City of Sutter Creek

Zoning Ordinance Amendment and Circulation Element Update

Draft Initial Study and Negative Declaration

Prepared for:

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1.0 INTRODUCTION

1.1 INITIAL STUDY

This Initial Study/Negative Declaration (IS/ND) has been prepared to address the potential environmental effects of the City of Sutter Creek Zoning Ordinance amendment and Circulation Element update (Project), located in Sutter Creek, California. An Initial Study is a preliminary environmental analysis that is used by the California Environmental Quality Act (CEQA) lead agency as a basis for determining whether an EIR, a Mitigated Negative Declaration, or a Negative Declaration is required for a project under CEQA guidelines. The IS/ND has been prepared pursuant to the California Environmental Quality Act (CEQA) of 1970, Cal. Pub. Res. Code §2100 et seq. The City of Sutter Creek is the lead agency for this project.

This IS/ND follows the standard content for environmental documents under CEQA. An EIR was determined to be unnecessary, as there are not potentially significant environmental effects associated with adoption of the Zoning Ordinance amendments and Circulation Element update. This IS/ND is a full disclosure document, describing the Project and its environmental effects in sufficient detail to aid decision-making.

The California State Clearinghouse (SCH) requests a completed Notice of Completion (NOC) form when the draft IS/ND is uploaded to the CEQAnet web portal. This form facilitates the processing of environmental documents and is circulated to state agencies together with the IS/ND. The information from the NOC form is entered into the SCH database. The review period for an Initial Study/Negative Declaration submitted to the SCH is 30 calendar days (see CEQA Guidelines, Section 15105). Agency and public comments are forwarded to the SCH prior to the end of the assigned review period. At the end of the state review period, comments from the reviewing state agencies are collected at the SCH. A closing letter and a complete package of comments are forwarded to the Lead Agency on the day following the close of the review period.

Within five working days of approving a project for which a, IS/ND has been adopted, the City must file a Notice of Determination (NOD). The filing of the NOD begins a 30-calendar-day statute of limitations on court challenges to the project approval under CEQA.

The proposed project evaluated in this IS/ND is the adoption and implementation of the City of Sutter Creek Zoning Ordinance amendment. With approval, the Zoning Ordinance amendment would update the existing City of Sutter Creek, Code of Ordinances, Title 18 Zoning Ordinance. The focus of the analyses herein is on the amendment of the Zoning Ordinance and the update of the zoning map and the updated General Plan Circulation Element.

This IS/ND was prepared to evaluate the potential environmental effects of the Project using as a tool the CEQA initial study questions, responses, and supporting narrative. The analysis tiers and incorporates by reference specific analyses contained in the following environmental review documents, as appropriate:

- City of Sutter Creek, *1994 Environmental Assessment for the Sutter Creek General Plan*, certified and adopted by the City Council on November 21, 1994 (City GP)
- City of Sutter Creek, Gold Rush Ranch *FEIR*, certified and adopted by the City Council on January 4, 2010 (includes update to City GP)
- City of Sutter Creek, General Plan Update 2012 Initial Study/Mitigated Negative Declaration, draft circulated from June 12, 2012 to July 11, 2012, and final IS/MND prepared but not certified or adopted.

- City of Sutter Creek, *Joint Housing Element 2014-2019 IS/ND*, certified and adopted by the City Council on June 1, 2015.
- City of Sutter Creek, *2019 General Plan Update and Zoning Map Amendments IS/ND*, certified and adopted by the City Council on July 15, 2019.
- City of Sutter Creek, *2020 175 Sutter Hill Road, Campbell, Vesting Tentative Parcel Map, General Plan and Zoning Amendment IS/ND*, certified and adopted by the City Council on January 11, 2021.

This program-level environmental document includes analysis that provides a foundation for subsequent environmental review. The Sutter Creek Zoning Ordinance amendment IS/ND is a program-level environmental document. No specific development projects are proposed at this time or analyzed herein. Future projects within the City boundary are subject to the appropriate project-level environmental review and permitting by the City of Sutter Creek. Project-level environmental documents would require identification of, and mitigation for any potentially significant environmental impacts.

1.2 PUBLIC INVOLVEMENT

Opportunities for public participation in the development of the Zoning Ordinance amendment and Circulation Element update have been ongoing through the process, and have included the following public involvement opportunities, to date:

- Joint City Council and Planning Commission Circulation Element Workshop- February 16, 2021
- Joint City Council and Planning Commission Circulation Element Workshop- June 21, 2021
- Planning Commission Meeting- July 11, 2022
- Planning Commission Meeting- September 12, 2022
- City Council Meeting- September 19, 2022
- Introduction to the Zoning Ordinance Update Workshop- October 3, 2022
- Planning Commission Workshop- March 13, 2023
- Planning Commission Meeting- May 22, 2023

Opportunities to comment on the environmental review process are provided in order to promote open communication and better decision-making. All persons and organizations having a potential interest in the Project are invited to provide comments during the thirty (30) day comment period for the Draft IS/ND.

Comments on this revised Draft IS/ND will be accepted August 4, 2023 through September 5, 2023. Questions or comments regarding this IS/ND may be addressed to:

Erin Ventura,
Contract City Planner,
City of Sutter Creek,
18 Main Street, Sutter Creek, CA 95685,
eventura@haugebrueck.com

Comments will also be accepted at the August 14, 2023 Planning Commission hearing (6:00 PM start time) held at City Community Center (33 Church Street, Sutter Creek CA 95685).

Copies of the IS/ND for review are located at the City Office at 18 Main Street, Sutter Creek, CA 95685. A PDF copy is available on the City's website: http://www.cityofsuttercreek.org/planning-department.html.

Pursuant to the requirements of CEQA, this IS/ND will be sent, along with a Notice of Completion to the California State Clearinghouse. After closure of the public review period, Sutter Creek staff will respond to all comments. Sutter Creek staff will then prepare an agenda item for the City Council's recommendation

that include the IS/ND, comments on the IS/ND, and responses to the comments. If the City Council determines that the Zoning Ordinance amendment would not have significant adverse impacts, the Council would adopt a Negative Declaration of environmental impact, adopt the Zoning Ordinance amendment. Following Council approval, a Notice of Determination would be filed with the City recorder-clerk's office and with the California State Clearinghouse.

2.0 ENVIRONMENTAL CHECKLIST AND IMPACT ANALYSIS

2.0 PROJECT DESCRIPTION

1. Project Title:	City of Sutter Creek Zoning Ordinance Amendment and Circulation Element Update
2. Lead agency name and address:	City of Sutter Creek 18 Main Street Sutter Creek, California 95685
3. Contact person and phone number:	Sandra Spelliscy, (209) 267-5647
4. Project location:	City of Sutter Creek in Amador County, California (See Figures 2-1 and 2-2)
5. Project sponsor's name and address:	City of Sutter Creek 18 Main Street Sutter Creek, California 95685
6. General Plan designation:	Residential Estates (RE) Residential Low Density (RL) Residential Single Family (RSF) Residential Medium (RM) Residential High (RH) Mixed Use (MU) Commercial (C) Downtown Commercial (DTC) Industrial (I) Public Service (PS) Recreation (R) Open Space (OS) Gold Rush Ranch Specific Plan (GRR-SP) Planned Development [pd] Visually Sensitive Areas (VSA) Creekside Greenways (CSGW) Historic Corridor (HC) Downtown Historic District (DTHD) Airport Safety Area (ASA) Flood Hazard Safety Area (FHSA)
7. Zoning:	~~Agriculture (A)~~ **Residential Ranchette (RR)** Residential Estates (RE) Residential Low Density (RL) One Family Dwelling (R-1) Two Family Dwelling (R-2) ~~Limited~~ Multiple Family Dwellings (R-3) ~~Multiple Family Dwellings (R-4)~~ Limited Commercial (C-1)

Commercial (C-2)
Downtown Commercial (DTC)
Mixed Use (MU)
Light Industrial (I-1)
Heavy Industrial (I-2)
Planned Development (PD) Overlay
Open Space (OS)
Recreation (R)
Public (P)
Public Service (PS)

8. Description of Project:

The Project action studied in this Initial Study includes amendments to the City's Zoning Ordinance and General Plan Circulation Element. Both the Zoning Ordinance amendment and General Plan Circulation Element Update has been prepared to meet the requirements of State law and local City objectives.

Although the General Plan Circulation Element Update includes changes and additions to the goals, objectives, policies, implementation measures, and standards to achieve consistency with current state and local regulations and address the current practices of the City, the majority of the element continues those goals, objectives, policies, implementation measures, and standards in the current General Plan. The recommended modifications and additions to the General Plan Circulation Element are not intended to create changes to the physical environment that have significant environmental impacts that cannot be avoided or mitigated.

The Project also includes text amendments to the City of Sutter Creek Code of Ordinances, Chapter 18-Zoning Ordinance. In conforming the Zoning Ordinance to the recently updated General Plan, the proposed ordinance makes changes to some of the authorized zones. These changes include:

1. The Agricultural Zone was changed to the Residential Ranchette Zone, and the Limited Multiple Family Dwelling Zone (R-3) and the Multiple Family Dwelling Zone (R-4) were consolidated.
2. Public Service (PS) Zone was added.
3. The maximum development densities set forth in the General Plan were incorporated into the zoning districts.
4. The commercial and industrial uses allowed in the commercial zones and industrial zones were modified for consistency with the General Plan.
5. Section 18.46.050 was added to implement a review process for special events.
6. Home Occupations regulations were amended to allow administrative review of applications.

The Zoning Ordinance is also proposed to be amended to comply with disability access and fair housing laws, as well as recent changes in State Law related to housing. On these subjects, the following changes are proposed:

1. Chapter 18.58 was added to establish a procedure for making requests for reasonable accommodation in land use, zoning, and building regulations, in compliance with Federal Fair Housing Amendments Act of 1988 (42 U.S.C. §§ 3601 et seq.) and the California Fair Employment and Housing Act (Cal. Gov't Code §§ 12955 et seq.).
2. Chapter 18.61 was added to incorporate State requirements for accessory dwelling units and junior accessory dwelling units (Government Code Section 65852.2).
3. Chapter 18.62 was added to incorporate State Density Bonus Law (California Government Code Title 7, Division 1, Chapter 4.3, Sections 65915, et seq.).

4. Definitions were amended to be consistent with State Law.
5. Single-family zones were amended to include residential care facilities with six or fewer clients as a single-family use.
6. "Family daycare homes" were added as a permitted use in all zoning districts where residential use is allowed, as required by Health and Safety Code Section 1596.78.
7. "Emergency shelters" were added as a "by-right" use in C-2, as required by Government Code Sections 65582, 65583(a), and 65589.5, and regulations related to such facilities were added to the Zoning Code.
8. "Low barrier navigation centers" were added as a "by-right" use in mixed use and nonresidential zones that permit multifamily use, as required by Government Code Section 65662.
9. Section 18.12.060 was added to incorporate Government Code Section 65583, which requires that the City treat transitional housing as a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone, and to incorporate Government Code Section 65651, which requires that the City allow permanent supportive housing, by right, in areas zoned for multifamily and mixed use. Corresponding changes were made to the zoning districts.
10. Senior housing was re-defined to comply with State Law, and changes were made to ensure that senior housing is treated the same as other residential uses in the underlying zoning district.
11. Single family zones were amended to permit employee housing for six or fewer employees as a single-family structure, as required by Health and Safety Code Section 17021.5.

Statutory Requirements

This document satisfies the requirements of the California Environmental Quality Act (CEQA). The Initial Study, prepared in accordance with the CEQA statues (Public Resources Code Section, 21000 et seq.) and the CEQA Guidelines (Title 14, California Administrative Code, Section 15000 et. seq.), presents sufficient information to allow the City to determine whether the project may have a significant effect on the environment.

The Project analysis of environmental impacts is broad and programmatic in nature as it would be too speculative to include future projects that have not yet been proposed in this IS/ND. When future development requires discretionary action by the City, project-level CEQA review will be required to determine project-specific impacts.

General Plan Circulation Element Update Changes

The General Plan Circulation Element Update does not substantially change the existing General Plan. The focus includes updating existing circulation and street standards and their incorporation into the City Development Code and updates to goals, objectives, policies and implementation measures. The City has not substantially updated the Circulation Element or environmental setting (existing conditions) for the circulation network in over 40 years. Since the Circulation Element was last adopted, Highway 49 was routed around the City and numerous circulation improvements have been added, including a transit center. Notable additions in the Circulation Element update include the following:

- Assesses current and future multimodal travel needs, forecasts future travel levels and identifies need for circulation improvements to support future travel conditions for all modes at acceptable levels.
- Identifies policies, goals, objectives, and implementation measures to meet forecasted travels needs.
- Complies with new state laws – "The CA Complete Streets Act (AB 1358)". When constructing or modifying transportation facilities, strive to incorporate "Complete Streets" design to provide

