



TO: CITY OF SUTTER CREEK PLANNING COMMISSION

MEETING DATE: MARCH 9, 2026

FROM: ERIN VENTURA, CONTRACT PLANNER

SUBJECT: SITE PLAN PERMIT AND CONDITIONAL USE PERMIT FOR 110-165 BRYSON COURT (APNs 018-324-001 – 018-324-022)

RECOMMENDATION:

1. Conduct a public hearing and receive public input, and
2. Find that the project is Categorically Exempt under Section 15332 Class 32, Infill Development Projects of the CEQA Guidelines and instruct staff to file a Notice of Exemption; and
3. Adopt Resolution 25-26-** approving a Site Plan Permit and a Use Permit for the construction of 12 single family homes located at 110-165 Bryson Court (APNs 018-324-001 – 018-324-022) within the R-3 zoning district.

BACKGROUND AND PROJECT DESCRIPTION:

The applicant, Riverland Homes, Inc., proposes to construct 12 single-family homes on 12 existing undeveloped lots located on Bryson Court. The subdivision was originally approved in June 2008, and the final map was accepted in November 2009.

The property has received various approvals and zoning changes over the years but has remained undeveloped. In 2003, a 22-unit townhome project was approved for the site, prior to its subdivision into 12 individual lots. At that time, the property was zoned R-4 and C-2.

In 2008, the City approved a 12-lot subdivision. Pursuant to Resolution No. 07-08-35, the subdivision was approved to allow 12 residential lots capable of accommodating detached single-family dwellings. The resolution does not clearly identify the zoning designation in effect at the time of approval. The final tentative map was accepted by the City in 2009. At that time, the street improvements were completed, including installation of curb, gutter, drainage infrastructure, and utility stub-outs. The applicant did defer Conditions 7, 8, and 9 from the original approval. Those conditions of approval will be included in this approval.

Each lot is served by an individual water connection.

The parcels are currently zone [R-3 Multiple Family Dwelling](#).

Table 1. Relevant Summary of Proposed Site

Description	Proposed	Meets Requirements?
Site	110-165 Bryson Court (018-324-001 – 018-324-022)	-
Building Plan	12 Single Family Dwellings 1,944 sf to 2,498 sf	No- requires a Use Permit
Lot Size	4,483 sf- 8,332 sf	Yes- 3,500 sf minimum lot size
Zoning	R-3	Yes
General Plan Land Use Description	RH-Residential High Density	Yes

