities

The project was reviewed by the local and state agencies. Those agencies did not identify any conditions for the project. Because the site was, until recently, functioning as a restaurant, it is not anticipated that the use of facilities will change significantly for this use. Therefore, this Finding can be made.

APPEAL TO FINDING C:

The appeal cites that the use will overburden municipal facilities due to parking because restaurants generate short-term, high-turnover parking, whereas school and office uses create a long-term static parking demand and downtown already faces constrained parking availability. This finding does not consider the operational strain on limited shared parking resources that downtown businesses rely on.

Response to appeal:

See Finding F for a discussion about parking.

PLANNING COMMISSION Finding D: The size and terrain of the parcel are suitable for the proposed use

The site is located in the historic downtown district. There is no outdoor area associated with the site. On-street parking is available along the street, and a parking lot provides additional parking for behind the building for businesses along SR 49. The proposed use would include high school students only, therefore, no outside recreation area is required. Pastoral offices and classes would be entirely indoors. Therefore, the size and terrain of the parcel are suitable for the proposed use and Finding D can be made.

Appeal to Finding D: The appeal does not cite any challenges to this finding. See response to Finding F relative to parking.

PLANNING COMMISSION Finding E: Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety, or general welfare of persons in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood

Landowners within 300 feet were notified of the proposed project. One response was received by phone. George Bennett felt that the school would interfere with tourism. As noted in Finding D, not all uses in the historic district must be tourism-related to support tourism. In Sonora, for example, the success of local downtown restaurants and shops are often tied to the presence of professional offices and county employees working downtown. Professional offices and public education confined to an indoor setting is not anticipated to adversely impact tourism. Instead, students, faculty, church members, and community attending classes can all eat and shop in addition to attending the education center. In that manner, the use could help support businesses downtown. To ensure that visitors or students do not block the sidewalk or otherwise loiter or smoke on the sidewalk, a condition of project approval will be included.

Based on the preceding, Finding E can be made.

APPEAL TO FINDING E:

Specifics regarding this finding are not included in the appeal.

RESPONSE:

No response required.

Finding F: The proposed use and design are consistent with adopted city design standards, codes, adopted city short- and long-range plans, and accepted planning and engineering practices.

Yards, spaces, walls, fences, landscaping

Pursuant to AMC 17.26.060, site development standards in the HC zoning district are:

Development Standard	Complies, Does not Comply, Not Applicable (N/A)
Minimum lot area for new lots, 2,500 square feet	N/A - No new lot is proposed; therefore, the project complies.
Impervious surfaces, 50% maximum	N/A - No changes to existing building coverage are proposed, therefore, the project complies
Maximum building height, 40 feet	N/A No changes to existing building height are proposed, therefore, the project complies.
Lot width: Per planning Commission on a case-by-case basis	No changes to lot size are proposed, therefore, the project complies
Lot depth: Per planning Commission on a case-by-case basis	No changes to lot size are proposed, therefore, the project complies
Front, Rear, Side setbacks - Per planning Commission on a case-by-case basis.	No changes to the existing building will occur, therefore, the project complies.

Parking

Parking in the Historical Commercial Zoning District is governed by AMC Section 17.69.110 as follows:

Parking requirements for uses in the historic commercial zone and district are as follows:

A. Change of Use with No Physical Expansion of the Existing Building Footprint. Where the change of use results in no exterior change or exterior changes consistent with the Secretary of the Interior Standards: 1. Changing a nonresidential use to a nonresidential use (e.g., commercial to commercial, retail to restaurant) requires no additional parking.

For this project, therefore, no additional parking is required.

Based on the preceding, Finding F can be made.

APPEAL TO FINDING F:

The appeal cites that the use will overburden municipal facilities due to parking because restaurants generate short-term, high-turnover parking, whereas school and office uses create a long-term static parking demand and downtown already faces constrained parking availability. This finding does not consider the operational strain on limited shared parking resources that downtown businesses rely on.