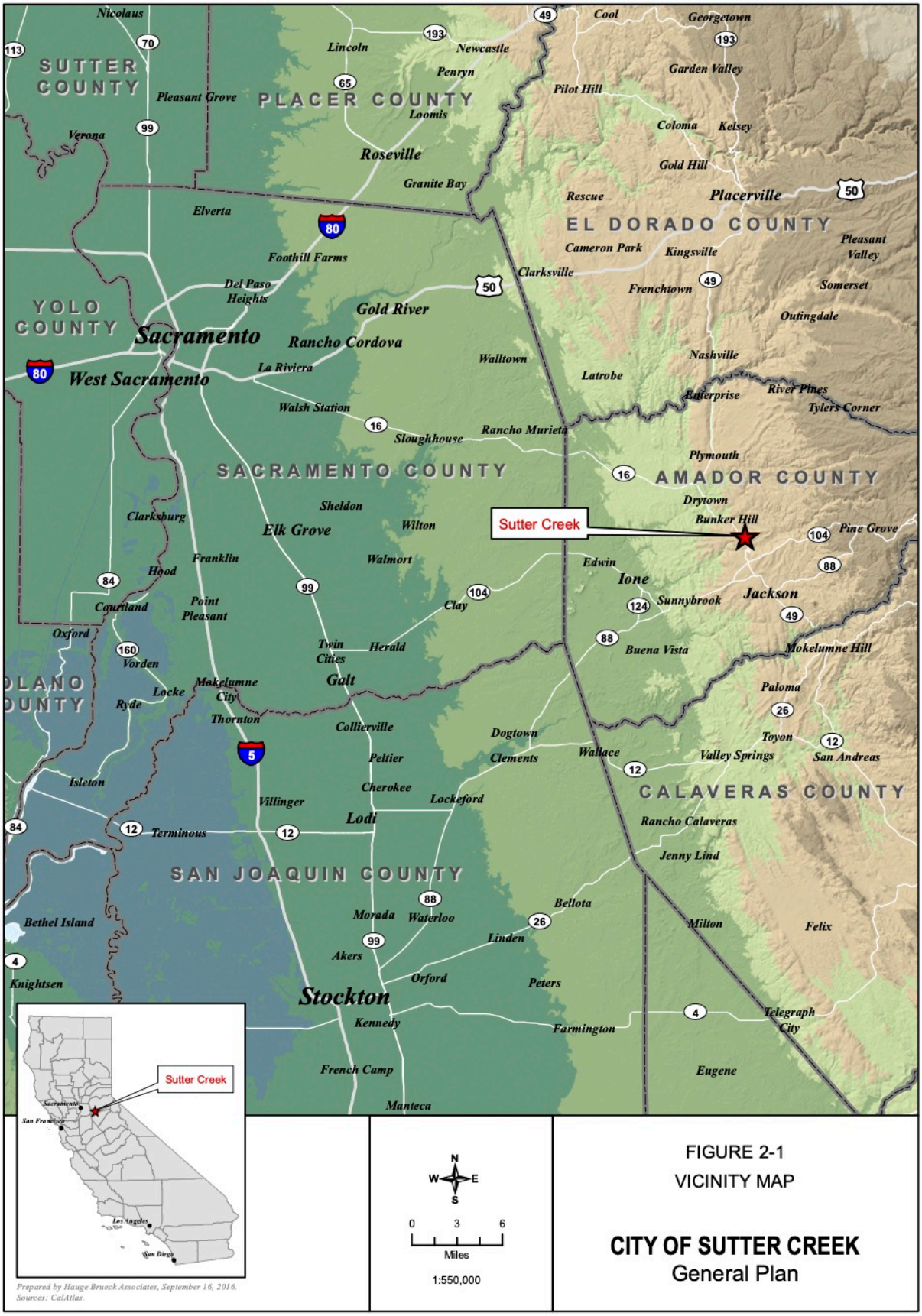
for the movement of vehicles, commercial trucks, alternative and low energy vehicles, transit, bicyclists, and pedestrians in a manner that is appropriate for the road classification and adjacent land use. "Complete Streets" improvements should aim to ensure the safety, comfort, and connectivity of all users through the balanced provision of adequate multimodal facilities and traffic calming measures with roadway maintenance and rehabilitation efforts. Improvements include roadway with curb, gutter, and sidewalks where not currently provided. Where feasible, shoulders should be widened to accommodate buffered Class II Bicycle Lanes. In areas where road widening and/or sidewalks are not feasible, or per City preference, an adjacent Class I Shared-Use Path may be provided to accommodate both pedestrian and bicyclist travel.

- Complies with new state laws – "Vehicle Miles Travelled (VMT) metric (SB 743)". Adds Objective C-1.14: Maintain and reduce average citywide vehicle miles traveled in accordance with SB 743 along with policies to reduce vehicle trips, minimize travel times, provide incentives for use of transit and for commercial projects to reduce VMT beyond required thresholds.

Zoning Map Amendments

Changes to the Zoning Map include combining the R-3 and R-4 zoning districts - the new combined district will be R-3 Multifamily Dwelling and utilizes the same color as the existing R-3 district. In addition, the Agriculture zoning designation will be renamed as Residential Ranchette (RR). There are no parcels currently designated for the zone so it's just a change to the map legend section.

The revised Zoning Map is provided below as Figure 2-3: Zoning Map.


Nicolaus
Lincoln
Newcastle
Penryn
Loomis
Roseville
Granite Bay
Pleasant Grove
Verona
Elverta
Foothill Farms
Del Paso Heights
Gold River
Rancho Cordova
Sacramento
West Sacramento
La Riviera
Walltown
Walsh Station
Sloughhouse
Rancho Murieta
Clarksburg
Elk Grove
Wilton
Sheldon
Franklin
Walmort
Hood
Courtland
Point Pleasant
Oxford
Vorden
Twin Cities
Herald
Galt
Mokelumne City
Locke
Ryde
Thornton
Collierville
Peltier
Cherokee
Villinger
Lodi
Terminous
Isleton
Bethel Island
Knightsen
Morada
Waterloo
Akers
Orford
Stockton
Kennedy
French Camp
Manteca
Linden
Bellota
Peters
Farmington
Milton
Felix
Telegraph City
Eugene
Jenny Lind
Rancho Calaveras
Valley Springs
Wallace
Clements
Dogtown
Toyon
San Andreas
Paloma
Mokelumne Hill
Buena Vista
Sunnybrook
Ione
Edwin
Jackson
Pine Grove
Bunker Hill
Drytown
Plymouth
Sutter Creek
Latrobe
Enterprise
River Pines
Tylers Corner
Nashville
Outingdale
Somerset
Frenchtown
Pleasant Valley
Kingsville
Cameron Park
Clarksville
Placerville
Rescue
Gold Hill
Coloma
Kelsey
Garden Valley
Pilot Hill
Georgetown
Cool
SUTTER COUNTY
PLACER COUNTY
YOLO COUNTY
SACRAMENTO COUNTY
EL DORADO COUNTY
AMADOR COUNTY
CALAVERAS COUNTY
SAN JOAQUIN COUNTY
Sutter Creek
Sacramento
San Francisco
Los Angeles
San Diego
N
W
E
S
0 3 6
Miles
1:550,000
Prepared by Hauge Brueck Associates, September 16, 2016.
Sources: CalAtlas.
FIGURE 2-1
VICINITY MAP
CITY OF SUTTER CREEK
General Plan

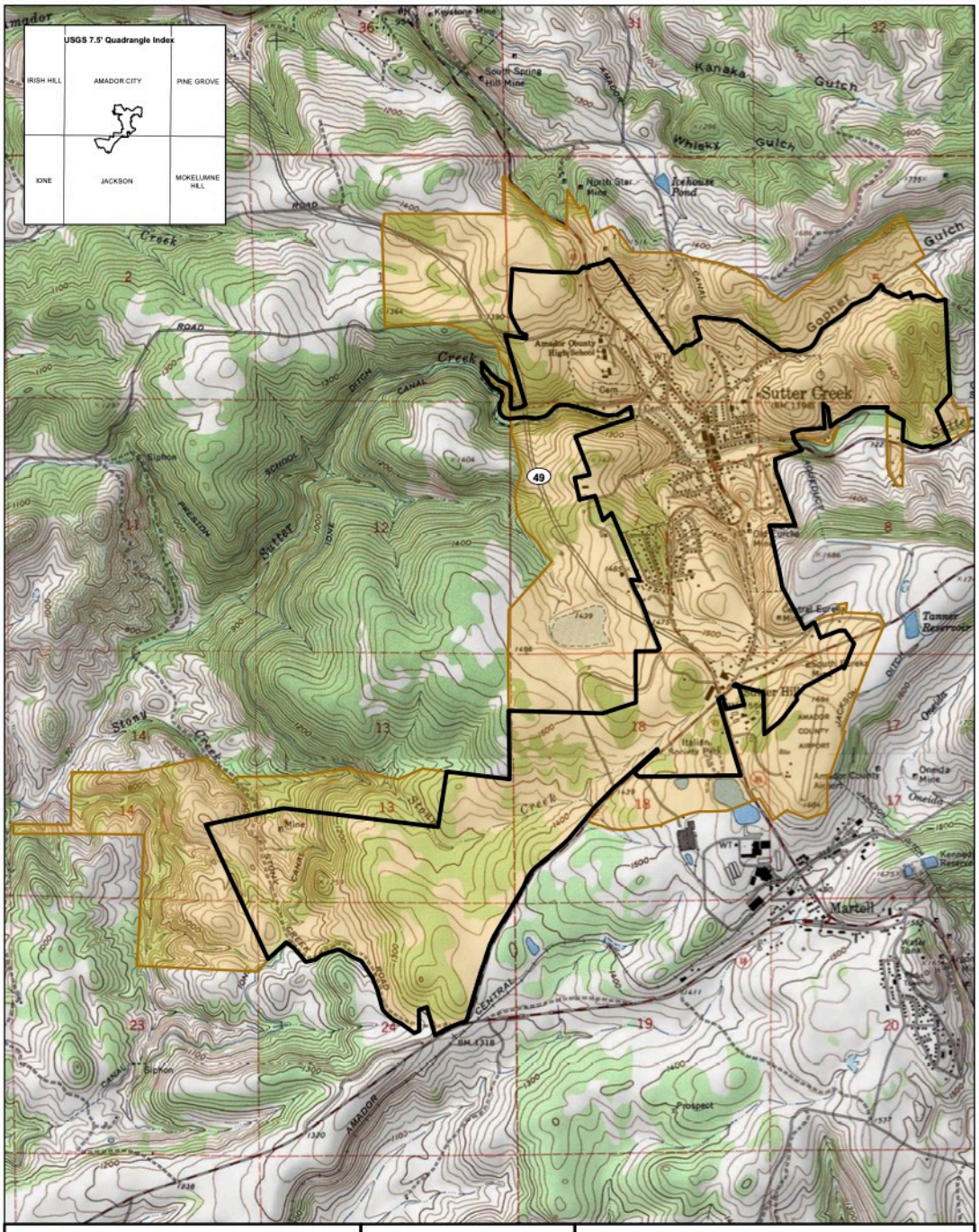
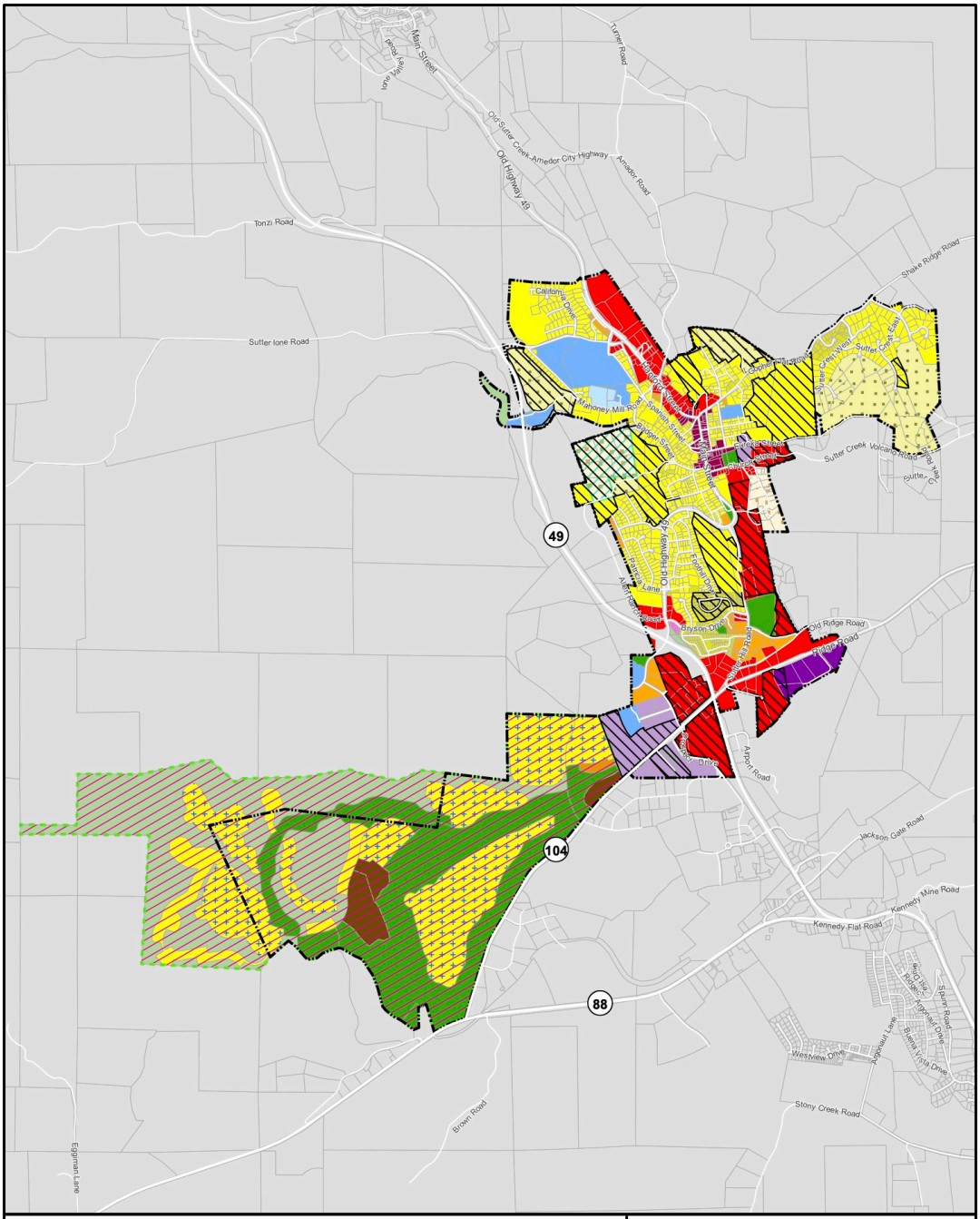


FIGURE 2-2
TOPOGRAPHIC MAP

CITY OF SUTTER CREEK
General Plan

JULY 15, 2019


Main Street
Turner Road
Old Sutter Creek-Amador City Highway
Old Highway 49
Amador Road
Tonzi Road
Shake Ridge Road
Sutter Ione Road
Mahoney Mill Road
Sutter Creek Volcano Road
49
Old Ridge Road
Ridge Road
Bryson Drive
Airport Road
104
Jackson Gate Road
Kennedy Mine Road
Kennedy Flat Road
88
Westview Drive
Stony Creek Road
Brown Road
Eggiman Lane
Legend
Sutter Creek City Limits
Gold Rush Ranch Specific Plan (GRRSP)
Planned Development Overlay
Combining District, 5 ac. min.
Zoning Designations
R-R - Residential Ranchette
R-E - Residential Estates
R-L - Residential Low Density
R-1 - One Family Dwelling
R-2 - Two-Family Dwelling
R-3 - Multifamily Dwelling
C-1 - Limited Commercial
C-2 - Commercial
DTC - Downtown Commercial
I-1 - Light Industrial
I-2 - Heavy Industrial
MU - Mixed Use
R - Recreation
OS - Open Space
P - Public
P-S - Public Service
GRRSP Zoning Designations
GRRSP-MU
GRRSP-OS
GRRSP-R
GRRSP-R-1
GRRSP-R-1 (PD)
GRRSP-R-4
Figure 2-3
Zoning Map
CITY OF SUTTER CREEK
General Plan
0 1,000 2,000
Feet
1:25,000
N
W
E
S

9. Surrounding Land Uses and Setting:

The City of Sutter Creek is in Amador County on the west slope foothills of the Sierra Nevada. The downtown area is a registered historic landmark by the state of California. The planning area consists of 3.75 square miles, approximately 930 acres (1.5 square miles) of which are presently within the City limits. The planning area is characterized by a small valley, drained by Sutter Creek and surrounded by hills of California oak grasslands. The surrounding vegetation also includes pine and chaparral. A complete setting is available in the General Plan Update Vol. III Setting (http://www.cityofsuttercreek.org/planning-department.html).