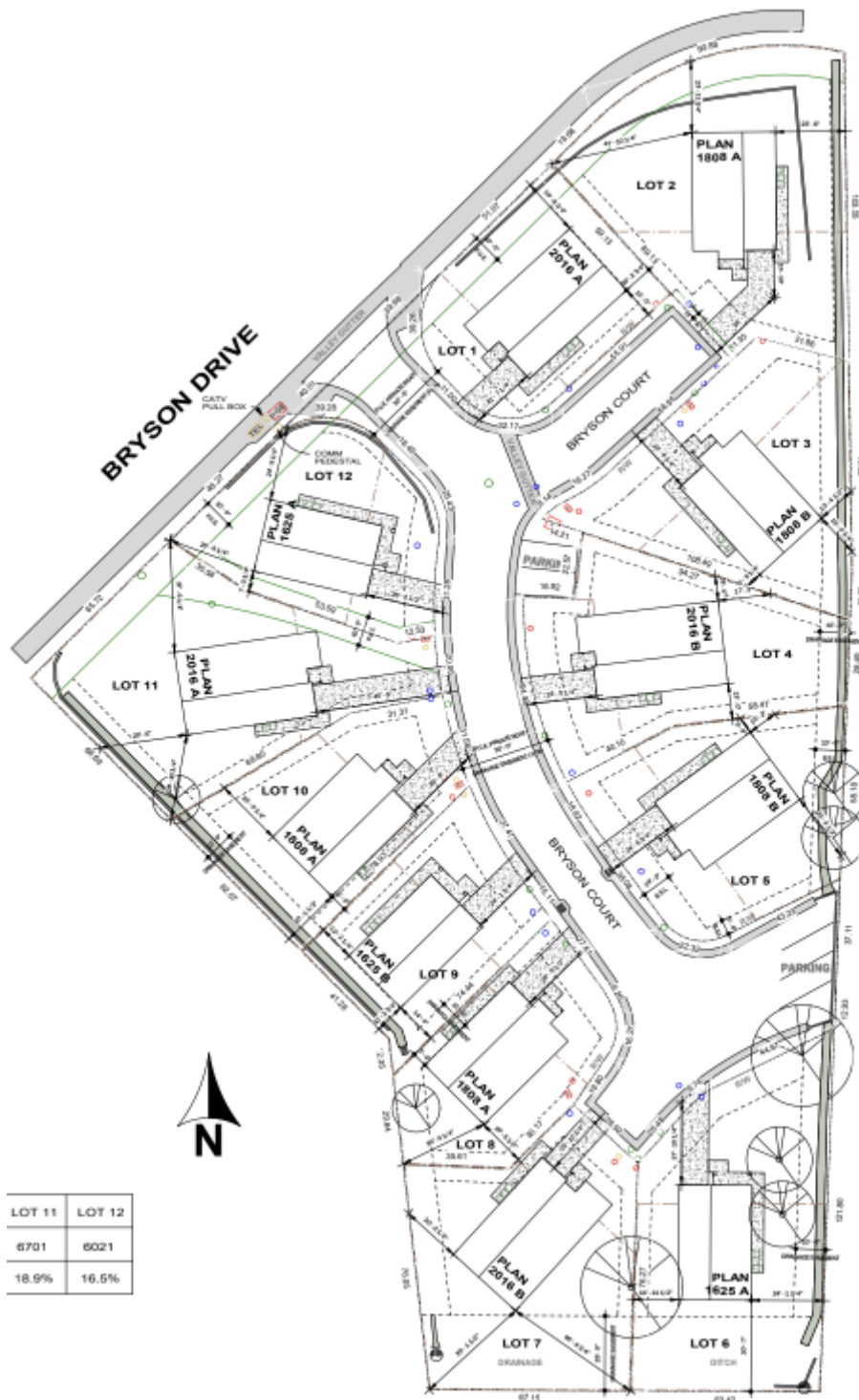
Description	Proposed	Meets Requirements?
Is this in the Main Street Historic District?	No	-
Historic District?	No	-
Parking	1-2 garage spaces per unit plus 6 street parking spaces	Per SC Code : 2 spaces for each dwelling unit. Tandem parking may be allowed to satisfy off-street parking requirements for single-family dwellings, duplexes, second unit dwellings, and bed and breakfast inns.
Access	Bryson Drive	Yes
Fencing	Boundary line wooden fencing	Yes
Trees and Landscaping per 13.24.120	No proposed tree removals	Yes. Applicant has a complete landscape plan proposed with tree replacement.

Table 2- Lot Summary

Lot #	Lot square footage	Plan	Livable square footage	Lot Coverage	Parking
1	6,384	2016 A	2,016	19.9%	2 spaces (457 sf)
2	7,294	1808 A	1,808	15.9%	2 spaces (436 sf)
3	6,988	1808 B	1,808	16.6%	2 spaces (436 sf)
4	7,380	2016 B	2,016	17.2%	2 spaces (457 sf)
5	7,451	1808 B	1,808	15.6%	2 spaces (436 sf)
6	8,332	1625 A	1,627	11.9%	1 space (267 sf)
7	6,312	2016 B	2,016	20.1%	2 spaces (457 sf)
8	4,889	1808 A	1,808	23.8%	2 spaces (436 sf)
9	4,483	1625 B	1,627	22.1%	1 space (267 sf)
10	4,767	1808 A	1,808	24.4%	2 spaces (436 sf)
11	6,701	2016 A	2,016	18.9%	2 spaces (457 sf)
12	6,021	1625 A	1,627	16.5%	1 space (267 sf)

Map 1. Aerial Photo





DISCUSSION:

The project site is situated in an area with a variety of housing types. Surrounding uses include duplexes to the north, single family and an apartment complex to the east, a mobile home park to the south, and Bryson Park to the west.

