

**RESOLUTION 24-25-\***  
**A RESOLUTION OF THE PLANNING COMMISSION OF**  
**THE CITY OF SUTTER CREEK APPROVING**  
**A CONDITIONAL USE PERMIT FOR A WIRELESS TELECOMMUNICATION**  
**FACILITY FOR VERTICAL BRIDGE A LOCATED AT**  
**130 LINCOLN AVENUE, SUTTER CREEK, CA 95685**  
**APN 018-052-012**

**WHEREAS**, the Planning Commission of the City of Sutter Creek did on Monday, November 9, 2024, held a public hearing on a Conditional Use Permit for Vertical Bridge located 130 Lincoln Avenue, Assessor Parcel No. 018-052-012 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 3 Categorical Exemption under CEQA section 15303.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Sutter Creek hereby approves a Conditional Use Permit for Vertical Bridge based on the following Findings:

1. The proposed use of the property is essential or desirable to the public convenience or welfare because it will provide additional wireless coverage for the community and those visiting the area.
2. The proposed use is in compliance with the Sutter Creek General Plan goals, policies, and Commercial Land Use designation.
3. The proposed use will not impair the integrity and character of the zoning district because the applicant will maintain the equipment and retain existing vegetative screening.
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 uses of the property are in harmony with the various elements or objectives of the General Plan and the purposes of this title. The project specifically implements the following General Plan Object:

Objective PS-1.11: Utilities should be extended logically to provide a safe and reliable level of utility service.

**BE IT FURTHER RESOLVED**, the Planning Commission hereby approves the Conditional Use Permit, subject to the following Conditions of Approval:

1. The project shall comply with all provisions of Chapter 18.49 Telecommunication and Electrical Generating Towers in the City's Zoning Ordinance.
2. The applicant shall be responsible for payment of all applicable City fees prior to issuance of building permits.
3. The applicant shall be responsible for payment of any outstanding invoices prior to issuance of building permits.
4. The applicant shall obtain any required building permits from the City of Sutter Creek Building department. Including any special inspections which may be required.
5. The applicant shall obtain a Sign Permit for any future signs.
6. Any proposed fencing cannot exceed 6ft in height.
7. Maintain a valid City of Sutter Creek Business License.
8. The Applicant shall pay the \$50.00 Notice of Exemption filing fee to the Amador County Recorder.
9. The applicant shall maintain fire department and emergency personnel access on Lincoln Avenue.
10. The owner and/or operator of the facility shall operate and maintain such facilities in a clean, safe, and attractive condition at all times, including keeping the base of the wireless communication facility free of garbage, debris, and weeds.
11. The applicant shall remove abandoned vehicles (not currently registered), equipment and debris, including weeds and vegetation, from the property.
12. The applicant shall make the following improvements to the road:
  - a. Construct a 0.2' asphalt concrete overlay on Oak Street from Hanford Street (Old State Route 49) to the beginning of the existing concrete (approximately 150 linear feet).
  - b. Road improvements for City Standards for "local rural road, " per Detail ST-1, starting at the existing concrete on Oak Street to the most northerly property line of APN 018-052-012 on Lincoln Avenue (approximately 250 linear feet).
13. Unused and/or obsolete equipment and towers shall be removed from the site within six months after their need has ceased, or the city may, after notice and hearing, remove the equipment and towers and place a lien on the land to recover reasonable cost of removal. Once the telecommunication company vacates the site, future establishment of the same or similar facility shall require a new Conditional Use Permit approval through the Planning Department.

14. In conjunction with issuance of the Conditional Use Permit, the applicant shall provide a performance bond or cash equivalent equal to one hundred percent of the City's estimated cost for removal of the facility. Said bond amount may be revised periodically by the City, and the bond may be utilized by the City in the event that the Applicant fails to remove the facility.
15. The developer of the Telecommunications facility shall operate the proposed radio/telephone equipment in strict conformance with Federal Communications Commission (FCC) regulations at all times so as not to cause a Public Health and Safety Hazard or nuisance to nearby properties and their radio and television reception. If, in the future, the FCC adopts more stringent Radio Frequency (RF) emission regulations, the developer shall submit an application to the City of Sutter Creek to modify the Conditional Use Permit (CUP) in order to demonstrate compliance with the revised FCC regulations. Failure by the applicant to apply for such a review of the subject CUP to conform to the FCC approval of revised RF emission regulations shall subject this approval to possible revocation.
16. All site signage required by the Federal Communications Commission, if any, shall be maintained in a clean readable condition at all times and all graffiti and vandalism shall be removed and repaired on a regular basis.
17. Structures, poles, towers, antenna supports, antennas and other components of each telecommunication site shall be treated with non-reflective colors to assist further with concealment of the facilities.
18. Cell sites shall not cause harmful interference to any of the County's emergency radio communication systems.
19. This permit shall expire and become null and void twelve months from Planning Commission action, or upon City Council approval upon appeal, unless a construction permit has been obtained prior to the date of expiration.

**PASSED AND ADOPTED** by the Planning Commission of the City of Sutter Creek on this Monday the 9<sup>th</sup> day of December, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

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Michael Kirkley, Chairman

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Mason Peters , Deputy City Clerk