State Highway 49 runs north-south through the downtown commercial and industrial center. Surrounding the commercial core, there are residential neighborhoods and open space.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):

None. Anticipated approvals by the City for the Zoning Ordinance amendment and Circulation Element update include certification of this IS/ND and approval by the City Council.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.:

The City of Sutter Creek communicates project applications through the City's Planning Referral system with the Ione Band of Miwok Indians. The tribe receives project application submittals for review and comment. These comments are addressed through the project, often as conditions of approval, or other actions. Confidentially is maintained when requested or when resources are mapped to protect area resources from scavenging.

2.1 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. Where checked below, the topic with a potentially significant impact will be addressed in an environmental impact report.

☐ Aesthetics	☐ Agriculture & Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology / Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance
	☒ None	☐ None with Mitigation Incorporated

2.2 CEQA ENVIROMENTAL DETERMINATION

On the basis of this Initial Study:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Sandra Spelliscy, City Manager
City of Sutter Creek

Date

2.3 EVALUATION OF ENVIRONMENTAL IMPACTS

The following environmental analysis has been prepared using the CEQA Guidelines Appendix G: Environmental Checklist Form to complete an Initial Study (IS).

CEQA requires a brief explanation for answers to the Appendix G: Environmental Checklist except "No Impact" responses that are adequately supported by noted information sources. Answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

Table 4

CEQA Defined Levels of Impact Significance

Impact Severity	Definition
No Impact	A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
Less than Significant Impact	“Less than Significant Impact” applies where the Project’s impact creates no significant impacts based on the criterion or criteria that sets the level of impact to a resource and require no mitigation to avoid or reduce impacts.
Less than Significant Impact after Mitigation	“Less than Significant Impact after Mitigation" applies where the incorporation of mitigation measures has reduced an effect from potentially "Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
Significant Impact	"Significant Impact" is appropriate if there is substantial evidence that an effect is potentially significant, as based on the criterion or criteria that sets the level of impact to a resource. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
Source: CEQA Appendix G Environmental Checklist Form	

I Aesthetics

I. Aesthetics Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			**X**	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway?			**X**	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? In urbanized areas would the project conflict with applicable zoning and other regulations governing scenic quality?			**X**	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			**X**	

Discussion:

Potential impacts to aesthetics were thoroughly analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and the 2010 Gold Rush Ranch EIR and no additional impacts are identified for the proposed Zoning Ordinance amendments or Circulation Element update. The 1994 General Plan Environmental Assessment determined that build-out of the General Plan would result in an unavoidable and significant impact to the existing visual character or quality because vacant or natural lands would be replaced with urban uses. The 1994 General Plan Environmental Assessment determined that other potentially significant impacts on aesthetic resources were mitigated to a less than significant level by General Plan policies. The 2010 Gold Rush Ranch EIR identified significant and unavoidable impacts to the City's visual character, night sky illumination, and localized light spill and glare, and mitigation measures were adopted to address other potentially significant visual impacts and reduce them to a less than significant level.

The proposed zoning ordinance amendments would allow for accessory dwelling units (ADUs) in residential locations per state law, add density bonuses available for affordable housing projects, create a new chapter regulating special events, and make the zoning ordinance consistent with General Plan land uses, densities and standards within each zone. However, City Staff, Design Review Commission and the Planning Commission would continue to evaluate the potential aesthetic impacts of development through established development standards, City Design Standards, and Improvement Standards.

City aesthetics are addressed through the Design Standards and the Zoning Ordinance amendment includes additional development standards that will protect scenic resources. Compliance with the adopted Design Standards is indicated in the Zoning Ordinance Update; therefore, no new significant aesthetic impact would occur. The Zoning Ordinance guides future development by establishing land use regulations and development standards in relation to overall growth, but does not propose a project or development that would specifically alter the aesthetic of the City. Any future site-specific project will be required to submit

environmental documentation, including aesthetic analysis, with a planning application for design review and approval.

The City enforces the California Building Code (CBC) and California Codes. In 2023, the City adopted Ordinance 72 which adopts the 2022 California Building Standards Administrative Code, as well as other portions of the Title 24 of the California Code of Regulations/California Building Code and 1997 Uniform Code (International Conference of Building Officials). Design Standards were adopted in 2016.

New development that may have an impact on major topographic features in the planning area, would be mitigated by grading and development standards. Policies within the Conservation and Open Space Element and Historic Element protect visual resources, including the following:

Policy COS-1.2.1: Development projects shall be reviewed in accordance with City of Sutter Creek Development Standards.

Implementation Measure COS-1.2.1.1: Adopt and maintain the City of Sutter Creek Development Standards to maintain and enhance the City's natural resources.

Policy COS-1.3.2: New development shall preserve existing open space, as appropriate, for habitat, passive recreation, active recreation, and/or for visual access and/or aesthetics.

Implementation Measure COS-1.3.5.1: The City shall update the Design Standards to define design requirements or limitations near scenic ridgelines that ensure projects complement the existing natural landscape and skyline.

New sources of lighting would be subject to City design guidelines and standards as well as Uniform Building Code standards.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

II Agriculture and Forest Resources

II Agriculture and Forest Resources: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the CA Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the CA Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the CA Air Resources Board. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Measures**	**Less Than Significant Impact**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the CA Resources Agency, to a non-agricultural use?				**X**
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				**X**
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC section 12220(g), timberland (as defined by PRC section 4526) or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				**X**
d) Result in the loss of forest land or conversion of forest land to non-forest use?				**X**
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				**X**

Discussion:

The City of Sutter Creek is not located on designated agricultural or forest lands. Potential impacts to agriculture were thoroughly analyzed in the 1994 CEQA analysis for the Sutter Creek General Plan and 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and no additional impacts are identified for the proposed Zoning Ordinance amendments or Circulation Element update. The General Plan Land Use Element designates 13 land use classifications, and agriculture or harvestable forest land are not one of the designations. There is no Prime or Unique Farmland or Farmland of Statewide Importance in the City.

The proposed Zoning Ordinance amendment and map update removes the existing zoning designation for Agriculture (which requires a minimum lot size of 40 acres) since there are no lands currently within the zone. Agriculture and timber production are not considered to be feasible in the Sutter Creek planning area.

Environmental Analysis: *No Impact.*

Required Mitigation: **None**.

III. Air Quality

III. Air Quality – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation Measures**	**Less Than Significant Impact**	**No Impact**
Are significance criteria established by the applicable air district available to rely on for significance determinations?	Yes: **X**		No:	
a) Conflict with or obstruct implementation of the applicable air quality plan?			**X**	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard?			**X**	
c) Expose sensitive receptors to substantial pollutant concentrations?			**X**	
d) Result in other emissions, such as objectionable odors, adversely affecting a substantial number of people?			**X**	

Discussion:

Potential impacts to air quality were thoroughly analyzed in the 1994 General Plan Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and 2010 Gold Rush Ranch EIR and no additional impacts are identified, as the Zoning Ordinance amendment does not propose a specific development or project that would alter the air emissions in the area.

The City of Sutter Creek is located in the Amador Air District, which is in the central portion of Mountain Counties Air Basin. The California Air Resources Board (ARB) monitors ambient air quality monitoring in Amador County. The County is classified as a non-attainment area for ozone. The ARB monitoring station in Jackson indicates ozone levels have exceeded the current 2015 Federal standard for ozone (0.070 ppm) since the station was established in 1992; however, monitoring shows a decreasing trend in the number of days above the standard, with only four days occurring in 2021 (CARB, 2023, https://www.arb.ca.gov/adam/topfour/topfour1.php). The ARB research has demonstrated that in the Foothill region, exceedances for ozone are overwhelmingly due to transport from the San Joaquin and Sacramento Valleys.

Although Amador County is a non-attainment area for ozone, the General Plan promotes energy efficiency and includes the following objectives and policies in regard to air quality:

> **Policy COS-1.1.1:** Development projects shall be reviewed in accordance with the California Environmental Quality Act (CEQA) and this Element to insure that such developments mitigate to the point of less than significant impacts upon each of the listed resources except where Statements of Overriding Considerations are adopted.

Policy COS-1.6.1: The City shall limit new industry to those that can demonstrate no harmful effect upon air quality.

Policy COS-1.6.2: The City shall implement policies and implementation measures in the Circulation Element that reduce per capita reliance on automobile traffic and incidence of traffic congestion to minimize locally generated carbon monoxide and ozone air pollution.

Policy COS-1.6.3: The City supports efforts of the Amador Air District to maintain local air quality and statewide efforts to lessen the impacts of pollution affecting the City from growth in the great Central Valley.

Policy COS-1.10.1: New developments should be designed to maximize opportunities to limit use of automobiles, distance traveled to local destinations, and traffic congestion.

Policy COS-1.10.2: All new development should be designed for natural heating and cooling opportunities to the greatest extent feasible. This should be accomplished in the design of large commercial or multifamily residential buildings and by the design of lot sizes and configurations that consider heating and cooling opportunities provided by solar exposure, shade, and breezes.

Policy COS-1.10.3: New structures shall comply with California Energy Star guidelines or similar energy savings program that achieve a 20% reduction from standards contained in Title 24 of the California Code of Regulations. Compliance with Energy Star guidelines may occur through measures such as effective insulation, high performance windows, tight construction and ducts, efficient heating and cooling equipment, natural heating, and non-polluting energy production.

Implementation Measure COS-1.10.3.1: The City shall develop incentives for buildings exceeding Title 24 Energy Efficiency Standards and new development projects that meet 70% of their energy needs from renewable sources.

Policy COS-1.10.4: New developments shall be designed to reduce heat island effects.

Implementation Measure COS-1.10.4.1: Update the Design Standards and/or Municipal Code to include the use of shade trees, structures, cool pavement and cool roofs in new construction of structures, parking lots, and streets.

Policy COS-1.10.5: Increase renewable-energy generation and use through public outreach.

Implementation Measure COS-1.10.5.1: Maintain and continue to update renewable-energy tools and information on the City's website.

As stated in Policy COS-1.6.2, the Circulation Element includes policies and implementation measures that would reduce mobile air emissions, such as those related to transit, pedestrian and bicycle use. Policies encouraging non-motorized transportation, carpooling, transit use, and traffic reduction promote reduced air emissions. These include:

Policy C-1.6.1: Maximize the use of public transit to reduce dependence on the private automobile.

Implementation Measure C-1.6.1.1: Provide bus service to and from special events from local parking facilities. Charter bus service from the San Francisco Bay Area and Central Valley locations should be promoted for special events that are expected to draw large crowds.

Implementation Measure C-1.6.1.2: Extend and add transit routes as demand dictates.

Implementation Measure C-1.6.1.3: Bus shelters and benches should be provided where demand warrants and their provision included as part of development approval requirements. New

developments projects should provide safe locations off the traveled way for busses to stop without impeding the flow of traffic.

Implementation Measure C-1.6.1.4: Public transit facilities (bus stops, etc.) should be located near or incorporated into commercial and industrial projects employing more than 10 people provided there is not an adequate existing bus stop within 1/4 mile.

Policy C-1.6.2: The City shall request that the Amador County Transportation Commission (ACTC) and Amador Regional Transit System (ARTS) review and comment upon new projects that may generate or attract, individually or cumulatively, large or moderate volumes of traffic. ACTC's roles and responsibilities involve two overlapping categories: (1) administration of Transportation Development Act and other funds that are allocated to ACTC, and (2) to serve as the Regional Transportation Planning Agency for Amador County. ARTS serves as the local transit system for Amador County.

Policy C-1.7.1: Encourage delivery services to homes and businesses to reduce the number of auto trips.

Implementation Measure C-1.7.1.1: The City shall encourage retail stores to provide delivery service and telephone and online shopping services. Some retail stores are instituting online ordering and delivery of goods to homes and business. This trend should be encouraged.

Policy C-1.7.2: Small neighborhood commercial facilities should be included where economically viable to minimize automobile traffic as new areas of the city develop.

Implementation Measure C-1.7.2.1: Implement the (pd) land use designation explained on Table LU-2 in the Land Use Element, which allows planned developments to include neighborhood commercial uses.

Policy C-1.7.3: High-density residential development that conforms to standards and programs of the General Plan and City ordinances should be constructed in the Sutter Hill/Martell area with convenient walking access to shopping and public services.

Policy C-1.10.1: Bicycle lanes or paved shoulders should be provided on new arterial and collector roadway facilities unless separate bicycle routes are provided.

Policy C-1.10.2: When required for pedestrian access to public services and facilities, the City shall require development projects to construct pedestrian walks.

Policy C-1.10.3: Sutter Creek will urge the creation of safe crossings on Old Highway 49 especially on Old Highway 49 toward Sutter Hill, at the intersection of Old Highway 49 and Sutter Hill Road, at the foot of Sutter Oaks and Mount Pleasant, and near Spanish Street.

Policy C-1.10.4: Sutter Creek should require new development proposals to help create walking paths or lanes along Old Sutter Hill Road and Sutter Creek-Volcano Road.

Policy C-1.10.5: New development projects should be required to create a creekside trail system along Sutter Creek going toward Volcano as the city limits are moved outward.

Policy C-1.10.6: The design of public facilities, including pedestrian facilities shall comply with the Americans with Disabilities Act.

Policy C-1.10.7: New development projects should be tied together and to existing parts of the City by an interlinked bicycle and pedestrian trail network as addressed in the Parks and Recreation Element

Policy C-1.10.8: Sutter Creek shall-require new subdivisions, commercial projects requiring a site plan approval and industrial projects to implement, or fund, as appropriate, a bike system for children to ensure safe access to schools and parks within town.

Policy C-1.10.9: The Sutter Hill commercial and industrial area should have bicycle and pedestrian access from the adjacent multifamily designated area. Specific facilities for pedestrian and bicycle circulation should be added to the Sutter Hill circulation plan.

Implementation Measure C-1.6.2.1: The City shall work with ACTC and ARTS to review and comment upon new projects that may generate or attract, individually or cumulatively, large or moderate volumes of traffic.

Policy C-1.8.1: The City should encourage carpooling.

Implementation Measure C-1.8.1.2: The City shall work with the Amador County Transportation Commission to encourage use of carpool parking at the Sutter Hill Transit Center.

In addition, the Zoning Ordinance amendment allows for the mixed-use land use designation which supports areas of mixed residential and commercial development. Such mixed-use areas are conducive to decreased auto dependency. The amendments to the Zoning Ordinance would not produce or encourage air emissions or odors or cause a significant change from the existing land uses in the City so as to cause a significant increase in development and associated air emissions from what was established in the existing Zoning Ordinance.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

IV. Biological Resources

IV. BIOLOGICAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			**X**	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?			**X**	
c) Have a substantial adverse effect on federally protected wetlands including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?			**X**	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			**X**	
e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?			**X**	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			**X**	

Discussion:

Potential impacts to biological resources were thoroughly analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and the 2010 Gold Rush Ranch EIR. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that the General Plan would result in significant and unavoidable impacts because the urban growth allowed by the General Plan will reduce the actual numbers of native plants and native animal species and possibly increase the numbers of other animal species. The 1994 Environmental Assessment for the Sutter Creek General Plan found that other potentially significant impacts on biological resources were mitigated by General Plan policies. No additional impacts are identified for the current Project.

