

**RESOLUTION 24-25-\***

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF SUTTER CREEK APPROVING  
A VESTING TENTATIVE SUBDIVISION MAP NO. 182  
BROADMEADOWS ESTATES SUBDIVISION AND  
ACCEPTING THE BROADMEADOWS ESTATE SUBDIVISION IS/MND**

**WHEREAS**, the City Council of the City of Sutter Creek did on Monday August 26, 2024 hold a public hearing on the Vesting Tentative Subdivision Map for the Broadmeadow Estates Subdivision (Assessor Parcel Nos. 040-030-060 and 040-232-001[Portions]), after properly noticing said hearing; and

**WHEREAS**, On July 8, 2024 the Planning Commission reviewed, held a public hearing, and ultimately voted 4-0 to deny the Broadmeadows Estates Subdivision application; and

**WHEREAS**, the City Council 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**, an Initial Study and Mitigated Negative Declaration (SCH# 2023100658) was prepared pursuant to the California Government Code, City of Sutter Creek Code, the California Environmental Quality Act (CEQA) and local administrative procedures, and reflects independent judgment and analysis of the City of Sutter Creek; and

**WHEREAS**, the Initial Study and Mitigated Negative Declaration of Environmental Impact (SCH# 2023100658), was made available to agencies and the public on the 23<sup>th</sup> day of October 2024 and was posted on the City's website for the public's review; and

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Sutter Creek hereby grants the Applicant's appeal and approves the Vesting Tentative Subdivision Map for the Broadmeadows Estates Subdivision based on the Findings attached hereto as "Exhibit A" and subject of the Conditions of Approval attached hereto as "Exhibit B;" and

**BE IT FURTHER RESOLVED** that the City Council certify the Broadmeadow Estates Subdivision Mitigated Negative Declaration (Exhibit C) as complying in full with the requirements of CEQA and California law and authorize City staff to prepare and file the appropriate State and County offices a Notice of Determination within five working days of certification.

**PASSED AND ADOPTED** by the City Council of the City of Sutter Creek on the 26th day of August, 2024 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

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Claire Gunselman, Mayor

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Karen Darrow, City Clerk

**CONDITIONS OF APPROVAL  
FOR THE VESTING TENTATIVE SUBDIVISION MAP # 182 FOR THE  
BROADMEADOW ESTATES SUBDIVISION**

GENERAL CONDITIONS:

1. Upon approval of the City Council, a Subdivision Map for not more than 10 residential lots shall be prepared and processed in accordance with City Code Chapter 17.22 "Subdivision Maps." No phasing will be allowed.
2. The Subdivider shall meet all the requirements of the City Code unless otherwise specifically superseded by these Conditions of Approval.
3. The Vesting Tentative Subdivision Map is valid for an initial period of 24-months from the date of approval, with extension requests filed prior to the expiration of the map. The final map shall be filed with the Amador County recorder within twenty-four (24) months of planning commission approval of the Tentative Map.
4. The ordinance requirements of the Amador Fire Protection District shall be met by participation in the annexation to the County's Community Facilities District No. 2006-1 for fire protection services.
5. All improvements shall be completed prior to recording of the Final Map, unless a Subdivision Improvement Agreement is executed in accordance with City Code. All Improvements shall be made to City Improvement Standards.
6. Any structural development on the parcels shall comply with the CBC and Title 24 regulations, as well as demonstrate defensible space.
7. All easements of record shall be noted on the Subdivision Map.
8. Prior to submittal of the final map, the Subdivider shall provide the City a copy of any proposed covenants, conditions, and restrictions (CC&R's) which shall be applicable to the subdivision.
9. Prior to recordation of the final map, the project limits shall be annex into the County of Amador Community Facilities District No. 2006-1 to fund additional costs associated with fire protection services for subdivision development in accordance with City of Sutter Creek Resolutions.
10. Prior to recordation of the final map, subdivider shall form a Community Facilities District (CFD), or other financing district or will provide a similar funding mechanism acceptable to the City of Sutter Creek to fund subdivisions fair share of ongoing maintenance ongoing for: concrete drainage swales, and storm drain inlet biofilters. CFD can be simple to minimize costs of formation.

11. Prior to recordation of the final map, subdivider shall annex into the City limits.
12. Prior to recordation of the final map, all City fees associated with the development shall be paid in full. City fees shall be those in effect at the time building permits are issued.
13. Based on Applicant's representations, Applicant understands and agrees that the City may not begin processing any future application for the area known as Paneer Creek until recordation of the final map for this development. Applicant understands and agrees that Applicant's representation was a material condition underlying the approval of this Vesting Tentative Map. Applicant further understands and agrees that its submission of an application for Panner Creek would preclude the City from approving its final map.

#### WATER AND SEWER:

14. Subdivider shall meet requirements of the City Sewer Standards, Title 14 of the City Code, and provide verification each proposed parcel has adequate wastewater collection facilities constructed in accordance with City Standards. Applicant shall provide the City with CCTV video and reports for the condition for any of the existing laterals and sewer main connections.
15. Applicant shall provide City a copy of "will serve letter" and certification that water services to the 10 lots have been installed to AWA standards.
16. Fire hydrant locations shall be adequate to serve subdivision and placed at locations approved by the Sutter Creek Fire District.
17. The ability to serve sanitary sewer service to the development will expire with the Approved Tentative Subdivision Map or failure to get the Tentative Subdivision Map approved.

#### MISCELLANEOUS CONDITIONS:

18. Sidewalk shall be constructed to City Standards along frontage of all lots.
19. All sidewalks, sanitary sewer, storm drain work within street right of ways shall be completed in accordance with the improvement plans prepared, reviewed and approved in accordance with the City Improvement Standards. A drainage study shall also be completed in accordance with the City Improvement Standards and reviewed and approved by the City Engineer, prior to any improvements being constructed. Plans shall reference applicable provisions of the mitigation measures BM 3-1, 5-2, 5-3, 7-4, and 10-5.
20. Limits of Broadmeadows Drive's existing paved surface shall be resurfaced with a Type II slurry seal as approved by City Engineer.

21. Those Mitigation Measures contained within the Broadmeadows Estates Initial Study Mitigated Negative Declaration shall be implemented during the building permit/construction phase.

**FINDINGS FOR THE  
VESTING TENTATIVE SUBDIVISION MAP # 182 FOR THE BROADMEADOWS  
ESTATES SUBDIVISION**

1. The proposed map will be consistent with applicable General Plan because the project site will be, as part of the overall project being approved, designated Residential Single Family and Residential Low Density (Planned Development) which complies with the overall proposed density of the subdivision.
2. The design or improvement of the proposed subdivision is consistent with the applicable General Plan because the General Plan residential policies have been considered in the project design.
3. The site is physically suitable for the type of development because it is located in an area that exhibits varying terrain and can be developed into detached homes on larger lots with steeper slopes and City services are readily available.
4. The site is physically suitable for the proposed density of development because each parcel is of sufficient size to accommodate its proposed residential unit.
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because appropriate mitigation measures have been applied to the project.
6. The design of the subdivision or the type of improvements are not likely to cause serious public health problems because sewer, water and storm drainage improvements will be required prior to the development of any lots.
7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision because the existing easements are properly located or will be obtained prior to recordation of the final map.
8. The design of the subdivision provides, to the extent feasible, for the future passive or natural heating opportunities in the subdivision because each lot is large enough and has sufficient southern exposure to facilitate solar orientation.

**Exhibit C**

**VESTING TENTATIVE SUBDIVISION MAP FOR THE BROADMEADOWS ESTATES  
SUBDIVISION MITIGATED NEGATIVE DECLARATION**