RESPONSE TO APPEAL:

In 2019, Ordinance 494 was adopted in response to downtown businesses and developers expressing concerns that new development, such as the Utica Hotel renovation and expansion, could not occur

due to a lack of space for additional parking if the same standards applied outside the Historic District are applied in the HC district. The City, downtown merchants, HC district landowners and developers all realized that one of the few ways to add new parking in the HC district is to demolish an existing historic structure or vastly alter an existing structure. One of the primary impediments to economic development in the HC district was identified as requiring new parking spaces for the conversion of an existing building use to a new use (with no changes to the existing building footprint). In response, Angels Municipal Code Section 17.69.110 was developed to drastically reduce the requirement to create new parking spaces in the HC zoning district to help stimulate new development in the HC District.

As a result, changing a non-residential use to a non-residential use in the HC district requires no additional parking. The project does not require additional parking. The project was reviewed by Caltrans. That agency found that requiring pick-up and drop-off for students from the lot behind the former Cascabel's satisfied Caltrans' safety concerns.

Three additional parking areas have since been purchased by the City to expand available parking in the HC District (e.g., Napa, vacant lot adjacent to Napa, and lot adjacent to the Pickled Porch) to assist in providing new downtown parking without stifling economic development through onerous parking requirements. Should the City Council determine that the parking code for the HC District does, in fact, overburden municipal utilities, it may direct staff to amend the ordinance accordingly.

OTHER APPEAL ISSUES RAISED:

Appeal requests denial, or alternatively, relocation to a more appropriate zoning district outside the core retail corridor and allow the property to remain available for a use that supports economic health, tourism identity, and long-term goals of Angels Camp's historic downtown.

This is the second application for the school. The first location was used temporarily. Staff have attempted to identify alternative sites for the school, but the applicant has not found one that can accommodate the school. To occupy the current location, the school is restricted to high school students only to avoid outside uses that could create safety concerns for younger students.

A planner's role is to evaluate the impact of a proposed development and consider ways to reduce potential impacts or minimize potential impacts, re-design the project, or, deny the project. However, requiring a relocation to a specific alternative location is extraordinary and potentially subject to a legal challenge.

In addition to the appeal, the appellant asks that notification of landowners within 300 feet of the proposed project be extended also to building tenants.

This item is not exclusive to this project. Per Angels Municipal Code Section 17.73.050, landowners within 300 feet shall be notified of a proposed project requiring most planning entitlement. This requirement mirrors state law, and the majority of California planning jurisdictions follow this process (California Government Code Sections 65090-65094). Building tenants within 300 feet of projects generally are not notified because of difficulties in accurately identifying them (i.e., due to turnover) without going door-to-door or without access to an up-to-date business license database. Instead, planners use the assessor's role of current property owners. Currently, agendas for public meetings are posted at City Hall, Fire Station, Post Offices, on the City website and (often) on Facebook. Legal notices also are published in the Calaveras Enterprise.

Staff are investigating alternatives to notify tenants. Three potential solutions have been identified:

1. Anyone can contact cda@angelscamp.gov and ask to have their name/e-mail placed on the distribution list for all Planning Commission and/or City Council Agenda packets. This is and always has been an available alternative.
2. Post an announcement of the proposed project with contact information for submitting comments on the project site itself (similar to posting an ABC license in the window). This would be the least expensive and most efficient means currently available to reach a wider audience.
3. Determine if it is possible to manipulate the city's business license database to generate a list of business owners within 300 feet with e-mails. This alternative could potentially add 2-3 hours to each project to generate the list and distribute notices due to a lack of e-mails for many business license holders and the features contained within the software program. This alternative would notify only those that have obtained a current business license and check their e-mail regularly.

ENVIRONMENTAL ANALYSIS

The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the state and City guidelines for the implementation of CEQA pursuant to Section 15301, Class 1 (Existing Facilities) of the CEQA Guidelines. The project involves re-use of an existing commercial structure, and no alterations are proposed with this project application. The site was formerly a restaurant and will be used as a school site, offices, and other education and counseling services with anticipated occupancy of no more than 25 persons. The project will continue to use the existing parking lot at the rear of the site for ingress and egress. The project involves no expansion in intensity or occupancy than the previous use of the property. Further, none of the exceptions in Section 15300.2(a-f) apply as there are no unusual circumstances at the site or that will be caused by the project. The site was previously a restaurant, and it is located in an urban area along Highway 49 surrounded by other commercial establishments. No cultural or biological resources are present that could be altered by the proposed use. The project will not remove any trees or rock/stone outcrops along a scenic highway. There are also no changes occurring to a designated historical resource.