The General Plan sets forth various policies and programs to protect biological resources. Any future site-specific project will be required to submit environmental documentation with a planning application. Sutter Creek is located in the "upper Sonoran" or "foothill" life zone. Lists of specific plant and animal species

common to the planning area are found in the 1994 Environmental Assessment for the Sutter Creek General Plan. The California Department of Fish and Wildlife (CDFW) commented that "the [1994 General] Plan has the potential for increased impacts to oak woodlands, grasslands, riparian habitat and wetlands. The habitats are experiencing increased pressure from development as California's population grows and are therefore becoming increasingly rare. As a result, many fish and wildlife species dependent on these habitats as part of their life requirements are in danger of local extirpation."

The U.S. Fish and Wildlife lists the following threatened species for the Sutter Creek area: California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), Delta smelt (*Hypomesus transpacificus*), Ione Manzanita, (*Arctostaphylos myrtifolia*), and Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). Migratory birds are also present in the City (USFWS, 2019, https://ecos.fws.gov/ipac/).

Oak woodland loss is a concern in Sutter Creek, and in response to this concern, the City has adopted a tree ordinance and has drafted an Oak Woodland and Rare Plant Management Plan and Conservation Best Management Plan to protect oak woodlands, riparian and wetland habitat, and habitat for protected species such as bats, migratory and nesting birds, Valley elderberry longhorn beetle, and special-status reptile and amphibian species (See General Plan Update Volume II). There are no changes to these ordinances and plans as part of the Project.

CDFW advises that the General Plan discuss zoning alternatives that will minimize environmental impacts to fish and wildlife habitats, such as cluster housing, open space areas, and dedicated buffers around riparian strips and wetlands. The Land Use Element of the 1994 General Plan addresses these concerns directly through flexible zoning alternatives, which are intended to protect biological resources as Sutter Creek grows. The Open Space and Conservation Element sets forth policies 3.14 through 3.20, which outline protections for vegetation, wildlife, fisheries and associated habitats. In addition, the Joint Housing Element promotes second units (Policy H-1.3 and Program H.1-3) and clustered housing (Sutter Creek Program H-4), which will minimize new disturbance to biological resources.

The Land Use Element of the General Plan addresses biological resource protection directly through flexible zoning alternatives, which are intended to protect biological resources as Sutter Creek grows. The Land Use Element seeks to focus new development within the City to preserve the adjoining rural areas (Objective LU-1.1). The Land Use Element also maintains the Creekside Greenways land use overlay to protect undeveloped riparian land along portions of Sutter Creek and Gopher Gulch.

The proposed zoning amendments and Circulation Element update do not weaken protections for biological resources. Since the General Plan establishes policies to ensure biological resources are protected and state and federal regulations are enforced and requires future projects to analyze and mitigate impacts to biological resources, the Zoning Ordinance amendment and Circulation Element update does not result in significant impacts to biological resources, and serves to further protect these resources as the City grows.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

V. Cultural Resources

V. CULTURAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			**X**	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			**X**	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			**X**	

Discussion:

Potential impacts to cultural resources were thoroughly analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and 2010 GRR EIR and no additional impacts are identified. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that impacts on cultural resources were mitigated to a less than significant level by General Plan policies.

The Historic Setting of the area can be found in General Plan Update Volume III Setting. The General Plan Update sets forth various policies and implementation measures to maintain the historic, cultural, and prehistoric resources in Sutter Creek and ensure that the appropriate information regarding such resources is provided to local and state organizations/agencies with oversight on such resources. The goals objectives, policies, and implementation measures in the Historic Element promote the protection and preservation of historic, cultural, and prehistoric resources and do not adversely impact these resources. Any future site-specific project will be required to submit environmental documentation and mitigation if needed with a planning application per Policy COS-1.1.1.

The City of Sutter Creek downtown is a registered historic landmark by the State of California. State Historic Building Codes apply to state and federally-designated, as well as locally-designated, buildings. The City has specific Design Standards for the Historic District. In 2006, Ordinance 316 amended Municipal Code Chapter 2.40 establishing regulations for the preservation and protection of old and historical buildings in the City. Future projects are subject to site-specific environmental review and Historic Element Policies 8.3 and 8.4 that require historical site review and require discretionary development projects to include conditions for inadvertent discoveries.

The proposed zoning amendments and Circulation Element update do not weaken protections for cultural resources. Since the General Plan establishes policies to ensure cultural resources are protected and state and federal regulations are enforced and requires future projects to analyze and mitigate impacts to cultural resources, the Zoning Ordinance amendment and Circulation Element update does not result in significant impacts to cultural resources, and serves to further protect these resources as the City grows.

Future development within Sutter Creek would not result in the interference with any object, building, structure, site, area, place, or record that the City determines to be historically or culturally significant, as modification of historic structures, development of unoccupied sites, or other such changes would require analysis of the action in relation to the history of the site or structure, or presence of cultural resources or

uses, or prehistoric resources on the site, and mitigation if needed. Future projects will need to conduct site specific analysis for impacts to cultural resources and mitigation measures, if needed, will be required to be implemented to protect those site-specific resources.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**

VI. Energy

VI. ENERGY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			**X**	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			**X**	

Discussion:

Pacific Gas & Electric provides both natural gas and electric energy to the City. Electricity and natural gas are received via electrical transmission and pipelines, while gasoline and diesel fuel are imported from outside the County by various oil companies via truck. As traditional sources of energy become depleted, the importance of energy conservation, developing alternate options, and methods of power generation becomes more important. Pacific Gas & Electric, which supplies electrical energy and natural gas to the city, has implemented a number of objectives and policies intended to reduce per capita energy consumption.

They City's Design Standards also address energy efficiency through structural design. Section 2.3.3.c addresses the use of common entries, which can contribute to energy efficiency, rather than multiple exterior doorways. Sections 5.6.2 and 5.6.4 encourage the use of windows, skylights or similar natural-light producing products to reduce lighting energy consumption. Section 5.6.8 states, "All lighting shall meet applicable energy codes…(and) Lighting reduction and energy-efficient timer systems shall be required after normal business hours except for lighting that is mandated for general safety and security." The General Plan requires compliance with the Design Standards and therefore promotes these energy efficiency requirements.

Additionally, the City has developed objectives, policies, and implementation measures to address energy conservation. The Conservation and Open Space Element includes the following objective, policies, and implementation measures regarding energy conservation.

> **Policy COS-1.10.2:** All new development should be designed for natural heating and cooling opportunities to the greatest extent feasible. This should be accomplished in the design of large commercial or multifamily residential buildings and by the design of lot sizes and configurations that consider heating and cooling opportunities provided by solar exposure, shade, and breezes.
>
> **Objective COS-1.10:** Increased energy conservation and renewable energy generation/production.
>
> **Policy COS-1.10.3:** New structures shall comply with California Energy Star guidelines or similar energy savings program that achieve a 20% reduction from standards contained in Title 24 of the California Code of Regulations. Compliance with Energy Star guidelines may occur through measures such as effective insulation, high performance windows, tight construction and ducts, efficient heating and cooling equipment, natural heating, and non-polluting energy production.

Implementation Measure COS-1.10.3.1: The City shall develop incentives for buildings exceeding Title 24 Energy Efficiency Standards and new development projects that meet 70% of their energy needs from renewable sources.

Policy COS-1.10.4: New developments shall be designed to reduce heat island effects.

Implementation Measure COS-1.10.4.1: Update the Design Standards and/or Municipal Code to include the use of shade trees, structures, cool pavement and cool roofs in new construction of structures, parking lots, and streets.

Policy COS-1.10.5: Increase renewable-energy generation and use through public outreach.

Implementation Measure COS-1.10.5.1: Maintain and continue to update renewable-energy tools and information on the City's website.

Implementation Measure COS-1.11.1.1: The City shall focus on the following tasks to reduce emissions from the City's operations:

- Reducing usage of city owned vehicles and replacing those that are not fuel efficient, and change procurement policy to specify high fuel efficiency for each vehicle class.
- Comprehensive energy efficiency retrofit of existing municipal buildings and facilities.
- Establish a purchasing policy requiring new electrical equipment to be Energy Star, or similarly, rated.
- Evaluate the potential to utilize solar renewable-energy systems to operate municipal facilities.
- Include energy-efficiency provisions in City-released RFPs related to wastewater infrastructure.
- Switch existing traffic signals and street lights from incandescent bulbs to Light Emitting Diodes (LEDs).
- Install water efficient landscaping in areas managed by the City and establish municipal water consumption reduction goals.
- Increase office recycling, e.g. paper, cardboard, cans, toner cartridges.
- Participate in PG&E's Phase II of Green Communities: Community-Wide Inventory.
- Evaluate the potential to implement methane capture system to utilize digester gas for electricity and heating at the wastewater treatment plant, as well as solar energy systems.

The City of Sutter Creek currently enforces the California Building Code and City Design Standards. Compliance with these codes and standards enforces the policies and programs that support energy conservation associated with new development. The proposed zoning amendments and Circulation Element update do not weaken energy efficiency measures.

Any future site-specific project will be required to submit environmental documentation with a planning application, as stated in Objective COS-1.1 and Policy COS-1.1.1 in the Conservation and Open Space Element. Since the Zoning Ordinance requires new development to comply with energy saving programs, standards, and General Plan Policies the Zoning Ordinance actively promotes energy conservation.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

VII. Geology and Soils

VII. GEOLOGY AND SOILS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Strong seismic ground shaking? Seismic-related ground failure, including liquefaction? Landslides?			**X**	
b) Result in substantial soil erosion or the loss of topsoil?			**X**	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			**X**	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			**X**	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			**X**	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			**X**	

Discussion:

The Sutter Creek planning area is located within the Sierra Nevada Geomorphic Province. Geologic formations around Sutter Creek are predominately of the Amador Group to the west, the Mariposa Formation to the north and east, and the Mehrten Formation to the southeast. Area soils consist entirely of the Auburn-Exchequer association, characterized by very shallow to moderately dry rocky or gravelly soils in material from metabasic rocks and metasedimentary slate and schist. Most soils in the planning area are rated as having moderate to very severe erosion potential. A geologic setting is provided in General Plan Update Volume III Setting. Potential impacts to geology and soils were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan and 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, which determined that potentially significant impacts on geology and soils were mitigated to a less than significant level by General Plan policies, and no additional impacts are identified.

The Conservation and Open Space Element includes the following objective, policies, and implementation measures to protect soils, avoid erosion, and maintain geologic features; each of which are included in the existing 2019 General Plan.

Objective COS-1.1: Compliance with the California Environmental Quality Act.

Policy COS-1.1.1: Development projects shall be reviewed in accordance with the California Environmental Quality Act (CEQA) and this Element to ensure that such developments mitigate to the point of less than significant impacts upon each of the listed resources except where Statements of Overriding Considerations are adopted.

Policy COS-1.3.3: No construction should be permitted on unforested slopes in excess of 30% unless the Planning Commission or City Council can make the hardship findings required for a variance.

Policy COS-1.3.4: The use of natural visual screens, such as natural land forms and vegetation, shall be incorporated into new developments where possible to maintain a sense of open space.

Policy COS-1.8.1: Maintain a grading ordinance that will minimize excessive grading and set forth specific standards and regulations beyond those contained in California Building Code (CBC) Appendix J.

Policy COS-1.8.2: The City shall include, adopt, implement, and enforce erosion control guidelines within the City of Sutter Creek Development Standards.

Implementation Measure COS-1.8.2.1: The City Engineer should develop the erosion control guidelines that will more directly control wind and water erosion and the secondary impacts upon aesthetics, water quality, etc. The controls would be more specific than those that are presently contained in CBC Appendix J. The City of Sutter Creek Conservation Best Management Practices in Volume II contains an extensive list of detailed erosion control measures that could be used in said guidelines.

Objective COS-1.2: Maintain City of Sutter Creek Development Standards for the conservation of resources.

Policy COS-1.2.1: Development projects shall be reviewed in accordance with City of Sutter Creek Development Standards.

Implementation Measure COS-1.2.1.1: Adopt and maintain the City of Sutter Creek Development Standards to maintain and enhance the City's natural resources.

Policy COS-1.3.2: New development shall preserve existing open space, as appropriate, for habitat, passive recreation, active recreation, and/or for visual access and/or aesthetics.

Implementation Measure COS-1.3.2.1: The preferred methods of preserving open space are through the use of a conservation easement or dedication to a conservation entity.

Implementation Measure COS-1.3.3.1: The City shall develop and adopt standards for construction on unforested slopes in excess of 30% that will be integrated into and enforced through the Sutter Creek Development Standards. Until such standards are adopted, conditions of approval for new construction on unforested slopes in excess of 30 percent shall include the following:

- Grading on a single lot is no more than 25 percent of the gross lot area;

- Coverage by impervious surfaces is limited to 20 percent of the gross lot area;
- Stormwater discharge rates shall not exceed pre-construction stormwater discharge rates; and
- The quality of stormwater discharges shall be the same or better than the quality of pre-construction stormwater discharges.

Objective COS-1.8: Protection of soils.

Implementation Measure COS-1.8.1.1: Develop, update, and implement as appropriate, City-wide grading standards to be adopted within the City's Development Standards and utilizing the Gold Rush Ranch Specific Plan grading standards as a model.

Implementation Measure COS-1.8.1.2: Until City-wide grading standards are adopted, the following standards shall be used:

a. Roadways should be aligned along natural ridges or valleys, be curvilinear, and follow existing contours through implementation of landform grading standards;
b. Grading should protect the existing skyline, oak trees, prominent hillsides, riparian corridors, and other topographically sensitive features and shall emulate the natural topography, which is the shape, height, and depth of the land surface, using landform grading standards, where feasible;
c. Grading for individual detached single-family home sites should be restricted to that necessary to develop the driveway and individual home site. Proposed grading should be subject to grading plan review at the time of individual lot development; and
d. Oak trees should be retained unless it is demonstrated to be unfeasible or unreasonable.

Geologic and seismic hazards are inherent to development in California. Objectives, policies and implementation programs are clearly outlined in the Safety Element and address mitigation of fault rupture, strong ground motion, liquefaction, and unstable soils. All impacts will be reduced, mitigated or avoided through implementation of policies, programs, and standard engineering techniques. The Safety Element includes the following objectives, policies, and implementation measures regarding seismic and other geologic safety; none of which are new policies or implementation measures:

Objective S-1.1: To minimize possible threat to life or property due to earthquakes.

Objective S-1.2: To minimize possible threat to life or property due to geological hazards such as soils-related damage or hazards and mine-related hazards.

Policy S-1.1.1: State building code requirements pertaining to earthquake safety for seismic Zone 3 shall be applied to new construction and remodeling projects that require a building permit.

Policy S-1.2.1: Site-specific soils investigations will be required for construction projects when and wherever there is concern for soils-related hazards.

