

**RESOLUTION 23-24-\***

**A RESOLUTION OF THE PLANNING COMMISSION OF  
THE CITY OF SUTTER CREEK APPROVING VESTING TENTATIVE PAREL MAP 2925  
FOR APN 018-294-018 AT 81 SPANISH STREET**

**WHEREAS**, on the Planning Commission of the City of Sutter Creek did on Tuesday October 15, 2024, hold a public hearing for Vesting Tentative Map 2925 to split 381, 383, and 385 Sutter Hill Road (APN 180-314-026) into two separate lots to hear public comments regarding the proposed lot split; 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 153332 Infill under CEQA.

**NOW, THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Sutter Creek hereby approves Vesting Tentative Parcel Map 2925 based on the following Findings:

1. The proposed split of the property into two parcels is essential or desirable to the public convenience or welfare;
2. The proposed action is in compliance with the Sutter Creek General Plan goals, policies, and RM designation.
3. The proposed action will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-3 Zone, which allows a lot split in which the area of the resulting lots is greater than 3,500 square feet.
4. The proposed action would not be detrimental to public health, safety or general welfare.
5. The proposed split of the property implements the Sutter Creek General Plan and the purposes of the Planning Title.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Sutter Creek recommend that the City Council authorize the Planning Commission to approve Tentative Map 2925 with an exception to lot frontage based on the following findings per Subdivision Code 17.30.010:

1. That there are special circumstances or conditions affecting the property:  
While there is more than adequate square footage to meet the minimum lot area requirements for each lot, the location of the existing structure on the property will not allow for a frontage of 60' on the proposed Lot 1. Allowing a smaller frontage width avoids making the existing structure non-conforming in terms of setbacks, and reduces the number of driveways proposed on Sutter Hill Road.
2. That the exception is necessary for the preservation and enjoyment of a substantial property right of the petitioner:  
The exception will allow for the creation of lots sized appropriately for the R-3 zone/ RM land use designation and will provide additional opportunity for multifamily house development.
3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is situated:  
The frontages of lots within the area vary in size.

**BE IT FURTHER RESOLVED** the Planning Commission hereby approves Vesting Tentative Parcel Map 2925, subject to the following Conditions of Approval. All conditions shall be met as appropriate, prior to or concurrent with the recording of a Parcel Map.

**Parcel Map Conditions**

1. The Parcel Map shall be in substantial compliance with the Tentative Parcel Map as approved by the Planning Commission and on file at the offices of the City of Sutter Creek.
2. A Parcel Map, in accordance with Chapter 17.22 of City Code, shall be recorded within 24 months of Planning Commission Tentative Map approval.
3. The FEMA 100-year flood limit shall be identified on the map
4. All easements of record shall be noted on the Parcel Map. Property owner to extend the existing curb and gutter (C&G) along the frontage of the property in compliance with City Standards connecting to the existing C&G at the North end of the property.
5. A 5-foot public utility easement along the frontage of the property be dedicated to the City on the Parcel Map.
6. A 15' wide drainage easement along the ditch at back property line be dedicated to City on the Parcel Map.
7. Existing driveway encroachment within street Right of Way be brought to City Standards.

**Additional Project Conditions**

8. The Subdivider shall continue to meet the requirements of the City Subdivision Ordinance, Zoning Ordinance, Sign Ordinance, Noise Ordinance, Tree and Landscape Ordinance, and Park Dedication and In Lieu Fee Ordinance, unless otherwise specifically superseded by these Conditions of Approval.
9. Sewer service locations shall be verified by City Public Works staff and field marked.
10. The ordinance requirements of the Sutter Creek Fire District shall continue to be met.
11. The Applicant shall pay the \$50.00 Notice of Exemption filing fee to the Amador County Recorder.
12. This subdivision shall consist of a maximum of two Residential Multi-family parcels.
13. All improvements shall be made to City Improvement Standards.
14. The applicant shall pay to the City all appropriate fees and shall submit to the City grading detail, drainage studies, tree removal plans, and any other documentation required by the City prior to the issuance of development permits.
15. Any structural development on the parcels shall comply with the CBC and Title 24 regulations, as well as demonstrate defensible space.
16. Authorization by the City Council for an exception to the requirements of Subdivision section 17.16.100, allowing a lot frontage of less than 60 ft.

**PASSED AND ADOPTED** by the Planning Commission of the City of Sutter Creek on Tuesday the 15th day of October, 2024 by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

**THE CITY OF SUTTER CREEK**

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**Michael Kirkley, Chairman**

**ATTEST:**

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**Karen Darrow, City Clerk**