

RESOLUTION 26-27-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SUTTER CREEK APPROVING TENTATIVE SUBDIVISION MAP 172- SUTTER CREEK RANCH PHASE 1A

WHEREAS, in 2010, the City Council of the City of Sutter Creek approved the Gold Rush Ranch Specific Plan (GRR-SP), together with the associated Gold Rush Ranch and Golf Resort Environmental Impact Report (EIR), certified on December 7, 2009, State Clearinghouse No. 2005042094; and

WHEREAS, the Gold Rush Ranch Specific Plan establishes the land use framework, development standards, infrastructure requirements, environmental protections, and phasing for approximately 945 acres located northwest of State Routes 49, 88, and 104; and

WHEREAS, Tentative Subdivision Map No. 172 proposes to subdivide approximately 39 acres into 150 residential lots ranging in size from approximately 7,000 square feet to 14,624 square feet, a 0.51-acre neighborhood park lot (Lot B), a 1.01-acre water tank site (Lot A), four (4) additional letter lots including an ag buffer lot (Lot F) and the identification of a 17.5-acre community park site; an extension of Valley View Way to State Route 104; and

WHEREAS, the City Council retains authority to determine whether to modify the phasing established by the Gold Rush Ranch Specific Plan to accommodate the proposed Phase 1A development; and

WHEREAS, the project is subject to the Conditions of Approval established in Attachment J of the Gold Rush Ranch Specific Plan, including conditions applicable to each phase, large-lot subdivision maps, and subsequent development; and

WHEREAS, the project is subject to the Project Application Requirements established in Attachment K of the Gold Rush Ranch Specific Plan, including requirements applicable to each phase, large-lot subdivision maps, and subsequent development; and

WHEREAS, the Planning Commission considered the proposed subdivision, the staff report and attachments, the project plans, public testimony, agency comments, the Gold Rush Ranch Specific Plan, the certified EIR, the applicable Conditions of Approval, and other evidence in the administrative record; and

WHEREAS, the Planning Commission did at said public hearing on October 26, 2026 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

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SUTTER CREEK
DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. RECITALS

The foregoing recitals are true and correct and are incorporated into this Resolution by reference.

SECTION 2. CEQA DETERMINATION

The Planning Commission has considered the environmental effects of the proposed Sutter Creek Ranch

Phase 1A project pursuant to the California Environmental Quality Act (CEQA).

The City certified the Gold Rush Ranch and Golf Resort EIR on December 7, 2009 (State Clearinghouse No. 2005042094). The certified EIR evaluated development within the Gold Rush Ranch Specific Plan area, including residential development, roadways, parks, utilities, and other associated improvements.

The proposed Phase 1A project must be evaluated pursuant to CEQA Guidelines Sections 15162 and 15164 to determine whether subsequent environmental review is required or whether an addendum to the certified EIR is appropriate.

Prior to adoption of this Resolution, the City shall complete its CEQA review and make the applicable environmental determination based on substantial evidence in the whole record. If the City determines that an addendum is appropriate, the addendum shall be considered and adopted in accordance with CEQA Guidelines Section 15164. If the City determines that one or more circumstances under CEQA Guidelines Section 15162 apply, the City shall complete the subsequent environmental review required by CEQA before acting on the project.

The City's final CEQA determination shall address, as applicable, the outstanding matters identified in the staff report and EIR consistency review, including:

1. Public services and utilities, including the timing and applicability of school-related requirements.
2. Greenhouse gas reduction measures under Mitigation Measure MM-7-8.
3. Wildland fire and fuels management requirements under Mitigation Measure MM-11-9.
4. Oak woodland preservation and management under Mitigation Measure MM-12-2.
5. Scenic ridgeline protection and visual resources under Mitigation Measure MM-14-3.
6. Heritage oak tree removal and the Valley View Way extension under Mitigation Measure MM-14-6.
7. Any other applicable mitigation measures, project changes, or new information relevant to the City's determination under CEQA.

The Planning Commission's action on the Tentative Subdivision Map shall not be construed as a final CEQA determination unless and until the applicable CEQA document and findings have been completed and adopted by the appropriate decision-making body.