Policy S-1.2.2: Development proposals involving the creation of more than four lots, parcels, or units shall be required to investigate the potential for mine collapse and other mine-related hazards in parts of the City known or suspected of being underlain by mine shafts, drifts, or vents.

Policy S-1.2.3: Mine hazards such as vent, drift, or shaft openings should be plugged, covered, fenced, signed, and/or otherwise managed to protect public health and safety.

Policy S-1.2.4: Site-specific soils investigations will be required to evaluate the health risk from proposed projects within or adjacent to mine waste materials. Schools, day care centers, hospitals, and residential subdivisions should not be located in areas where hazardous materials are present in mine waste materials.

Policy S-1.2.5: Records concerning mining activities within the planning area should be collected and maintained at City Hall for reference and use by the City and developers.

Implementation Measure S-1.2.5.1: The City shall maintain a record of mining activities within the city.

The Historic Element also addresses preservation of unique geologic features and paleontological resources, which are further implemented through the adopted Design Standards.

Objective H-1.1: The preservation of the historic character of the city through preservation and enhancement of historic structures, sites and districts, and archeological resources.

Policy H-1.1.4: Development projects shall notify the City and relevant parties if historic or prehistoric occupancy or use of the site is discovered during grading or building activities.

Implementation Measure H-1.1.4.1: Discretionary development project approvals shall contain the condition that sign of historic or prehistoric occupancy or use of the site that is discovered during grading or building activities will cause an immediate halt to such activities and the prompt notification of the City, the Chairperson, Jackson Rancheria and the North Central Information Center or the State Office of Historic Preservation.

In regard to wastewater and septic systems, the Public Services and Facilities Element require new development projects to provide sewage infrastructure that connects to the City's sewage collection system. The Municipal Code lists unbuildable parcels and parcels that currently operate septic systems (5 parcels) (Municipal Code Title 14, Table 14.04.240). If a future project were to propose a septic system, that project must demonstrate the parcel is capable of supporting such a system and that the parcel is sufficiently distant from sewer services per Municipal Code Section 14.04.020 (Sewer Connection Mandatory).

Policy PS-1.3.1: New development projects shall upgrade, expand, and/or provide new sewage infrastructure that is sized adequately to meet expected peak flow demands from the development. The sizing of new infrastructure shall be based upon cumulative growth of the region. Reimbursement agreements may be arranged to pay back developers the cost of oversizing to accommodate cumulative growth.

Policy PS-1.3.2: New development projects shall be required to pay for or provide for expansion of the City's sewage treatment facility based upon the expected peak flow demands of said development.

Policy PS-1.3.3: New development projects may buy excess capacity in the sewage treatment facility that is equivalent to the amount of inflow and infiltration they can reduce within the City's existing sewage collection system, if this amount can be determined to the satisfaction of the City.

The City of Sutter Creek currently enforces the California Building Code, City Design Standards and City Grading Standards. Compliance with these codes and standards enforces the policies and programs that support soil protection and erosion control associated with new development.

The proposed zoning amendments and Circulation Element update do not weaken protections for geology and soil resources. The General Plan mitigates geologic impacts through the Conservation and Open Space and Safety Element policies and implementation measures above. Policies such as S-1.1.1 and S-1.2.1

ensure new development is safe from geologic hazards, and Implementation Measures COS-1.3.3.1 and COS-1.8.1.2 ensure new development does not cause erosion or other soil impacts.

The Zoning Amendments and General Plan Circulation Element update does not propose a specific development or project other than the goals, objective, policies, and implementation measures and adjustments to the circulation map. Any future site-specific project will be required to submit environmental documentation with a planning application, as stated in Objective COS-1.1 and Policy COS-1.1.1 in the Conservation and Open Space Element.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

VIII Greenhouse Gas Emissions

VIII. GREENHOUSE GAS EMISSIONS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion:

An increase in greenhouse gas emissions would be considered significant if the project would obstruct implementation of any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHG emissions. This standard of significance approach for analysis of climate change impacts is generally supported by the California Air Resources Control Board (Preliminary Draft Staff Proposal - Recommended Approaches for Setting Interim Significance Thresholds for Greenhouse Gases under the California Environmental Quality Act, October 2008).

Global climate change is caused in part by release of man-made emissions of GHGs into the atmosphere through the combustion of fossil fuels and other activities, such as deforestation and land-use change. According to the California Energy Commission (CEC), GHG emissions are attributable to human activities associated with industrial/manufacturing, utilities, transportation, residential, and agricultural sectors as well as natural processes (CEC 2006). Climate change is a global problem, and GHGs are global pollutants, unlike criteria air pollutants (such as ozone precursors) and toxic air contaminants that are primarily pollutants of regional and local concern. Because GHG emissions have long atmospheric lifetimes, GHGs are globally mixed and persist in the atmosphere longer than criteria pollutants such as ozone; therefore, GHG emission reduction strategies can be effectively undertaken on a global scale whereby the mitigation of local GHG emissions can be offset by distant GHG reduction activities.

Significant and unavoidable cumulative greenhouse gas emissions and long-term regional ozone precursor emissions impacts were identified in the 2010 Gold Rush Ranch EIR. The 2019 General Plan Update included GHG within the Conservation and Open Space Element goals and through the following objectives, policies, and implementation measures. Circulation Element update changes proposed to strengthen GHG reduction goals are shown in strike out and underline/bold text.

Objective COS-1.11: Reduce the emission of Greenhouse Gases from all activities within the City in compliance with State policies for Greenhouse Gas reduction and Climate Change.

Policy COS-1.11.1: The City shall implement an emissions reduction strategy.

Implementation Measure COS-1.11.1.1: The City shall focus on the following tasks to reduce emissions from the City's operations:

- Reducing usage of city owned vehicles and replacing those that are not fuel efficient, and change procurement policy to specify high fuel efficiency for each vehicle class.
- Comprehensive energy efficiency retrofit of existing municipal buildings and facilities.

- Establish a purchasing policy requiring new electrical equipment to be Energy Star, or similarly, rated.
- Evaluate the potential to utilize solar renewable-energy systems to operate municipal facilities.
- Include energy-efficiency provisions in City-released RFPs related to wastewater infrastructure.
- Switch existing traffic signals and street lights from incandescent bulbs to Light Emitting Diodes (LEDs).
- Install water efficient landscaping in areas managed by the City and establish municipal water consumption reduction goals.
- Increase office recycling, e.g. paper, cardboard, cans, toner cartridges.
- Participate in PG&E's Phase II of Green Communities: Community-Wide Inventory.
- Evaluate the potential to implement methane capture system to utilize digester gas for electricity and heating at the wastewater treatment plant, as well as solar energy systems.

Implementation Measure COS-1.11.1.2: The City shall update, as appropriate, the City's Greenhouse Gas Inventory to track its progress in reducing Greenhouse Gas emission from the 2005 baseline inventory.

Implementation Measure COS-1.11.1.3: The City shall update, as appropriate, the Goals, Policies, and Implementation Measures in the General Plan Land Use Element, Conservation Element, Circulation Element, Public Services and Facilities Element, and Parks and Recreation Element that reduce Greenhouse Gas emissions.

Implementation Measure COS-1.11.1.4: The City shall evaluate the feasibility of offering incentives for or requiring participation in the voluntary CALGreen water-efficiency measures.

The General Plan Update also includes the following energy conservation objectives, policies and implementation measures, of which ensure that new development maximizes energy efficiency to reduce energy related GHG emissions:

Policy COS-1.10.1: New developments should be designed to maximize opportunities to limit use of automobiles, distance traveled to local destinations, and traffic congestion.

Policy COS-1.10.2: All new development should be designed for natural heating and cooling opportunities to the greatest extent feasible. This should be accomplished in the design of large commercial or multifamily residential buildings and by the design of lot sizes and configurations that consider heating and cooling opportunities provided by solar exposure, shade, and breezes.

Objective COS-1.10: Increased energy conservation and renewable energy generation/production.

Policy COS-1.10.3: New structures shall comply with California Energy Star guidelines or similar energy savings program that achieve a 20% reduction from standards contained in Title 24 of the California Code of Regulations. Compliance with Energy Star guidelines may occur through measures such as effective insulation, high performance windows, tight construction and ducts, efficient heating and cooling equipment, natural heating, and non-polluting energy production.

Implementation Measure COS-1.10.3.1: The City shall develop incentives for buildings exceeding Title 24 Energy Efficiency Standards and new development projects that meet 70% of their energy needs from renewable sources.

Policy COS-1.10.4: New developments shall be designed to reduce heat island effects.

Implementation Measure COS-1.10.4.1: Update the Design Standards and/or Municipal Code to include the use of shade trees, structures, cool pavement and cool roofs in new construction of structures, parking lots, and streets.

Policy COS-1.10.5: Increase renewable-energy generation and use through public outreach.

Implementation Measure COS-1.10.5.1: Maintain and continue to update renewable-energy tools and information on the City's website.

Maintaining the inventory of oak trees and other vegetation also helps to offset increases in GHG emissions, and the General Plan Update addresses oak woodland and other habitat loss through the following:

Policy COS-1.9.6: The Planning Commission and/or City Council shall not approve projects that threaten or destroy native oaks or other unique native flora unless said vegetation is replaced, protected, and maintained such that the quantity and value of the vegetation that is lost is certain to be replaced for future human generations.

Implementation Measure COS-1.9.6.3: Update, maintain, and enforce the City tree ordinance, including the addition of standards applicable to oak woodlands, oak woodland management plans and their contents, and oak woodland mitigation.

Implementation Measure COS-1.9.6.1: Until the tree ordinance is updated to address oak woodland management, Project applicants shall submit an Oak Woodland Management Plan based on the requirements described in Volume II, if the project affects oak woodland stands that have greater than 10 percent canopy coverage or that display historic canopy coverage greater than 10 percent and if the project affects 10 contiguous acres of oak woodland stands. The Oak Woodland Management Plan shall be prepared by independent professionals under the direction of the City and address the following aspects of managing oak woodlands:

a. A description of oak woodland habitats proposed for removal and preservation;
b. An inventory of trees proposed for removal and preservation in development areas; and
c. Replanting locally-native trees, as needed.

Implementation Measure COS-1.9.6.2: New developments affecting 10 contiguous acres of oak woodland stands, with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover, shall preserve oak woodland habitat for each acre removed due to the development project at a ratio provided in the applicable Oak Woodland Management Plan or until such time that preservation ratios are established in the tree ordinance.

The Circulation Element and its update also includes policies and implementation measures that provide for alternative transportation and reduced vehicle trips, which reduces GHG vehicle emissions.

Implementation Measure C-1.6.1.1: Provide bus service to and from special events from local parking facilities. Charter bus service from the San Francisco Bay Area and Central Valley locations should be promoted for special events that are expected to draw large crowds.

Implementation Measure C-1.6.1.2: Extend and add transit routes as demand dictates.

Implementation Measure C-1.6.1.3: Bus shelters and benches should be provided where demand warrants and their provision included as part of development approval requirements. New

developments projects should provide safe locations off the traveled way for busses to stop without impeding the flow of traffic.

Implementation Measure C-1.6.1.4: Public transit facilities (bus stops, etc.) should be located near or incorporated into commercial and industrial projects employing more than 10 people provided there is not an adequate existing bus stop within 1/4 mile. Target date: Ongoing review standard

Policy C-1.6.2: The City shall request that the Amador County Transportation Commission (ACTC) and Amador Regional Transit System (ARTS) review and comment upon new projects that may generate or attract, individually or cumulatively, large or moderate volumes of traffic. ACTC's roles and responsibilities involve two overlapping categories: (1) administration of Transportation Development Act and other funds that are allocated to ACTC, and (2) to serve as the Regional Transportation Planning Agency for Amador County. ARTS serves as the local transit system for Amador County.

Policy C-1.6.3: Encourage ridership on public transit systems through marketing and promotional efforts. Provide information to residents and employees on transit services available for local and regional trips.

Policy C-1.7.1: Encourage delivery services to homes and businesses to reduce the number of auto trips.

Implementation Measure C-1.7.1.1: The City shall encourage retail stores to provide delivery service and telephone and online shopping services. Some retail stores are instituting online ordering and delivery of goods to homes and business. This trend should be encouraged.

Policy C-1.7.2: Small neighborhood commercial facilities should be included where economically viable to minimize automobile traffic as new areas of the city develop.

Implementation Measure C-1.7.2.1: Implement the (pd) land use designation explained on Table LU-2 in the Land Use Element, which allows planned developments to include neighborhood commercial uses.

Policy C-1.7.3: High-density residential development that conforms to standards and programs of the General Plan and City ordinances should be constructed in the Sutter Hill/Martell area with convenient walking access to shopping and public services.

Policy C-1.8.1: The City should encourage carpooling **to reduce vehicle trips**.

Implementation Measure C-1.8.1.1: The City encourages commercial development projects and employers to provide reserved parking spaces and vans for use by employees who carpool.

Implementation Measure C-1.8.1.2: The City shall work with the Amador County Transportation Commission to encourage use of carpool parking at the Sutter Hill Transit Center.

Policy C-1.9.1: The City encourages employers to provide staggered work hours for employees **to reduce vehicle trips**. Staggered work shifts can spread out and reduce peak hour traffic.

Objective C-1.10: Increased provision of bicycle and pedestrian facilities **to improve multimodal connectivity and level of comfort. Multimodal facility improvements identified in the Circulation Diagram map shall be considered priority projects for the City. Projects should aim to meet the**

mobility needs of pedestrians and bicyclists of all skill levels and ages, persons using wheelchairs, and those with other mobility limitations.

Policy C-1.10.1: ~~Bicycle lanes or paved shoulders~~ **Bicycle facilities, including Class II Bicycle Lanes and/or Class IV bikeways,** should be provided on new arterial and ~~major~~ collector roadways**, consistent with City standards**. ~~facilities unless separate~~ **Where feasible, Class II Bicycle Lanes should be buffered. Where right- of-way limitations or City preference does not allow for on-street bicycle facilities, alternative bicycle routes may be provided via adjacent Class I Shared-Use Paths. Bicycle facilities should include improved visibility features such as green paint at conflict areas and at intersections.**

Implementation Measure C-1.10.1.1: Improve and pave the existing pedestrian path adjacent to Main Street between Highland Drive and Nickerson Street to provide a Class I Shared-Use Path. Target date: Intermediate-term.

Policy C-1.10.2: ~~When required for pedestrian access to public services and facilities,~~ The City shall require development projects to construct pedestrian ~~walks~~ **paths, such as sidewalks or shared-use paths, on all new roadways, consistent with City standards. Where right-of-way limitations or City preference does not allow for sidewalks, alternative pedestrian routes may be provided via adjacent Class I shared-use trails or walking paths**.