General Plan: The Project site is designated “RH” Residential High on the Land Use Diagram. The “RH” Residential High land use designation is applied to lands where multifamily housing development is preferred. The following development standards must be met and land use constraints due to soils, terrain,

access, services, aesthetics, open space, or other environmental features, must be considered in regard to project density.

- Minimum parcel or lot size is 3,500 square feet.
Consistent
- Maximum lot coverage of 75%.
Consistent
- Maximum allowable population density/building intensity is 16-29 dwelling units per acre.
Proposed density is 6.8 units per acre.
- Maximum building height is 40 feet.
Consistent

Zoning: The Project site is designated “R-3” Multiple Family Dwelling on the Zoning Map. The R-3 Zone is designated for multiple-family dwellings including apartments, condominiums, and townhouse units to achieve higher density housing. Single Family homes are not a permitted use in the R-3 Zone. Per SC Municipal Code [18.60.010- Conditional Use Permits](#), uses may be permitted by the planning commission and city council in zones from which they are prohibited by this title where such uses are deemed desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the comprehensive general plan.

The applicant has applied the R-3 regulations to the design and layout of the project. Included below are the R-3 regulations and R-1 and R-2 for comparison (*R-1/R-2*).

- Building height is limited to three stories and shall not exceed 40 feet. (*35 ft/35ft*)
- Front yard setback of no less than 10 feet. (*25ft/20ft*)
- Side yard setback of no less than five feet, except the street side of corner lots shall have at least a 10-foot setback. (*Same*)
- Rear yard setback of no less than 10 feet. (*15ft/10ft*)
- Minimum distance of six feet between buildings. (*Same*)
- Lot coverage shall not exceed 75%. (*50%/75%*)

Staff feels that even though they are proposing single family detached homes, the R-3 regulations should be applied. All of the lots meet the minimum front yard setbacks for the R-2 zoning district (20ft), and half meet the R-1 standard (25ft). Additionally, all garages are setback at minimum 20ft ([18.10.09 Yard Encroachments](#)).

Design Standards: The application was reviewed by the City’s Design Review Committee on November 20, 2025. The Committee reviewed the application, found it in compliance with the City’s Design Standards, and recommends the Planning Commission approve the project. They did request the following changes to improve the appearance from Bryson Drive:

- Lot 1, replace Plan 1808 with 2016
- Lot 2, replace Plan 2016 with 1808

These changes have been incorporated into the plans for your review.

Parking: 9 of the 12 units have tandem two car garages, the other 3 have single car garages. (The applicant incorrectly says there are two spaces per unit) Per the code each unit must have 2 parking spaces. The additional parking space for the 3 units with single car garages, is the driveway space in front of the garage. Additionally 6 parking spaces are provided on the street. Those spaces are already marked on site. No parking is allowed on the street, signs are already in place.

Access: Access is already in place and off of Bryson Drive. Internal project access via Bryson Court, which is a private road. The developer is proposing a road maintenance agreement. Either the creation of a Community Facilities District (CFD) or a road maintenance agreement must be in place for maintenance of the private roadway.

Landscaping: The applicant has provided a landscape plan. 24 trees will be planted across the front yard of the homes. Per [13.24.110](#) one street tree shall be planted per lot. The street tree must be at least 2 ft from the curb. This was also a condition of approval on the tentative map approval. The property owners must maintain the landscaping along Bryson Drive.

Fencing: The developer is proposing 6ft fencing between lots and along property lines.

California Environmental Quality Act (CEQA) Guidelines: This project qualifies for a Categorical Exemption under Section 15332, Class 32 (In-fill Development Projects), of the California Environmental Quality Act (CEQA) Guidelines. The project complies with the CEQA Categorical Exemption criteria, discussed below:

- a) The Project is consistent with the Sutter Creek General Plan, Zoning, and applicable regulations, with a Use Permit.
- b) The Project occurs within Sutter Creek's city limits on a 1.76 acre site, which is less than the five acre criteria, and the site is substantially surrounded by urban uses, including apartments, duplexes, a mobile home park, a public park, and single family homes.
- c) The project site has no value as critical habitat for endangered, rare, or threatened species.

