



Planning Commission Meeting Minutes

Monday, May 11, 2026 at 6:00 PM

33 Church Street, Sutter Creek, CA 95685

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

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

Chair Lucy Mulvey called the meeting to order at 6:00 PM.

PRESENT: Chair Lucy Mulvey, Vice Chair Thomas Baggett, and Commissioners Meredith Hansen (arrived at 6:02 PM), Michael Kirkley, and Robert Trudgen

ABSENT: None

STAFF: City Manager DuBois, Contract City Planner Erin Ventura and City Clerk Pam Caronongan

2. Pledge of Allegiance to the Flag

Chair Mulvey led the Pledge of Allegiance.

3. Public Forum

Zero (0) public comment was received.

4. Consent Agenda

A. Planning Commission Minutes of March 9, 2026.

Recommendation: Approval of Minutes

Motion made by Commissioner Kirkley, seconded by Vice Chair Baggett. **Motion passed 5-0 to approve all Consent Agenda items.**

AYES: Chair Mulvey, Vice Chair Baggett, and Commissioners Hansen, Kirkley, and Trudgen

NOES: None

ABSENT: None

ABSTAIN: None

5. Public Hearings

A. Short Term Rental Ordinance Discussion

Recommendation: Review the attached draft Short Term Rental Ordinance, direction from Council and provide recommendations back to the City Council.

Contract City Planner Ventura provided a background on the City's short-term rental tracking since 2019. The city currently has 12 active STR permits, some inactive, and 2 properties for sale. She noted that Conditional Use Permits are non-transferable to new owners.

Contract City Planner Ventura stated that the City Council requested the Planning Commission evaluate and provide recommendations on several key areas of a draft ordinance, with her providing a summary of the City Council discussion:

- Permit Cap: A proposed cap of 35 units, which represents roughly 2.5% of the city's total 1,404 residential dwelling units (including multi-family and mobile homes).
- Geographic Distribution: Whether to split the permits 50/50 between the Historic District and areas outside of it.
- Waitlist Management: How to handle applicants once the cap is met (e.g., First-In, First-Out vs. a merit/competitive review process).
- Review and Renewal: Shifting away from a standard CUP to a specific annual file review (checking Transient Occupancy Tax (TOT) compliance and complaints) and a more in-depth renewal review every three years.

One public comment was received - Byron Damiani noted that the 1,404 total units figure includes apartments and mobile home parks unlikely to become STRs. Factoring only single-family residences (808 units), a 35-unit cap actually represents 4.3%, meaning the City is close to maxing out its absorption capacity. He urged the Commission to prohibit STRs within the Main Street Historic District entirely, point to past contention (he provided 23 Main Street as an example), and cap the remainder outside the historic zone to preserve neighborhood character. He reminded the Commission that the projected revenue is only about \$10,000 annually.

The Commission resumed discussion and brought up the following key points:

- Permit Cap & Percentages: The Commission widely agreed that a fixed cap number is easier to manage than a fluctuating percentage. Multiple commissioners expressed that 35 units is too high for a small town over the next 5 to 10 years, suggesting 20 or 25 units would be more reasonable to prevent a rapid waitlist backlog. It was noted that accessory dwelling units (ADUs) are entirely prohibited from being used as STRs by local code.
- Density & Distribution: The proposed 50/50 split between historic and non-historic districts lacked strong support. However, commissioners expressed serious concerns about neighborhood density (e.g., instances where 3 out of 4 homes on a single block became STRs). Staff noted that South Lake Tahoe abandoned strict radial buffers because they were a logistical nightmare to enforce, leading to neighbor disputes over inches.
- Historic Main Street Zone: The Commission was divided on restricting Historic Main Street. Some argued that location-based bans are unfair to property investors who follow the rules, noting that public hearings allow neighbors to voice concerns case-by-case. Others favored strict

density caps or outright exclusions for the narrow residential strip of Main Street to protect the district's aesthetic and minimize parking issues.

- **Waitlist & Activity Requirements:** The Commission favored a simple First-Come, First-Served waitlist over a highly prescriptive criteria system. To free up permits for active users, there was strong consensus that the ordinance should include language allowing the city to revoke permits for inactivity or a lack of minimum rental days (e.g., fewer than 20 days per year).
- **Enforcement:** Staff confirmed that future rules will require hosts to include their permit numbers in online advertisements (e.g., Airbnb) to streamline code enforcement.

No motion was made regarding this agenda item. No formal vote or final consensus was reached on the specific mechanics of the ordinance. The Planning Commission agreed to “table” the item to a future meeting to allow Commissioners time to conduct independent research on neighboring city ordinances and brainstorm finer-grained density solutions.

B. Amend Safety Element of the City of Sutter Creek's General Plan

Recommendation: For the Commission to review the amended Safety Element, hold a public hearing, and do the following:

- 1. Recommend the City Council find the Project is exempt from CEQA per Section 15061(b)(3); and*
- 2. Recommend the City Council approve the proposed General Plan Amendment to incorporate the new Local Hazard Mitigation Plan into the Safety Element as presented.*

Contract City Planner Ventura presented the report and responded to inquiries and requests for clarification regarding the proposed amendment to the General Plan to formally incorporate the countywide Local Hazard Mitigation Plan, which contains specific annexes for individual cities. The City Council adopted the plan last month to qualify for emergency funding, but Municipal Code requires a formal recommendation from the Planning Commission to officially amend the General Plan's Safety Element. The change adds three specific italicized paragraphs referencing the hazard plan to the element.

Motion made by Commissioner Kirkley, seconded by Commissioner Hansen. **Motion passed 5-0 to approve Resolution to amend the Safety Element of the City of Sutter Creek's General Plan.**

AYES: Chair Mulvey, Vice Chair Baggett, and Commissioners Hansen, Kirkley, and Trudgen
NOES: None
ABSENT: None
ABSTAIN: None

C. Approve Site Plan Permit for 11821 Sweet Pea Way (APN: 040-020-107)

Recommendation: Approve Site Plan as presented.

Consensus from the Commission was to hear this item first, since Agenda Items A and B would be lengthy discussions and in consideration of the applicants who were present for this Agenda Item.

Contract City Planner Ventura provided the report. Contract City Planner Ventura and Mr. Robin Peters with Delta Engineering and representing the applicant responded to inquiries and requests for clarification from the Commission.

The Commission asked for clarification regarding the following:

1. Since the project is an industrial facility, aside from CUPA regulations, the Commission wishes to add another condition for permitting; namely compliance with California State Water Resources Control Board regulations.

One (1) public comment was received: after thanking staff for the report, the project applicant noted a necessary correction that needs to be reflected in the draft resolution - the third "WHEREAS" Planning Commission resolution paragraph should indicate Class 32, Section 15332.

The Commission continued discussing the project

Motion made by Vice Chair Baggett, seconded by Commissioner Trudgen. **Motion passed 5-0 to adopt the Resolution as amended approving the Site Plan Permit for 11821 Sweet Pea Way.**

AYES: Chair Mulvey, Vice Chair Baggett, and Commissioners Hansen, Kirkley, and Trudgen

NOES: None

ABSENT: None

ABSTAIN: None

6. Adjournment

Chair Mulvey adjourned the meeting at 7:12 PM.