Policy C-1.10.3: ~~Sutter Creek will urge the creation of safe crossings on Old Highway 49 especially on Old Highway 49 toward Sutter Hill, at the intersection of Old Highway 49 and Sutter Hill Road, at the foot of Sutter Oaks and Mount Pleasant, and near Spanish Street~~ **Crosswalks along arterial roads and identified school routes should be provided and/or upgraded with high visibility features, such as pavement markings and patterns, advanced warning signage, and/or flashing beacons**.

Implementation Measure C-1.10.3.1: Sutter Creek will urge the creation of safe, high visibility crossings **on Main Street (Old Highway 49) at the following locations:** ~~especially on Old Highway 49 toward Sutter Hill, at the intersection of Old Highway 49 and Sutter Hill Road, at the foot of Sutter Oaks and Mount Pleasant, and near Spanish Street.~~ Target date: Intermediate-term

- **Highland Drive/Raylan Drive**
- **Lorinda Drive/Patricia Lane**
- **Miner's Bend, near Sutter Hill Road/Greenstone Terrace**

Implementation Measure C-1.10.3.2: Sutter Creek will urge the creation of a safe, high visibility pedestrian crossing on Hanford Street at Amelia Street. Target date: Intermediate-term.

Policy C-1.10.4: Sutter Creek should require new development proposals to help create walking paths or lanes along Old Sutter Hill Road and Sutter Creek-Volcano Road.

Policy C-1.10.5: New development projects should be required to create a creekside trail system along Sutter Creek going toward Volcano as the city limits are moved outward.

Policy C-1.10.6: The design of public facilities, including pedestrian facilities shall comply with the Americans with Disabilities Act.

Policy C-1.10.7: New development projects should be tied together and to existing parts of the City by an interlinked bicycle and pedestrian trail network as addressed in the Parks and Recreation Element**, and should connect to existing and planned bicycle and pedestrian facilities as presented in the circulation diagram**.

Policy C-1.10.8: Sutter Creek shall require new subdivisions, commercial projects requiring a site plan approval, and industrial projects to implement, **or fund**, as appropriate, a bike system for children to ensure safe access to schools and parks within town.

Policy C-1.10.9: The Sutter Hill commercial and industrial area should have bicycle and pedestrian access from the adjacent multifamily designated area. Specific facilities for pedestrian and bicycle circulation should be added to the Sutter Hill circulation plan.

Policy C-1.10.10: Existing and new minor collector and local roadways with speed limits of 25 miles per hour or less shall be designated as Class III Bicycle Routes, unless it is feasible or desired to provide a striped Class II Bicycle Lane or adjacent Class I Shared-Use Trail.

Implementation Measure C-1.10.10.1: Designate the following existing roadways as Class III Bicycle Routes and implement traffic calming measures. Target date: Intermediate-term

- **Lorinda Drive**
- **Nickerson Street**
- **Bryson Drive**

Policy C-1.10.11: Ensure continuous multimodal connectivity throughout the City by filling gaps in the existing and proposed multimodal network.

Implementation Measure C-1.10.11.1: As funding is available, improve shoulder and provide a walking path to connect to the future walking path along Sutter Hill Road. Provide safe connections to the future pedestrian crossing at Miner's Bend. Target date: Intermediate-term

Implementation Measure C-1.10.11.2: As funding is available, provide a walking path from Main Street to Badger Street via David Drive and Allen Ranch Road. Target date: Intermediate-term

Implementation Measure C-1.10.11.3: As development occurs, require a walking path from east of Downtown connecting Sutter Crest and Golden Hills neighborhoods to Randolph Street and Eureka Street. Target date: Intermediate-term

Implementation Measure C-1.10.11.4: As development occurs, require sidewalk gap infill to connect proposed sidewalk along Ridge Road with future Class I Shared-Use Path extension east of SR 49 to Ridge Road. Target date: Intermediate-term

Buildout of the General Plan, which is full development of each parcel to the limits of the land use designation on each parcel, would result in less than 10,000 residential units and a population of approximately 20,000. Full buildout is not anticipated within the planning period of the Project; however, new development and population can contribute to additional greenhouse gas emissions due to new mobile-source emissions, additional energy consumption, and use of wood-heating appliances. In addition to the policies encouraging GHG emissions reductions through design, energy efficiency, and circulation improvements, the 2014 Joint Housing Element includes energy and natural resource conservation

programs that would reduce non-mobile residential emissions both in new and existing residential units (Programs H-3.2, H-3.3, and H-3.4).

The Zoning Amendments and General Plan Circulation Element update does not propose a specific development or project other than the goals, objective, policies, and implementation measures and adjustments to the land use designation map. Any future site-specific project will be required to submit environmental documentation with a planning application, as stated in Objective COS-1.1 and Policy COS-1.1.1 in the Conservation and Open Space Element. If an individual project would result in significant GHG emissions, the project would be required to assess these emissions and provide mitigation, such as the GHG emissions reduction plan mitigation established for the Gold Rush Ranch EIR.

With the reduction in mobile and non-mobile GHG emissions resulting from the implementation of the General Plan and Circulation Element update, implementation of the Project would not obstruct plans for reducing GHG emissions, but would support plans for reducing GHG emissions. Reductions in project-generated GHG emissions associated with individual development projects would vary, depending on factors such as the site design and location, and proximity to local services. Implementation of the General Plan Circulation Element Update will benefit GHG emissions reductions.

Environmental Analysis*: Less than Significant Impact.*

Required Mitigation: **None.**

IX. Hazards and Hazardous Materials

IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			**X**	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?			**X**	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			**X**	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			**X**	
e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			**X**	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			**X**	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			**X**	

Discussion:

Potential hazards, including hazardous or toxic materials, were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan and 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, which determined that potentially significant impacts on

hazards and hazardous materials were mitigated to a less than significant level by General Plan policies, and no additional impacts are identified. The Zoning Amendments and General Plan Circulation Element update does not make substantive modifications to the General Plan policies concerning hazards and hazardous materials.

The Circulation Element update does not propose any roadway changes that would affect the existing emergency access and evacuation route system or procedures.

New development under General Plan buildout would need to be consistent with the land use designation. Any future site-specific project will be required to submit environmental documentation with a planning application to ensure consistency with the General Plan and applicable safety regulations, and to ensure persons or structures are not exposed to hazards consistent with Policy COS-1.1.1. The environmental review process for subsequent development will ensure new projects are not located on hazardous sites and do not pose a hazardous threat to existing land uses.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

X. Hydrology and Water Quality

X. HYDROLOGY AND WATER QUALITY: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			**X**	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin?			**X**	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would: i) Result in substantial on- or offsite erosion or siltation; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) Impede or redirect flood flows?			**X**	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			**X**	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			**X**	

Discussion:

Potential impacts to hydrology and water quality were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, 2010 Gold Rush Ranch EIR, and the 2014-2019 Joint Housing Element IS/MND. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that there was a cumulative impact for water quality, water supply, and flooding and that potentially significant impacts on water quality, groundwater, stormwater, drainage, and mudflows were mitigated to a less than significant level by General Plan policies and actions by other agencies. For the proposed Zoning Amendment and Circulation Element update, no additional impacts are identified from those described in the 2019 Initial Study for the Sutter Creek General Plan.

Flood hazard is identified in the General Plan and the City has adopted the FEMA flood hazard boundaries. 2010 FEMA Map 06005C0343F identifies flood hazard area A and AE along Sutter Creek and a small segment of Zone X (0.2% chance of annual flood). Map 06005C0340F identifies flood hazard area A and AE along a segment of Sutter Creek, with the remainder of the area in Zone X, while Map 06005C0575F, which addresses the Gold Rush Ranch Specific Plan Area, indicates this area is entirely within Zone X. Tanner Reservoir, located southeast of the City, is not considered a flooding threat should the dam break. The Safety Element of the 1994 General Plan addresses flooding and includes a Flood Hazard Reduction Plan. The General Plan Safety Element includes policies related to compliance with the City's flood plain management ordinance, control of peak flow runoff, review of County projects for flood hazard, and identification and correction of flood hazards:

Policy S-1.3.1: Building and planning permit applications proposing improvements within the FEMA/FIRM map Zones 'A' or 'AE' shall comply with the City's flood plain management ordinance.

Policy S-1.3.2: The City of Sutter Creek and County of Amador should require new development projects within the Sutter Creek drainage area to control peak flow runoff such that post-development discharge rates are not greater than pre-development discharge rates, ensuring new development does not significantly add to flooding hazards.

Policy S-1.3.3: The County of Amador should give the City of Sutter Creek the opportunity to review development projects within the Sutter Creek drainage area to ensure flood hazards within the City are not increased.

Objective S-1.3: To minimize possible threat to life or property due to flooding.

Implementation Measure S-1.3.2.1: The City shall consult with the County of Amador about General Plan Policy S-1.3.2, which concerns peak flow runoff from new development within the Sutter Creek drainage area but outside of City jurisdiction.

Implementation Measure S-1.3.3.1: The City shall consult with the County of Amador about General Plan Policy S-1.3.3, which concerns review of development projects within the Sutter Creek drainage area.

Policy S-1.3.4: Reduce the extent of flooding that threatens existing developed areas within the City.

Implementation Measure S-1.3.4.1: The City shall continue to identify flood hazards and funding to correct the hazards.

The Sutter Creek Hydrological Area is part of the Middle-Sierra Hydrological Unit. The City of Sutter Creek is drained by Sutter Creek itself and a system of seasonal tributaries and drainage swales and gulches, which eventually lead to Sutter Creek. There is no large-scale development of groundwater resources in the planning area.

The Conservation and Open Space Element sets forth objectives, policies and implementation measures for the protection of water quality and the required use of best management practices (BMPs).

Policy COS-1.4.1: The master drainage plan called for in the Public Services and Facilities Element and design standards prepared by the City Engineer shall be made to include provisions to ensure the protection of water quality in Sutter Creek and other water bodies within the planning area.

Implementation Measure COS-1.4.1.1: Best Management Practices described in Volume II, City of Sutter Creek Conservation Best Management Practices, should be considered in the master drainage

plan and design standards. The master plan and design standards should address cumulatively significant organic and inorganic pollutants.

Policy COS-1.4.2: Upstream diversions of water from Sutter Creek and its tributaries that negatively impact the creek should be prohibited.

Policy COS-1.5.1: The City supports the current water agency policy requiring water connections within the City to be metered.

Policy COS-1.5.2: To the maximum extent feasible, plants native to the Sutter Creek area that do not require much irrigation should be used for landscaping.

Policy COS-1.8.2: The City shall include, adopt, implement, and enforce erosion control guidelines within the City of Sutter Creek Development Standards.

Implementation Measure COS-1.8.2.1: The City Engineer should develop the erosion control guidelines that will more directly control wind and water erosion and the secondary impacts upon aesthetics, water quality, etc. The controls would be more specific than those that are presently contained in the CBC. The City of Sutter Creek Conservation Best Management Practices in Volume II contains an extensive list of detailed erosion control measures that could be used in said guidelines.

Policy COS-1.9.2: Development project sites shall be evaluated for wetlands and riparian habitat impacts. Development projects that will impact stream channel, drainage channel, wetlands, or riparian habitat shall reduce such impacts by avoidance, minimization, and/or compensatory mitigation to the point that there is no net loss. Projects that may dredge or fill wetland areas shall be referred to the U.S. Army Corps of Engineers.

Policy COS-1.9.3: The California Department of Fish and Wildlife will be consulted regarding a streambed alteration agreement pursuant to Section 1600 et. seq. of the Fish and Game Code for projects that may directly affect Sutter Creek, the Sutter Creek 100 year flood plain, or any tributary to Sutter Creek.

Policy COS-1.9.4: No vegetation removal, grading, or development shall be allowed in environmentally significant wetland or riparian habitat areas unless adequate mitigation measures are adopted that meet the satisfaction of the California Department of Fish and Wildlife and Army Corps of Engineers, where applicable, and the City of Sutter Creek. Wetland and riparian areas shall be presumed to be environmentally significant unless the City finds, on the basis of evidence in the environmental documents prepared for development projects involving lands on which wetlands may be situated, that the subject wetlands and riparian areas are not environmentally significant. Such findings shall be based on analysis as may be performed by the California Department of Fish and Wildlife.

Policy COS-1.9.5: Swales are undefined stream channels that are natural collectors of runoff. Building setbacks should be designed to preserve the natural drainage of swales. This policy may not apply to commercial and industrially designated areas.

Objective COS-1.2: Maintain City of Sutter Creek Development Standards for the conservation of resources.

Policy COS-1.2.1: Development projects shall be reviewed in accordance with City of Sutter Creek Development Standards.

Implementation Measure COS-1.2.1.1: Adopt and maintain the City of Sutter Creek Development Standards to maintain and enhance the City's natural resources.

Implementation Measure COS-1.3.3.1: The City shall develop and adopt standards for construction on unforested slopes in excess of 30% that will be integrated into and enforced through the Sutter Creek Development Standards. Until such standards are adopted, conditions of approval for new construction on unforested slopes in excess of 30 percent shall include the following:

- Grading on a single lot is no more than 25 percent of the gross lot area;
- Coverage by impervious surfaces is limited to 20 percent of the gross lot area;
- Stormwater discharge rates shall not exceed pre-construction stormwater discharge rates; and
- The quality of stormwater discharges shall be the same or better than the quality of pre-construction stormwater discharges.

Implementation Measure COS-1.4.2.1: The City shall actively participate in the review of upstream diversions of water from Sutter Creek and its tributaries located outside of the City limits to prevent negative impacts on the creek.

Implementation Measure COS-1.5.2.1: New development projects shall achieve at least 30% use of native landscape materials such as those on the California Native Plant Society's Calscape list of plants native to Sutter Creek.

Policy COS-1.5.3: The City encourages the use of recycled water.

Implementation Measure COS-1.5.3.1: New development projects shall use recycled water where available and to the maximum extent feasible.

Implementation Measure COS-1.5.3.2: The City shall work with the Amador Water Agency to encourage the use of recycled water.

Implementation Measure COS-1.8.1.1: Develop, update, and implement as appropriate, City-wide grading standards to be adopted within the City's Development Standards and utilizing the Gold Rush Ranch Specific Plan grading standards as a model.

Stormwater, water provision, and hydrology are addressed in the Public Services and Facilities Element. The General Plan is self-mitigating in that the policies and implementation measures in the General Plan are designed to protect hydrological resources and maintain water quality. Actions that would harm water resources or hydrology are not proposed.

Policy PS-1.2.1: The City supports the establishment of an additional water storage facility in the northern area of the City provided it improves fire flows citywide and does not conflict with other General Plan policies and standards.

Policy PS-1.2.2: The Amador Water Agency (AWA) should adjust its "first come, first served" policy of reserving water supplies based upon development projects to include a provision whereby water supplies will be reserved for jurisdictions who adopt reasonable and adequate general plans. The water reserved for such jurisdictions will be based upon the water supply needs identified in said plans. The City and AWA should work together to establish a rate for projecting water demands for commercial, industrial, and institutional uses in the planning area and add that to expected residential demands. These projections should then be reserved for the City.