SECTION 3. FINDINGS FOR APPROVAL OF THE TENTATIVE SUBDIVISION MAP

Pursuant to Sutter Creek Municipal Code Section 17.12.100, the Planning Commission has reviewed the proposed Sutter Creek Ranch Phase 1A Tentative Subdivision Map, the staff report and supporting documents, the public testimony, the Gold Rush Ranch Specific Plan, the certified Gold Rush Ranch and Golf Resort Environmental Impact Report (EIR), and other evidence in the administrative record.

Based on that review, and subject to the completion of the required CEQA determination and satisfaction of the applicable conditions of approval, the Planning Commission makes the following findings:

A. Consistency with the General Plan, Applicable Specific Plans, and Subdivision Ordinance

The proposed subdivision is located within the Gold Rush Ranch Specific Plan area and proposes 150 residential lots, a 0.51-acre neighborhood park lot, a 1.01-acre water tank site, identification of a 17.5-acre community park site, and the extension of Valley View Way to State Route 104.

The project is subject to the Gold Rush Ranch Specific Plan, including its applicable land use designations, development standards, grading requirements, infrastructure obligations, environmental protections, and Conditions of Approval. The proposed subdivision shall also comply with the applicable provisions of the Sutter Creek Municipal Code, including Title 17, and the California Subdivision Map Act.

The Planning Commission finds that the proposed subdivision is consistent with the applicable General Plan, Specific Plan, and subdivision requirements, provided that the outstanding inconsistencies identified in the staff report are resolved, the applicable Conditions of Approval are satisfied, and any necessary modification to the Specific Plan's phasing is approved by the City Council.

B. Physical Suitability of the Property for the Proposed Development

The property is located within an area designated for development under the Gold Rush Ranch Specific Plan. The proposed subdivision includes residential lots, park sites, a water tank site, roadways, and associated infrastructure.

The site includes areas subject to grading restrictions, topographic constraints, and scenic ridgeline protection requirements. The City has identified questions concerning the developability of certain lots, the extent of proposed grading, and potential impacts to scenic ridgelines and existing trees.

The Planning Commission finds that the property may be physically suitable for the proposed subdivision, subject to the Applicant demonstrating compliance with the Specific Plan's grading and ridgeline standards, providing the required supporting plans and technical information, and making any necessary revisions to the tentative map. Approval of the tentative map does not guarantee that every individual lot can accommodate a particular home design or grading plan.

C. Public Health and Safety

The proposed subdivision includes residential development and associated infrastructure that will require adequate access, water supply, wastewater service, drainage, fire protection, and emergency response capabilities.

The project shall comply with applicable City and agency requirements, including the adopted EIR mitigation measures addressing oak woodland preservation, wildland fire risk, greenhouse gas emissions, hydrology and water quality, public services, and utilities. The Applicant shall provide the required fuels management program and coordinated wildland fire emergency response plan pursuant to Mitigation Measure MM-11-9, and shall demonstrate that the applicable infrastructure and emergency access requirements can be satisfied. Additionally, the applicant shall provide written verification that the Department of Toxic Substance Control has certified that the RAW has been fully implemented and that soils and water quality conditions on the site do not pose a health and safety hazard for any proposed land uses or activities within the Project site.

The Planning Commission finds that the design and improvement of the subdivision will not be likely to cause serious public health problems, provided that the required infrastructure, fire protection, emergency response, and other applicable safety requirements are demonstrated and satisfied in accordance with the Conditions of Approval.

D. Environmental Damage and Protection of Fish and Wildlife

The City certified the Gold Rush Ranch and Golf Resort EIR on December 7, 2009, to evaluate the

environmental effects of development under the Gold Rush Ranch Specific Plan.

The proposed Phase 1A project is subject to the applicable mitigation measures and environmental protection requirements established by the certified EIR and its Mitigation Monitoring and Reporting Program. These include measures addressing greenhouse gas emissions, oak woodland preservation, scenic ridgelines, heritage oak tree removal, and other potentially significant environmental effects.

The City has identified outstanding information and design issues concerning compliance with Mitigation Measures MM-7-8, MM-11-9, MM-12-2, MM-14-3, and MM-14-6, among other applicable requirements.

The Planning Commission finds that the design and improvement of the subdivision will not be likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, provided that the City completes the required CEQA review, determines the appropriate environmental documentation, and verifies compliance with applicable mitigation measures before the approvals or activities for which such compliance is required.

E. Public Easements and Access

The proposed subdivision includes the extension of Valley View Way to State Route 104 and associated roadway and infrastructure improvements.