SITE PLAN:

Pursuant to Section [18.50 \(Site Plan Review\)](#), all development within the R-3 zoning district is required to obtain Site Plan approval. The applicant has submitted the necessary materials and plans to satisfy the submittal requirements for Site Plan review.

In order for the Planning Commission to grant approval of the Site Plan permit, they must make the following findings:

- A. The proposed site development is essential or desirable to the public convenience or welfare;
- B. The proposed site development will not impair the integrity and character of the area in which it is located, or the zoning district;
- C. The proposed site development will insure that adequate public utilities and services are provided so that the project would not be detrimental to public health, safety, or general welfare;

Staff has expanded on the findings in the Recommendation section of the staff report, for the Planning Commission's consideration.

USE PERMIT:

Pursuant to Section [16.60 \(Conditional Use Permits\)](#), the Planning Commission and City Council may authorize uses that are otherwise prohibited within a zoning district when such uses are determined to be desirable for public convenience or welfare and consistent with the goals and policies of the General Plan. Although detached single-family dwellings are not a permitted use within the R-3 zoning district, staff believes the proposed development is consistent with the objectives and policies of the General Plan and would serve the community's needs. The project proposes smaller, for-sale, market-rate homes—a housing type that is currently limited in the community and in demand.

Given the existing subdivision layout, constructing up to three units per lot, as would be permitted under the maximum R-3 density, would be impractical. The tentative map was originally approved for 12 lots intended to accommodate 12 detached single-family homes. It is staff's understanding that the zoning designation was changed to R-3 after that approval.

In addition, individual water service connections have already been installed for each lot. Providing additional water services to accommodate higher-density development would be technically challenging and likely cost-prohibitive.

In order for the Planning Commission to grant approval of the Conditional Use Permit, they must make the following findings:

- A. The proposed uses of the property are desirable to the public convenience or welfare;
 - B. The proposed uses will not impair the integrity and character of the area in which it is located or the zoning district;
 - C. The proposed uses would not be detrimental to public health, safety, or general welfare
 - D. There are adequate public utilities and services available for the proposed uses; and
 - E. 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.
- Staff has expanded on the findings in the Recommendation section of the staff report, for the Planning Commission's consideration.

REFERRALS:

The initial application package was referred to City staff and affected agencies. The City received comments back from the following departments or agencies:

- Amador Water Agency
- City Engineering and Building Department
- City's Sewer Engineer
- Public Works

The comments received have either been incorporated into the proposal or included as Conditions of Approval.

BUDGET IMPACT:

None.

RECOMMENDATION:

Staff recommends approval of the Site Plan and Use Permit application as presented, with the following Findings and Conditions of Approval:

FINDINGS:

Site Plan

- A. The proposed site development is essential or desirable to the public convenience or welfare;

The project will construct 12 single-family homes on 12 existing undeveloped lots, providing additional for-sale housing opportunities within the community. The development makes efficient use of previously approved and improved lots and contributes to the local housing supply, which supports the public convenience and general welfare.

- B. The proposed site development will not impair the integrity and character of the area in which it is located, or the zoning district;

Although the R-3 zoning district does not permit detached single-family homes without approval of a use permit, the proposed development is residential in nature and consistent in scale with typical neighborhood development. The project will complete an existing subdivision and will not introduce uses or intensities that would be out of character with the surrounding residential area.

- C. The proposed site development will insure that adequate public utilities and services are provided so that the project would not be detrimental to public health, safety, or general welfare;

All necessary public improvements have previously been installed, including street improvements, drainage facilities, and utility stub-outs. Each lot has an individual water service connection in place. As a result, the project can be served by existing public utilities and services without requiring substantial new infrastructure, ensuring that the development will not be detrimental to public health, safety, or general welfare.

Use Permit

- A. The proposed uses of the property are desirable to the public convenience or welfare;

The project will allow for the construction of 12 single-family homes on 12 existing undeveloped lots, providing additional for-sale housing opportunities within the community. The development makes productive use of previously approved and improved residential lots and contributes to meeting local housing needs, which supports the public convenience and welfare.