Policy PS-1.2.4: AWA's Urban Water Management Plan should become a part of the City of Sutter Creek Improvement Standards document consistent with an implementation measure of the Land Use Element.

Implementation Measure PS-1.2.4.1: The City shall oversee inclusion of AWA's Urban Water Management Plan into the City's Improvement Standards.

Policy PS-1.4.1: Drainage from new construction should be planned carefully to guide water into the citywide drainage system. New developments shall analyze and improve off-site drainage systems to ensure their capabilities to handle increased flows.

Policy PS-1.4.2: New development projects will provide for their incremental effect on existing storm drainage facilities as well as provide new facilities needed to adequately service the increased runoff they may generate.

Policy PS-1.4.3: New development applications will be denied unless it is demonstrated they will not overload existing drainage facilities or add to flood hazards in Sutter Creek.

Policy PS-1.4.4: Grading plans shall be designed not to create areas of standing water, except for ponds, lakes, or other areas designed or intended to provide detention, wetlands, serve recreational or aesthetic purposes, etc.

Policy PS-1.4.5: Drainage should be directed through landscaped swales or underground pipes or a combination of both, wherever feasible. Open concrete or rock ditches are discouraged in most cases.

Policy PS-1.4.6: A region-wide master drainage and flood control plan should be developed and adopted. The plan should assess runoff and system-wide improvement needs to upgrade the City storm drainage system and relieve the threat of flooding on Sutter Creek. The plan should include a finance strategy that allocates the share of improvement cost to be born by new construction and new development projects. It should also specify sources of existing revenues or methods to obtain new revenues to pay for the existing community's share of improvement costs.

Implementation Measure PS-1.4.6.1: The next large development to be considered after adoption of the General Plan Update that has the potential to add substantial storm runoff to Sutter Creek shall be required to provide for the master drainage plan (utilize CEQA mandatory findings of cumulative effect) and be partially reimbursed by subsequent developments.

Objective PS-1.4: New development that provides adequate drainage and does not exceed the capacity of the citywide drainage system

Implementation Measure PS-1.4.5.1: Storm water mitigation for streets and parking areas shall focus on four areas: 1) ensuring stormwater discharge rates do not exceed pre-construction stormwater discharge rates; 2) promoting permeable landscapes to reduce stormwater surface flows; 3) preventing runoff contamination; and 4) allowing natural treatment of runoff in detention ponds or grass swales.

Additionally, an existing implementation measure in the Parks and Recreation Element addresses uses within the creekside greenway areas, which also protect water quality and the hydrology of these areas.

Implementation Measure PR-1.1.8.2: Dedication of creekside greenways is a requirement contained in the Land Use Element that applies to new development projects along Sutter Creek and Gopher Gulch. As future development occurs, improvements in the creekside greenway zones should consist only of passive recreation facilities including bicycle paths, pedestrian trails, picnic areas, open space,

and similar uses. Riparian habitat should be maintained as much as possible. New plantings should consist of native plants to the greatest extent possible. The following controls should also apply:

1. Urban structures and facilities such as houses, commercial and industrial buildings, and parking lots shall be prohibited;

2. Filling shall be prohibited wherever feasible;

3. The obstruction of stream flow by manmade facilities shall be prohibited;

4. The destruction of riparian vegetation should be prohibited except for flood control and public health and safety reasons.

Any future site-specific project will be required to submit environmental documentation with a planning application (Policy COS-1.1.1). Runoff, flooding, and drainage pattern changes are subject to the site-specific design of future projects. Buildout has the potential to increase runoff and demand on storm drainage systems; however, as stated in the Public Services and Facilities Element, new projects are required to submit development designs and review for impacts on the area hydrology, water quality, and runoff systems. Future projects would need to mitigate for runoff to avoid impacts regarding storm drainage and flooding. Likewise, proposed developments would need to comply with the City's Design Standards and Improvement Standards to ensure drainage is adequate and flooding will not occur that would affect the structure or the quality of surface waters.

No impacts to groundwater are expected because there are no large underground storage basins and there are no large-scale developments of groundwater resources in the planning area. The City of Sutter Creek is currently and has historically been served by surface water. There is no risk of inundation from seiche or tsunami.

The proposed zoning amendment and Circulation element update would not result in new hydrology or water quality impacts.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None**.

XI. Land Use and Planning

XI. LAND USE AND PLANNING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Physically divide an established community?				**X**
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			**X**	

Discussion

Potential impacts to land use were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and 2010 Gold Rush Ranch EIR.

Any future site-specific project will be required to submit environmental documentation with a planning application.

The General Plan Land Use Element and Zoning Ordinance provide the framework within which development may take place. There are no proposed changes to the General Plan Land Use Element, but many of the Zoning Amendments are proposed to conform with the General Plan that was updated in 2019.

As described in the Project Description, the proposal includes text amendments to the City of Sutter Creek Code of Ordinances, Chapter 18- Zoning Ordinance. In conforming the Zoning Ordinance to the recently updated General Plan, the proposed ordinance makes changes to some of the authorized zones. These changes include:

1. The Agricultural Zone was changed to the Residential Ranchette Zone, and the Limited Multiple Family Dwelling Zone (R-3) and the Multiple Family Dwelling Zone (R-4) were consolidated.
2. Public Service (PS) Zone was added.
3. The maximum development densities set forth in the General Plan were incorporated into the zoning districts.
4. The commercial and industrial uses allowed in the commercial zones and industrial zones were modified for consistency with the General Plan.
5. Section 18.46.050 was added to implement a review process for special events.
6. Home Occupations regulations were amended to allow administrative review of applications.

The General Plan Circulation Element Update does not propose uses or transportation route changes that would physically divide the community. The City has an Oak Woodland Management Plan Requirements and Rare Plant Management Plan and Conservation Best Management Practices, which are integrated into the General Plan (See Volume II). The policies and implementation measures in the General Plan Elements, such as Implementation Measures COS-1.9.6.1 and COS-1.9.6.2, support the Management Plan and Practices and do not conflict with their implementation:

To ensure consistency between the General Plan and the zoning map, the City of Sutter Creek Planning Commission recommends adoption of the General Plan Update and the change to the zoning on the affected

parcels to the City Council. The City Council will adopt the General Plan Circulation Element Update and approve the zoning change, amending the Chapter 18- Zoning Ordinance and zoning map. This is a beneficial action to address existing inconsistencies between the zoning map, land use diagram, and actual uses. With adoption by the City Council, the General Plan Circulation Element Update will replace the existing General Plan element in accordance with State requirements to periodically update and maintain the General Plan.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None.**

XII. Mineral Resources

XII. MINERAL RESOURCES: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			**X**	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?			**X**	

Discussion:

Potential impacts to mineral resources were thoroughly analyzed in the 2012 General Plan Update IS/MND, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and 2010 Gold Rush Ranch EIR and no additional impacts are identified for the proposed Zoning amendments and Circulation element update. Although mineral resources exist within the area, which corresponds with the rich mining history of Sutter Creek, there are no existing operations. The Sutter Creek planning area is located within Mineral Resource Zones 2b (gold) and 3a (limestone and other deposits) as shown on Figure 2-1 in General Plan Volume III Setting. The 1984 California Division of Mines and Geology Mapping of the Sutter Creek quadrangle show mineral resource zones surrounding the City, but no significant designations within the City. The land use diagram (LU 4-1) shows one area designated for mining outside the City limit. There are no lands designated as Mining within the City limit.

General Plan policies related to mining, as well as he City's Mineral Resource Management Program, are retained and remain in effect. The Zoning Amendments and General Plan Circulation Element update does not significantly impact mineral resources. Future development in Sutter Creek would occur on land designated for residential, commercial, industrial, or public service use and would not be located on land designated as Mining. Lands within the planning area outside the City that have been identified as mineral lands are zoned accordingly; however, these areas are outside of the City limits.

Environmental Analysis: *Less than Significant.*

Required Mitigation: **None.**

XIII. Noise

XIII. NOISE: Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?			**X**	
b) Generation of excessive groundborne vibration or groundborne noise levels?			**X**	
c) For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the project area to excessive noise levels?			**X**	

Discussion:

Potential noise impacts were thoroughly analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan and 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and no additional impacts are identified for the proposed Zoning amendments and Circulation element update. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that build-out of the General Plan would result in a significant and unavoidable impact due to increased noise levels because of increased population, but did not specifically discuss groundborne vibration or noise levels. Significant and unavoidable cumulative traffic noise impacts were identified in the 2010 Gold Rush Ranch EIR and mitigation measures were adopted to address other significant noise impacts and reduce them to a less than significant level. No additional noise impacts are identified as a result of the propose zoning amendments and Circulation Element update.

General Plan Volume III Setting provides a noise setting for the City and illustrates noise exposure in Figures 6-1 and 6-2. Primary noise sources in Sutter Creek include Highway 49 and Ridge Road. Westover Field is also a source of noise of levels equal to or greater than the roadways, but is not used at the same frequency or consistency as Highway 49 and Ridge Road.

General Plan policies to reduce potential groundborne vibration and noise require the prevention and mitigation of unacceptable noise, reduction of noise from sources outside the City, enforcement of noise standards, maintaining and updating noise policies, and modification to Noise Element Contour Maps when appropriate. The Noise Element includes Implementation Measure N-1.1.12.1, which states, “The City shall revise the design standards for collector and arterial city streets to incorporate noise attenuation features.”

The General Plan Circulation Element update does not propose new development or specific projects, such as major roadway relocations or industrial operations that have the potential to increase noise levels in sensitive areas. Projected growth under the current General Plan indicates a slower rate of growth than was anticipated by the 1994 General Plan. The General Plan provides a framework for future development and

does not prevent growth, which can increase noise levels; however, future site-specific projects will be required to submit environmental documentation with a planning application. The existing noise standards and the layout of land use designations and zoning designations are designed to avoid noise conflicts, and the General Plan guides the enforcement of such standards.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

XIV. Population and Housing

XIV. POPULATION AND HOUSING: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			**X**	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			**X**	

Discussion:

Potential impacts to population and housing were thoroughly analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, the 2014-2019 Joint Housing Element IS/MND, and the 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that build-out of the General Plan would result in an unavoidable and significant impact since General Plan policies would alter the present location, distribution, and growth rate of the human population of the planning area. No additional impacts are identified for the proposed Zoning Amendments and Circulation Element update. Most of the changes in the Zoning amendments are required to conform with approved General Plan land uses and densities, and new California state laws related to disability access, fair housing and by right housing (e.g., accessory dwelling units and emergency shelters).

The General Plan Land Use Element and Zoning ordinance provide the framework within which development may take place. The City of Sutter Creek has incorporated growth projections and growth management policies into the General Plan in order to ensure the preservation of the community's rural character. However, the City does not have any growth management programs that limit the number of residential units that can be built beyond the zoning and density limits for each parcel. The City has one policy in the General Plan that references growth management. Policy LU-1.1.1, states: "Growth management is necessary in order to preserve Sutter Creek's existing quality of life. When project applications are being considered for acceptance under the provisions of Government Code Section 65943 and the City's permit procedures, General Plan consistency should be evaluated. If the project proposal is not consistent, the applicant should be advised that the project may be denied if a General Plan amendment is not processed and approved first or concurrently. Included in this evaluation should be a comparison of the project's proposed population density and building intensity with the growth assumptions and policies of this plan." The Land Use Element also addresses growth projections in Policy LU-2.1.6: "The City shall review the General Plan growth projection and build-out projection for the City on an annual basis."

General Plan Update Volume I, Chapter 2 Setting, provides a population and housing unit update along with growth and buildout projections. The California Department of Finance estimates 1,374 housing units in the City in 2016 and a 2016 population of 2,588 persons (California Department of Finance, May 2016) with an annual population growth rate of 0.6% and housing growth rate of 0.09%. Based on this rate, there

would be 33 additional housing units and 378 additional people in the City or a year 2040 total of 1,407 units and 2,966 persons. By comparison, the 1994 General Plan EA projected a population of 5,224 persons by 2030, which is significantly higher than current projections. Projections for full buildout of the General Plan indicate approximately 10,000 dwelling units and 20,000 people in the City. It should be noted, the California Department of Finance estimates indicate a population of 2,505 in 2017 and 2,479 in 2018, resulting in 1% decrease in population between 2017 and 2018. Additionally, they estimate 1,395 housing units in the City in 2018 and 1,384 units in 2017. Compared with the estimates for 2016, this indicates roughly 10 units are constructed per year (January 2018). Although they estimate population decreases, the housing unit estimate is forecasted to continue increasing. Full buildout would not occur within the planning period of this General Plan Update based on current growth rates and trends. Sutter Creek has a total inventoried capacity of 1,839 unbuilt lots/units (See General Plan Update Volume III, Table 1-1). Therefore, there is adequate development capacity to serve the projected growth needs of the planning period. The Zoning Amendments and General Plan Circulation Element Update will not result in displacement of existing residents, but will further facilitate adequate housing for the City residents.

The Project does not propose a specific development project. Any future site-specific project or proposed development will be required to submit environmental documentation with a planning application, identifying impacts to housing and population. The Project does not propose specific updates to the circulation system, services, or utilities that would encourage an influx of development into the area. The improvements to the circulation system, services, and utilities address existing deficiencies in the City or are planned to occur as needed when capacity or other thresholds are reached. The General Plan guides future growth in the City and provides for adequate housing area and associated population growth.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XV. Public Services

XV. PUBLIC SERVICES Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?			**X**	
Police protection?			**X**	
Schools?			**X**	
Parks?			**X**	
Other public facilities?			**X**	

Discussion:

Potential impacts to public services, including fire protection, medical aid, police protection, schools, parks and maintenance of public facilities, were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan and 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, which determined that potentially significant impacts on public services were mitigated to a less than significant level by General Plan policies and actions by other agencies. The 2010 Gold Rush Ranch EIR also addresses impacts from that development on public facilities and services. General Plan Volume III Setting provides information on the City's public services. Significant and unavoidable impacts to fire protection, police protection, schools, parks and other public facilities were identified in the 2010 Gold Rush Ranch EIR and mitigation measures were adopted to address other significant public services impacts and reduce them to a less than significant level. No additional impacts to public services are identified for the proposed Zoning amendments and Circulation Element Update.

Public Services and Facilities are addressed in the Public Services and Facilities Element, Safety Element, and Parks and Recreation Element. The goals, objectives, policies, and implementation measures that ensure the provision of adequate services and funding for those services include the following:

> **Goal PS-2:** Maintain funding for services through the formation and management of a City Community Services District (CSD).
>
> **Objective PS-1.1:** The adequate provision of City services and funding to maintain adequate service levels.

Policy PS-1.1.1: The City shall form and manage a City of Sutter Creek Community Services District to address funding for ongoing services, road development and maintenance, street lighting, recreation, City landscaping, and other City-wide services.

Policy PS-1.1.2: All development shall be annexed into the City Community Services District.

Implementation Measure PS-1.1.2.1: Development shall pay its fair share for services through Community Service District fees applied to property taxes following annexation into the City Community Services District. Target date:

Objective PS-1.2: The adequate provision of water that keeps pace with demand and fire protection needs.