The Applicant shall identify and address all existing public easements of record or established by judgment of a court of competent jurisdiction that may be affected by the proposed subdivision or its improvements. The final map and associated improvement plans shall preserve applicable public access and utility rights or provide alternative easements that are substantially equivalent where permitted by law.

Based on the project information reviewed, and subject to verification of existing easements and compliance with applicable mapping and improvement requirements, the Planning Commission finds that the design of the subdivision and its improvements will not conflict with applicable public easements in a manner that cannot be resolved in accordance with the Subdivision Map Act and the City's subdivision requirements.

F. Wastewater Disposal

The proposed Phase 1A development is intended to proceed in consideration of available capacity at the City's wastewater treatment plant. The Gold Rush Ranch Specific Plan also establishes wastewater-related infrastructure obligations and requirements for future phases.

The Applicant shall demonstrate that wastewater generated by Phase 1A can be adequately served and disposed of in compliance with applicable requirements of the City, the responsible sanitation authorities, the local health officer, and the Central Valley Regional Water Quality Control Board, as applicable.

The Applicant shall comply with the wastewater infrastructure and recycled water obligations assigned to Phase 1A, including the applicable requirements for funding or constructing a recycled water pipeline and pumping station. Obligations assigned to future phases shall remain in effect as provided in the approved Conditions of Approval.

The Planning Commission finds that the proposed subdivision will not result in the discharge of liquid or solid waste into a sewer or individual sewage disposal system in violation of, or in a manner that adds to a

violation of, applicable requirements, provided that adequate service capacity and regulatory compliance are demonstrated before the applicable approvals and development activities proceed.

G. Passive or Natural Heating and Cooling Opportunities

The subdivision design shall provide for future passive or natural heating and cooling opportunities for the proposed parcels to the extent feasible, considering economic, environmental, social, and technological factors.

The Applicant shall comply with the applicable Gold Rush Ranch Specific Plan design standards and environmental measures relating to site planning, building orientation, energy efficiency, landscaping, and other feasible measures that support passive or natural heating and cooling.

The Planning Commission finds that the proposed subdivision can provide for future passive or natural heating and cooling opportunities to the extent feasible, subject to compliance with the applicable Specific Plan standards and Conditions of Approval.

H. Additional Findings Regarding Project Implementation and Phasing

The proposed Phase 1A development represents a revised approach to the implementation of the Gold Rush Ranch Specific Plan, with 150 residential units proposed as an initial phase and other elements of the originally contemplated Phase One deferred to future phases.

The Planning Commission recognizes that the revised phasing must be considered in the context of the Specific Plan's adopted development framework, infrastructure requirements, public benefits, and environmental mitigation obligations. Approval of Phase 1A shall not waive obligations applicable to future phases or authorize development beyond the scope of the approved tentative map.

Any necessary modification to the Specific Plan's adopted phasing shall be approved by the City Council before implementation of the revised phasing.

SECTION 4. CONDITIONS OF APPROVAL

Tentative Subdivision Map No. 172 is approved subject to the following conditions, together with all applicable conditions in the Sutter Creek Ranch Phase 1A Conditions of Approval attached to the staff report as Attachment B. In the event of a conflict, the City shall interpret and apply the conditions consistent with the Gold Rush Ranch Specific Plan, the adopted EIR mitigation measures, applicable law, and the final project approvals.

1. Approved Plans

The subdivision shall be developed substantially in accordance with the approved Tentative Subdivision Map No. 172 and associated exhibits, as revised and approved by the City. Any material revisions shall be subject to review and approval by the appropriate City decision-making body.

2. Gold Rush Ranch Specific Plan Compliance

The Applicant shall comply with all applicable provisions of the Gold Rush Ranch Specific Plan, including Attachment H (Grading Standards), Attachment J (Conditions of Approval), the applicable design guidelines, and the adopted EIR Mitigation Monitoring and Reporting Program.

3. Revised Phasing

The revised Phase 1A phasing shall not be implemented until the City Council has approved any necessary modification to the phasing established by the Gold Rush Ranch Specific Plan.

The Applicant shall demonstrate compliance with the infrastructure, public facility, open space, park, and other obligations applicable to Phase 1A. Requirements assigned to future phases shall remain applicable as provided in the approved Conditions of Approval and shall not be deemed satisfied or waived by approval of Phase 1A.