- B. The proposed uses will not impair the integrity and character of the area in which it is located or the zoning district;

Although detached single-family dwellings are not permitted by right in the R-3 zoning district, the proposed use remains residential in nature and is consistent in scale and intensity with surrounding residential development. The subdivision was previously approved in 2008 for 12 single-family homes, and the lots were specifically created to accommodate that form of development. The current proposal is therefore consistent with the original subdivision design and intent. The project completes an existing, partially improved subdivision and does not introduce a use or level of intensity that would conflict with the established character of the neighborhood or undermine the integrity of the zoning district.

- C. The proposed uses would not be detrimental to public health, safety, or general welfare

The development consists of 12 single-family homes on legally created lots that were previously improved with streets, drainage, and utility infrastructure. Residential development of this scale is typical and will not generate impacts beyond those normally associated with housing, thereby protecting public health, safety, and general welfare.

- D. There are adequate public utilities and services available for the proposed uses; and

All necessary public improvements have already been constructed, including street improvements, drainage facilities, and utility stub-outs. Each lot has an individual water service connection installed. Existing public utilities and services are adequate to serve the proposed homes without the need for significant additional infrastructure.

- E. 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 proposed single-family homes further the General Plan's residential objectives by providing additional ownership housing opportunities and utilizing existing residentially designated land. Although a use permit is required due to the current R-3 zoning designation, the project remains consistent with the broader goals of promoting orderly development, efficient use of infrastructure, and a range of housing options within the community.

CONDITIONS OF APPROVAL:

1. Applicant shall pay the \$50.00 CEQA Notice of Exemption (NOE) filing fee to the Amador County Recorder
2. Applicant shall comply with Section 18.06.090 and 18.06.100 of the Zoning Code regarding the 12-month period to implement the Project and/or Extension of time

Sewer

3. The existing sewer system in the development shall be flushed and cleaned. At the manhole at the connection point to the City's collection system all water and materials must be screened during the flushing process such that no rocks or unwanted materials are discharged into the City's system.
4. If the existing location of any of the sewer service cleanouts occurs within any of proposed driveway locations then the existing cleanouts must be covered by a concrete traffic weight box with the lid clearly marked "SEWER".
5. Cleanouts located within landscape areas must be covered with a plastic or PVC box clearly marked "SEWER".
6. Prior to occupancy of each residence, an application for sewer service must be completed at the City and connection fees must be paid for each residence.

Amador Water Agency

7. Any driveways installed adjacent to or surrounding existing AWA meter boxes which would allow vehicular traffic on or over the meter boxes shall require the meter boxes to be upgraded to traffic rated boxes at the expense of the Developer prior to initiation of service.
8. Each service shall require a completed new AWA water service application and applicable fees (meter setting, capacity fees, meter box upgrades as applicable, etc.) at the time of service remitted prior to initiation of service.
9. All AWA appurtenances shall be protected per AWA standards.

Building/Engineering

10. Previous Conditions of Approval #7, #8, #9 were deferred and will be applied individually to each lot at issuance. Applicant to comply with these previous requirements.
 - a. Resolution 07-08-35 #7 Provide street tree landscaping pursuant to Ordinance No. 274
 - b. Resolution 07-08-35 #8 Pay Parkland In Lieu fees pursuant to Ordinance No 258, based on the fair market value of the lots
 - c. Resolution 07-08-35 #9 Pay a Traffic Mitigation Fee equivalent to twelve single-family units
11. Applicant shall provide verification of completion of previous Condition of Approval #13 thru creation of private road maintenance district or other means acceptable to the City. No parking shall be permitted on Bryson Court through the use of appropriate signage and striping.
12. Applicant shall clean all existing concrete swales and storm drain pipes prior to issuance of the first building permit.
13. As part of each building permit application, developer is to provide a proposed site plan showing finished lot grading and drainage, (lot to lot drainage not permitted, except at existing rear yard drainage swales), location of driveway, existing utilities, proposed home, etc.
14. Applicant shall remove and replace existing ADA curb ramp at west entrance of Bryson Court from Bryson Drive.

Attachments:

1. Application
2. Plans
3. Resolution No. 07-08-35
4. Deferred Improvement Agreement
5. Bryson Cottages Subdivision Map
6. Resolution No. 25-06-XX Approving a Site Plan Permit and Use Permit for 110-165 Bryson Court

