

**City of Sutter Creek
Planning Commission
RESOLUTION NO. 12-13-12
A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SUTTER CREEK APPROVING
A CONDITIONAL USE PERMIT FOR
44 OPAL STREET LESAGE**

WHEREAS, the Planning Commission of the City of Sutter Creek did on Monday, June 10, 2013 hold a public hearing on a Conditional Use Permit for Carma M. Berglund-Zisman and Michael Zisman for Vacation Rental Use of the residential dwelling located at 44 Opal Street Assessors Parcel No. 018-293-053 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 32 Categorical Exemption under CEQA.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Sutter Creek hereby approves a Conditional Use Permit for Carma M. Berglund-Zisman and Michael Zisman based on the Findings attached hereto as "Exhibit A," and subject to the Conditions of Approval attached hereto as "Exhibit B."

PASSED AND ADOPTED by the Planning Commission of the City of Sutter Creek on this Monday the 10th Day of June 2013 by the following vote:

AYES: Arata, Cunha, Larson, Kirkley, Nash.
NOES: None.
ABSTAIN: None.
ABSENT: None.

ATTEST:


Mary Beth Van Voorhis, Secretary

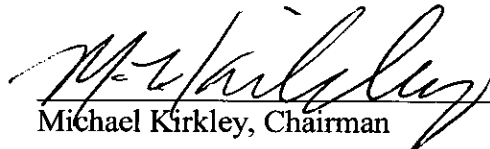

Michael Kirkley, Chairman

EXHIBIT A

FINDINGS

1. The proposed use of the property is essential or desirable to the public convenience or welfare because it will provide an important tourist-related service to the community.
2. The proposed use is in compliance with the Sutter Creek General Plan goals, policies, and Residential Single Family Land Use designation.
3. The proposed use will not impair the integrity and character of the zoning district because the use is consistent with activities within the R-1 Zone – One Family Dwelling Zone.
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 use of the property, implements the Sutter Creek General Plan and the purposes of the Planning Title, because the General Plan and Zoning Ordinance recognize the importance of providing visitor lodging to promote and encourage commercial activity in the community.

EXHIBIT B

CONDITIONS OF APPROVAL

1. Maintain the exterior appearance of the vacation rental unit as a single-family residence.
2. Provide one (1) off-street parking space for each guest room (two (2) bedrooms is equivalent to two (2) guest rooms) and one (1) space for each five guest rooms, a total of four (3) parking spaces.
3. Driveway to be maintained in a dust free condition at all times.
4. One sign, not to exceed two square feet in area, attached to and parallel with the front wall of the building shall be allowed.
5. Maintain a valid City of Sutter Creek Business License.
6. Pay the monthly Transient Occupancy Tax to the City of Sutter Creek.
7. Pay the Notice of Exemption filing fee to the Amador County Recorder.
8. Meet the ordinance requirements of the Sutter Creek Fire District.
9. Meet the ordinance requirements of the Amador Water Agency.
10. Meet the requirements of the City Engineer as outlined in comments received May 30, 2013 (Exhibit D).

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