4. Boundary Line Adjustment

The Applicant shall complete the required Boundary Line Adjustment and satisfy all applicable City Engineering and mapping requirements before approval of the Final Map. The Final Map shall not be approved until the Boundary Line Adjustment has been completed and the City has verified the resulting legal parcel configuration.

5. CEQA Compliance

Before issuance of any grading permit, tree removal authorization, or other approval requiring prior environmental compliance, the Applicant shall satisfy the applicable requirements of the City's final CEQA determination and the adopted Mitigation Monitoring and Reporting Program.

Any revisions to the project necessary to demonstrate consistency with the certified EIR shall be incorporated into the project plans and approvals.

6. Grading and Restricted Grading Zones

The Applicant shall demonstrate compliance with the grading standards in Attachment H of the Gold Rush Ranch Specific Plan.

Grading within the Restricted Grading Zone shall be limited to what is necessary for construction of the driveway and individual homesite, as required by the Specific Plan.

The City may require recorded notices or covenants identifying grading restrictions and site development limitations for affected lots, consistent with applicable law and the approved Conditions of Approval.

7. Manufactured Slopes

The Applicant shall revise or substantiate the proposed grading for Lots 40 through 49 and Lots 139 through 150 to demonstrate compliance with the Specific Plan's manufactured-slope standards. Where applicable, slopes exceeding eight feet in vertical height and 200 feet in horizontal length that are visible from a public street or public space shall incorporate the required undulating contours and varying horizontal radii to reflect natural terrain.

Any alternative design shall be subject to City review and approval and shall comply with the Specific Plan and applicable environmental requirements.

8. Scenic Ridgeline Protection

The Applicant shall provide revised grading plans, elevations, cross-sections, visual analyses, or other information necessary to demonstrate compliance with the scenic ridgeline standards and EIR Mitigation

Measure MM-14-3.

The plans shall demonstrate that:

- a. New structures will not protrude above the crest of a visible skyline ridge by more than 15 feet unless obscured by vegetation;
- b. Major ridgelines will not be altered; and
- c. Development along ridgelines and hilltops will be low, built into the natural topography, and buffered from view with landscaping.

The Applicant shall also demonstrate that the proposed water tank site and associated facilities comply with the applicable visual resource requirements. Any necessary changes to the tentative map or grading plan shall be made before the affected development approvals are issued.

9. Tree Removal and Oak Tree Protection

Tree removal shall comply with the Gold Rush Ranch Specific Plan, applicable tree protection requirements, and the adopted EIR mitigation measures.

Within the Restricted Grading Zone, tree removal shall be limited as required by the Specific Plan. Removal of trees outside individual homesite footprints shall not be authorized solely because a tree has been identified for future removal. Any additional removal shall be supported by the documentation required by the applicable standards and approved by the City.

The Applicant shall provide the information necessary for the City to evaluate proposed tree removal, including tree species, size, health, location, and relationship to proposed improvements.

10. Valley View Way Extension

Before approval of the final alignment and grading plan for the Valley View Way extension, the Applicant shall provide updated tree surveys and plans identifying the number, species, size, and location of trees proposed for removal.

The Applicant shall demonstrate compliance with EIR Mitigation Measure MM-14-6, including that the roadway alignment and grading have minimized heritage oak tree removal to the extent required by the mitigation measure.

The Applicant shall revise the alignment or grading plan as necessary to demonstrate compliance. Landscaping associated with the extension shall be consistent with the applicable Specific Plan development standards and design guidelines.

11. Oak Woodland Management

The Applicant shall comply with EIR Mitigation Measure MM-12-2, including preparation and approval of an Oak Woodland Management Plan (OWMP) and permanent preservation of comparable oak woodland habitat at a minimum 2:1 ratio for each acre removed, as required by the adopted mitigation measure.

The OWMP shall identify affected and preserved habitat, preservation properties or easements, management responsibilities, monitoring, and funding for long-term management.

The required preservation, transfer to an approved qualified land trust, and endowment funding shall be completed at the times specified in the adopted mitigation measure and applicable Conditions of Approval, including before issuance of the applicable grading permit and before removal of oak woodland habitat.

12. Greenhouse Gas Reduction Measures

The Applicant shall demonstrate compliance with EIR Mitigation Measure MM-7-8 and the applicable Greenhouse Gas Emissions Reduction Plan.