ATTACHMENTS:

- A. Planning Commission Resolution 25-15 with conditions of project approval
- B. Appeal Letter
- C. Applicant Response to Appeal letter
- D. Appellant information submitted 11/12/25
- E. City Council Resolution 25-87A denying the appeal, approving the project with conditions of project approval
- F. City Council Resolution 25-87B upholding the appeal, denying the project (To be referred back to staff and the City Attorney for completion)

ATTACHMENT A

Planning Commission Resolution 25-15 with conditions of project approval

CITY OF ANGELS
PLANNING COMMISSION

Resolution No. 25-15

**RESOLUTION PASSED AND ADOPTED BY THE CITY OF ANGELS PLANNING
COMMISSION FOR**

**CONDITIONAL USE PERMIT FOR PASTORAL OFFICES AND A COMMUNITY EDUCATION
CENTER, SCHOOL AT 1250 SOUTH MAIN STREET
ASSESSOR'S PARCEL NUMBER: 060-012-026**

WHEREAS, the City received an application for pastoral offices, a community education center and school for high school students; and

WHEREAS, the City of Angels Municipal Code requires that such development requires a conditional use permit; and

WHEREAS, the City of Angels Municipal Code requires that such development requires a finding of Architectural Conformity; and

WHEREAS, at a duly noticed public hearing the Planning Commission heard and considered public input on the proposed project;

NOW THEREFORE BE IT RESOLVED that the Planning Commission of the City of Angels hereby approves a Finding of Architectural Conformity and Conditional Use Permit based on the following findings and subject to the attached conditions:

- A. The proposed use will involve no exterior alterations and is therefore consistent with the Mother Lode Style of Architecture and a Finding of Architectural Consistency can be made; and
- B. The proposed use is consistent with the City of Angels Municipal Code; and
- C. The proposed use is consistent with the City of Angels general plan; and
- D. The proposed use will not overburden existing municipal facilities; and
- E. The size and terrain of the parcel are suitable for the proposed use; and
- F. Under the circumstances of the particular case, the proposed use will not be substantially detrimental to the health, safety, or general welfare of persons in the neighborhood of such proposed use or be substantially detrimental or injurious to property and improvements in the neighborhood; and
- G. The proposed use and design are consistent with adopted city design standards, codes, adopted city short- and long-range plans, and accepted planning and engineering practices; and

H. The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to the state and City guidelines for the implementation of CEQA Section 15301, Class 1 (Existing Structures).

The foregoing resolution was introduced and moved for adoption October 9, 2025, by

_____ and duly seconded by Commissioner _____. PASSED AND ADOPTED

THIS 9th day of October, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

John Broeder, Chairman

ATTEST:

Caytlyn Schaner, City Clerk
City of Angels

CONDITIONS OF PROJECT APPROVAL

CONDITIONAL USE PERMIT FOR PASTORAL OFFICES AND A COMMUNITY EDUCATION CENTER, SCHOOL AT 1250 SOUTH MAIN STREET ASSESSOR'S PARCEL NUMBER: 060-012-026

THIS IS NOT A BUILDING PERMIT

1. This permit is issued to allow for: Pastoral Offices for Calaveras Presbyterian Church including an Education Center (school) for Church members and the community at large. Classes for high school students only will occur at the site. Music classes for violin, piano, music theory, senior citizen tai chi class, marriage or parenting classes, various bible studies, may occur. Building occupancy is not anticipated to exceed 25; however, building occupancy is limited to 49.
2. To the fullest extent permitted by law, Applicant shall defend, indemnify, and hold harmless City and its agents, elected and appointed officials, officers, employees, consultants, and volunteers (collectively, "City's Agents") from any and all liability arising out of a claim, action, or proceeding against City, or City's Agents, to attack, set aside, void, or annul an approval concerning the project, any applicable Permit, or subsequent City approvals. Applicant's duty to indemnify and hold harmless shall not extend to any claim, action, or proceeding arising from the gross negligence or willful misconduct of City or City's Agents.

Upon receiving notice of a claim, action, or proceeding, Applicant shall assume the defense of the claim, action, or proceeding through the prompt payment of all attorneys' fees and costs, incurred in good faith and in the exercise of reasonable discretion, of City's counsel in defending such an action. City shall have the absolute and sole authority to control the litigation and make litigation decisions, including, but not limited to, selecting counsel to defend City and settlement or other disposition of the matter. The modification of a proposal by the applicant or the imposition of conditions by the City shall not alter the effectiveness of this indemnity obligation.