The project plans shall address applicable feasible greenhouse gas reduction measures, including pedestrian and bicycle connectivity, energy efficiency, water conservation, and other measures required by the adopted mitigation program.

The Applicant shall revise the plans to address the identified bicycle parking deficiency at the proposed neighborhood park and demonstrate compliance with applicable bicycle facility requirements.

Electric vehicle charging requirements shall be implemented in accordance with the adopted mitigation measure and applicable project approvals.

13. Wildland Fire Protection

Before the applicable project approvals, the Applicant shall prepare and obtain the required review and approval of the fuels management program and coordinated wildland fire emergency response plan pursuant to EIR Mitigation Measure MM-11-9.

The plans shall address defensible space, vegetation management, emergency access and evacuation, agency coordination, property owner education, ongoing maintenance, and funding responsibilities, as applicable.

14. Parks and Dedications

The Applicant shall provide for the dedication and conveyance of the 0.51-acre neighborhood park site and 17.5-acre community park site in accordance with the approved map and applicable Conditions of Approval.

The community park is proposed as an open-space nature park. No specific park improvements are approved by this Resolution unless expressly included in the approved plans or Conditions of Approval.

The Applicant shall complete applicable park dedication, access, maintenance, and related requirements at the times established by the approved Conditions of Approval.

15. Water Tank Site and Utilities

The Applicant shall demonstrate that the proposed water tank site and associated facilities satisfy applicable water supply, fire flow, access, grading, visual resource, and utility requirements.

The Applicant shall comply with the applicable Specific Plan requirements for the recycled water pipeline and pumping station, including the required funding or construction obligations, and any wastewater treatment plant expansion obligations assigned to Phase 1A or future phases.

16. Circulation and Transportation

The Applicant shall comply with applicable traffic study recommendations, roadway design requirements, and agency conditions, including requirements of the City, Caltrans, and the Amador County Transportation Commission, as applicable.

The Valley View Way extension to State Route 104 and other required circulation improvements shall be designed and constructed in accordance with the approved plans and applicable agency approvals.

The Applicant shall satisfy applicable fair-share obligations for the Prospect Drive to Bowers Drive extension in accordance with the approved Conditions of Approval.

17. Affordable Housing

The Applicant shall provide 15 deed-restricted affordable residential units within Phase 1A, subject to approval of an affordable housing implementation plan identifying the applicable affordability levels, unit or lot designations, recorded restrictions, and monitoring and enforcement procedures.

The Applicant shall also demonstrate compliance with the applicable Gold Rush Ranch Specific Plan requirements concerning housing types affordable to low- or moderate-income households.

18. Community Facilities District and Maintenance

The Applicant shall comply with the applicable requirements to establish or participate in a Community Facilities District or other approved funding mechanism for ongoing maintenance and operations of applicable infrastructure and services, including street lighting, roadway maintenance, and storm drainage facilities.

19. Conditions of Approval and Mitigation Monitoring

The Applicant shall comply with all applicable Conditions of Approval in Attachment J of the Gold Rush Ranch Specific Plan, as identified and assigned to Phase 1A in Attachment B, Sutter Creek Ranch Phase 1A Conditions of Approval.

Conditions designated for completion before Final Map approval, grading permit issuance, building permit issuance, or subsequent phases shall be satisfied at the applicable time. Nothing in this Resolution shall waive an adopted mitigation measure or a requirement that must be completed before the activity to which it applies.

20. Payment of Fees to ACTC

The Applicant will pay a mitigation fee for the Prospect/ Bowers interchange of \$1,007.12 per single family unit.

21. Future Phases

Approval of Phase 1A does not constitute approval of Phase 1B or any other future phase of the Gold Rush Ranch Specific Plan. Future development shall remain subject to applicable Specific Plan requirements, infrastructure capacity, environmental review, mitigation measures, and required discretionary approvals.

22. Expiration and Extensions

The Subdivision Map, in accordance with Chapter 17.22 of City Code, shall be recorded within 24

months of Planning Commission Tentative Map approval.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Resolution is held invalid or unconstitutional by a court of competent jurisdiction, the remaining portions shall remain in full force and effect to the extent they can be implemented independently of the invalid provision.

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on Tuesday the 26th day of October, 2026 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY OF SUTTER CREEK

Lucy Mulvey, Chairman

ATTEST:

Alejandra Zambrano, City Clerk