3. Communicable Disease Waiver and Release: Applicant waives and releases the City from any and all claims, causes of action, allegations, or assertions that may arise relating to infection of any person by COVID-19 or other communicable disease that occurs, or is alleged to occur, during any activities undertaken at the project site. Applicant also agrees to defend, indemnify, and hold City harmless from any and all claims, causes of action, allegations, or assertions made against City or City's employees arising from or relating to actual or alleged infection occurring during any event at the site, except where caused by the sole negligence or willful misconduct of the City.

Prior to commencing site use:

4. The project proponent shall sign and acknowledge these conditions of approval.
5. A life safety inspection shall be conducted by the Building Inspector. All improvements and requirements identified by the Fire Department shall be installed and maintained throughout the life of the project or as applicable.

Throughout the Life of the Project:

6. Student outdoor recreation is not permitted.
7. Students and visitors shall not loiter or otherwise block the sidewalk in front of the building.

8. The project shall not exceed the noise standards established in the City of Angels General Plan.
9. This permit does not include approval for serving students food on site. No cafeteria is approved herein. Approval and permitting from the Calaveras County Environmental Management Division and an amendment to this permit is required prior to allowing for food service for students at the site.
10. A Building Permit is required for any interior alterations. It is the responsibility of the owner and applicant to check with the City Building Department before undertaking building alterations.
11. There shall be no outdoor storage associated with school operations visible from any public right-of-way or neighboring property.
12. New signage, temporary or permanent, shall occur only after issuance of a sign permit by the City.
13. The Project shall remain in compliance with all applicable local, state and federal regulations.
14. Significant changes to the above conditions shall require an amendment to this Conditional Use Permit.
15. The City Planner, in consultation with the City Building Inspector, may approve minor deviations from these conditions.
16. The Project Proponent will maintain a valid City business license throughout the life of the project.
17. The Project shall comply with all provisions of the Project Description and these land use entitlements as approved herein.
18. (Added 10/9/25 by Planning Commission, pending Caltrans approval). All drop-offs and pick-ups shall be via the parking lot behind the building.

I, (we) _____, have read, understand, and acknowledge the preceding conditions.

(Print Name _____)

Owner

(Print Name _____)

Figure 5-1 : Exterior Community Noise Exposure Levels- L_{dn} or CNEL, (in Decibels, dB)

Decibels	55	60	65	70	75	80
Land Use Category						
Residential low-density, single-family, duplex, mobile homes	Normally Acceptable					
		Conditionally Acceptable				
				Normally Unacceptable		
					Clearly Unacceptable	
Residential multi-family	Normally Acceptable					
			Conditionally Acceptable			
				Normally Unacceptable		
					Clearly Unacceptable	
Transient lodging, motels, hotels	Normally Acceptable					
			Conditionally Acceptable			
				Normally Unacceptable		
						Clearly Unacceptable
Schools, libraries, churches, hospitals, nursing homes	Normally Acceptable					
			Conditionally Acceptable			
				Normally Unacceptable		
						Clearly Unacceptable
Auditoriums, concert halls, amphitheaters (during use)						
	Conditionally Acceptable					
				Clearly Unacceptable		
Sports arena, outdoor spectator sports (during use)						
	Conditionally Acceptable					
				Clearly Unacceptable		
Playgrounds, neighborhood parks	Normally Acceptable					
				Normally Unacceptable		
					Clearly Unacceptable	
Golf courses, riding stables, water recreation, cemeteries	Normally Acceptable					
				Normally Unacceptable		
						Clearly Unacceptable
Office buildings, business, commercial and professional	Normally Acceptable					
				Conditionally Acceptable		
					Normally Unacceptable	
Industrial, manufacturing, utilities, agriculture	Normally Acceptable					
				Conditionally Acceptable		
					Normally Unacceptable	

General Plan Noise Limits

Figure 5-1 Key:

Normally Acceptable:

Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable:

New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional Construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

Normally Unacceptable:

New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Clearly Unacceptable:

New construction or development should generally not be undertaken.