Objective PS-1.6: The provision of adequate public facilities, including schools, and public recreation facilities.

Implementation Measure PS-1.6.1.1: The City shall cooperate with the Amador County Unified School District in the development of a new elementary school site with public recreation facilities.

Policy PS-1.7.1: The City shall assess alternative sites for a City civic center.

Policy PS-1.7.2: The City shall provide funding strategies for upgrading existing City offices and/or relocating offices to a new larger facility.

Policy PS-1.9.1: New development projects shall be annexed into the County's Community Facilities District No. 2006-1 (Fire Protection Services) and the Sutter Creek Fire Protection District, as may be required.

Implementation Measure PS-1.9.1.1: New subdivisions of five or more lots shall prepare and maintain a Fire Safe Plan.

Policy PS-1.10.1: The City shall cooperate with the Sutter Creek Fire Protection District and American Legion Ambulance Service in the provision of prompt and adequate emergency medical service.

Policy PR-1.1.2: New residential developments shall provide land and/or funding for parks and recreational facilities.

Implementation Measure PR-1.1.2.1: New residential development will either dedicate land or pay an in-lieu fee for parkland (or a combination, at the option of the City) based upon a ratio of 5 acres per 1,000 residents anticipated in the development.

Implementation Measure PR-1.1.2.2: The City shall prepare and adopt a parks master plan and funding mechanism for construction and maintenance.

Implementation Measure PR-1.1.4.1: The City shall consult with the Amador County Unified School District about school recreational facilities remaining available for public use when not being occupied by school functions.

Implementation Measure PR-1.1.7.2: Develop, and update as appropriate, City-wide standards for neighborhood parks to be adopted within the City's Development Standards, and establish a funding mechanism for ongoing maintenance of the parks.

These policies that require new development to pay their fair-share or build new parks within their development relieve the potential increase in demand associated with new development to avoid impact. The General Plan is self-mitigating to ensure that future growth does not impact public services without mitigation. In addition to the policies and implementation measures listed above, the General Plan maintains the following to ensure adequate service is provided in the City:

Objective PS-1.8: New development projects shall be required to provide for their incremental impacts upon police protection facilities.

Policy PS-1.8.1: The City should obtain a new police department facility that is adequately designed and equipped to meet projected demands. The City should establish a revenue plan and adopt mitigation fees as may be necessary to pay for the costs of the new facility.

Implementation Measure PS-1.8.1.1: The Police Chief and/or an outside consultant on a regular basis should calculate the cost of facilities that would be needed to adequately serve projected demand and a timetable for which the facilities must be brought into use. The costs and time frame should be compared with projected revenues and, if necessary, policies or plans for obtaining additional revenues should be adopted by the City Council

Policy PS-1.8.2: The City should investigate whether or not existing and known projected revenue sources will be adequate to maintain adequate police protection services as the City grows. If it is determined that lack of revenues could jeopardize service, a plan and/or policies should be put in effect to modify services or generate needed revenues.

Objective PS-1.9: The City should maintain a good working relationship with the Sutter Creek Fire Protection District and Amador Fire Protection District in the interest of public safety and the provision of adequate fire protection services.

Policy PS-1.9.2: The Sutter Creek Fire Protection District is encouraged to develop a 10-year fire protection service plan based upon growth assumptions specified in the General Plan as well as projections for the surrounding area.

Implementation Measure PS-1.9.2.1: The 10-year plan should be drafted by the Sutter Creek Fire Protection District and portions that are relative to Sutter Creek should be adopted by the City Council.

Objective PS-1.10: Continue cooperation with the Sutter Creek Fire Protection District and American Legion Ambulance Service for the provision of prompt and adequate emergency medical service.

Objective PS-1.12: New development shall pay for its fair share of new, improved, or expanded public services and facilities and not bring an undue burden upon the City, its existing residents, or rate payers.

Policy PS-1.12.1: The City shall update its comprehensive public service and facilities needs and revenue study and long range capital improvement program and funding strategy to ensure that an adequate level of public services and facilities remain available to the citizens of Sutter Creek. The study and resultant plan shall include consideration of the effects of increased costs upon the supply of affordable housing and remain consistent with the Housing Element.

Implementation Measure PS-1.12.1.1: The citywide capital improvement program and funding strategy shall include a provision for the maintenance of open space areas that may be acquired through implementation of the open space objectives, policies, and implementation measures contained within the General Plan.

The zoning amendments and Circulation Element goals and policies do not result in new development potential that has not already been addressed by the existing General Plan environmental documentation or the 2010 Gold Rush Ranch EIR; therefore, no new impacts are anticipated as a result of these changes.

Although buildout of the General Plan has the potential to impact demand on public services and facilities, new projects must pay fees to support their fair share of continued operation or expansion of these services. Any future site-specific project will be required to submit environmental documentation with a planning application and pay the appropriate fees prior to development approval.

> **Policy COS-1.1.1:** Development projects shall be reviewed in accordance with the California Environmental Quality Act (CEQA) and this Element to ensure that such developments mitigate to the point of less than significant impacts upon each of the listed resources except where Statements of Overriding Considerations have been adopted.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None**

XVI. Recreation

XVI. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			**X**	
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?			**X**	

Discussion:

Impacts to recreation were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and 2010 Gold Rush Ranch EIR, and no additional impacts are identified. The Parks and Recreation Element lists the existing park and recreation facilities in and near the City. The City of Sutter Creek operates approximately 196 acres of parklands including several playgrounds, a ball field, picnic facility, community meeting areas, educational/historic parks, and natural area parks, some of which is planned and not yet fully implemented, and some of which is open space serving passive recreation. There are approximately 17 acres of developed parks or recreation use facilities, 179 acres of open space or natural area park, and 1 acre of planned parks. There are also additional recreation facilities operated by the Amador County Unified School District and the Italian Benevolent Society, as well as two future neighborhood parks to be developed for the Crestview II and Golden Hills subdivisions.

Although the zoning amendments and General Plan Circulation Plan Update plans for future growth, the policies and implementation measures in the General Plan ensure that new developments provide their fair share contribution to increasing recreational opportunities to offset potential increases in recreation demand.

Objective PR-1.1: The provision of a full range of parks, recreational facilities, and walking paths.

Policy PR-1.1.2: New residential developments shall provide land and/or funding for parks and recreational facilities.

Implementation Measure PR-1.1.2.1: New residential development will either dedicate land or pay an in-lieu fee for parkland (or a combination, at the option of the City) based upon a ratio of 5 acres per 1,000 residents anticipated in the development.

Implementation Measure PR-1.1.2.2: The City shall prepare and adopt a parks master plan and funding mechanism for construction and maintenance.

Implementation Measure PR-1.1.4.1: The City shall consult with the Amador County Unified School District about school recreational facilities remaining available for public use when not being occupied by school functions.

Implementation Measure PR-1.1.7.2: Develop, and update as appropriate, City-wide standards for neighborhood parks to be adopted within the City's Development Standards, and establish a funding mechanism for ongoing maintenance of the parks.

Policy PR-1.1.1: Parklands and recreational facilities may be considered open space land uses for purposes of the General Plan provided they meet the criteria set forth for open space specified in the Land Use Element and Conservation and Open Space Element.

Policy PR-1.1.3: Public open space, trails, park maintenance, overhead, and liability insurance should be funded through a special district or other mechanism formed to maintain parks and landscaping as well as lighting or other facilities as deemed appropriate and consistent with the capital improvement program (CIP) to be developed under Policy PS-1.12.1 of the Public Services and Facilities Element.

Policy PR-1.1.4: School recreational facilities should remain available for public use when not being occupied by school functions.

Policy PR-1.1.5: A regional park/sports complex should be established in the Sutter Hill/Martell area that will serve the expanding needs of western Amador County.

Implementation Measure PR-1.1.5.1: The general purposes and features of a regional park/sports complex are described in the previous text, as are some general considerations for obtaining such a facility.

Policy PR-1.1.6: One or more additional community parks should be established in the City.

Implementation Measure PR-1.1.6.1: The general purposes and definitions of community parks are described in the previous text. New community parks shall be acquired and constructed by dedications and Quimby ordinance in-lieu fees.

Policy PR-1.1.7: Neighborhood parks should be located within walking distance of the residences they are intended to serve.

Implementation Measure PR-1.1.7.1: The general definition of neighborhood parks is contained in the previous text. New large residential development projects, containing at least 50 to 100 residential units,-shall include neighborhood parks. Neighborhood parks may include private parks provided they are maintained and accessible to residents of the neighborhood being served for little or no gate fee.

Policy PR-1.1.8: The Sutter Creek corridor or 100 year flood plain should be made into an attractive, yet safe, linear parkway.

Implementation Measure PR-1.1.8.1: The general purposes and parameters for the Sutter Creek linear parkway are addressed in the previous text. The City could "seed" establishment of the parkway by using local volunteers to design and construct a part of the parkway on City-owned property near City Hall. The City could also sponsor a workshop of local business leaders and draw upon the direct experience of other communities whose commerce and tourism have improved due to similar park facilities.

Implementation Measure PR-1.1.8.2: Dedication of creekside greenways is a requirement contained in the Land Use Element that applies to new development projects along Sutter Creek and Gopher Gulch. As future development occurs, improvements in the creekside greenway zones should consist only of passive recreation facilities including bicycle paths, pedestrian trails, picnic areas, open space, and similar uses. Riparian habitat should be maintained as much as possible. New plantings should consist of native plants to the greatest extent possible. The following controls should also apply:

1. Urban structures and facilities such as houses, commercial and industrial buildings, and parking lots shall be prohibited;
2. Filling shall be prohibited wherever feasible;
3. The obstruction of stream flow by manmade facilities shall be prohibited;
4. The destruction of riparian vegetation should be prohibited except for flood control and public health and safety reasons.

Policy PR-1.1.9: The City shall adopt a bicycle and pedestrian transportation plan and funding mechanism that includes an interlinking citywide network of pedestrian walking paths and bicycle trails should be established to provide connectivity between residential communities and the downtown area and to supplement the circulation system, especially in areas where sidewalks, paths, and bicycle shoulders are inadequate or unsafe.

Implementation Measure PR-1.1.9.1: A general explanation of the interlinking pedestrian and bicycle trail network is provided in the previous text of this Element. The network is also addressed by objectives, policies, and implementation measures found within the Circulation Element, and depicted on the Circulation Diagram, Figure 6-1 (Appendix B). The bicycle and pedestrian transportation plan shall study alternative designs and locations, and develop maps and diagrams for essential components of the network. The bicycle and pedestrian transportation plan should also address means to obtain needed trails in developed parts of the City. New developments should be required to provide for links to the system where necessary. Such links should not generally be considered a contribution to parklands dedication if it serves in-lieu of other pedestrian and bicycle facilities.

The General Plan does not propose to construct specific park or recreation facilities. Any future site-specific park or recreation project or park associated with a proposed development will be required to submit environmental documentation with a planning application. Implementation Measure PR-1.1.2.1 is self-mitigating in that it requires new development to provide or fund a fair share of parkland in proportion to the anticipated population of the development, thereby ensuring adequate park space and avoiding over-demand. Implementation Measure PR-1.1.2.2 establishes a funding mechanism for park construction and maintenance. Furthermore, Implementation Measure PR-1.1.7.2 includes the establishment of a funding mechanism for ongoing park maintenance. The existing Parks and Recreation Element of the General Plan sets forth policies and programs to improve and maintain a full range of parks and recreational facilities, resulting in a beneficial recreational impact.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XVII. Transportation

XVII. TRANSPORTATION: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			**X**	
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			**X**	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			**X**	
d) Result in inadequate emergency access?			**X**	

Discussion:

Potential impacts to transportation were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and 2010 Gold Rush Ranch EIR and no additional impacts are identified for the proposed Zoning Amendments and Circulation Element Update. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that build-out of the General Plan would result in a significant and unavoidable impact to existing transportation systems, no impact to air traffic, and did not address emergency access, although emergency access impacts were found to be less than significant in the 2012 IS/MND. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that other potentially significant impacts on traffic hazards, applicable plans, ordinances, policies, or congestion management plan were mitigated to a less than significant level by General Plan policies. Significant and unavoidable impacts in regard to increased motor vehicle trips on area roadways, contributing to an unacceptable traffic operations on some roadway segments and intersections were also identified in the 2010 Gold Rush Ranch EIR. The Gold Rush Ranch EIR also identified transportation impacts specific to development design such as parking, internal circulation traffic, and roadway and pedestrian/bicycle facility design; however, mitigation measures were adopted that will mitigate these impacts to a less than significant level.

The Circulation Element of the General Plan contains goals, objectives, policies and implementation measures that are designed to provide a balanced circulation system for the City of Sutter Creek. The updated Circulation Element will not create new impacts to circulation, traffic, emergency access, air traffic patterns, parking or alternative transportation, but will serve to address the City's needs in these areas to maintain acceptable service, circulation, and better access for both auto and non-auto transportation modes through the "Complete Streets" design policies.

The majority of changes to the Circulation Element involve compliance with new state laws including SB 743 (Vehicle Miles Traveled Metric) and AB 1358 (The Complete Streets Act). Appendix B documents the proposed changes and additions to objectives, policies, and implementation measures in "track changes mode" to quickly see the proposed updates. The Circulation Element also updates the environmental setting for traffic and circulation and includes a new Circulation Map for inclusion in the General Plan.

Buildout of the General Plan has the potential to increase vehicle activity on area roadways over current conditions, resulting in increased traffic activity. The General Plan Circulation Element Update includes self-mitigating Implementation Measures to monitor and respond to new development and increases in traffic. Implementation Measure C-1.1.1.1 requires new development between Ridge Road and Shake Ridge Road to dedicate and construct a minor collector road. Implementation Measure C-1.2.1.1 requires the City to review intersections that have met the standard warrants for signals, with signalization to be installed when justified. Other implementation measures require improvements on specific streets, such as sidewalks, widening, realignment, turn lanes, and other improvements. General Plan policies also require new development to construct arterials, and major and minor collectors to serve the area (Policy C-1.5.2). Policy C-1.3.1 requires new development to conduct independent traffic analysis and pay for improvements to the circulation system as needed, including updating the citywide traffic model and Circulation Element if warranted. Future development projects will be subject to the following policies and implementation measures to achieve or maintain reduced dependence on vehicles and improve the transportation system.

Any future site-specific project will be required to submit environmental documentation with a planning application and address impacts to traffic based on the proposed development design and features (Policy COS-1.1.1). Projects are required to mitigate based on their impact, implement improvements, and pay proportional fees for roadway maintenance. The General Plan Circulation Element Update is self-mitigating in that it identifies areas in need of improvement or funding, requires plans for the improvements and maintenance of the transportation system, and requires future projects to address and mitigate transportation impacts as discussed above.

Implementation of these measures and compliance with the listed policies ensures that future growth in the City does not result in circulation demands that exceed the system capacity without appropriate mitigation. In addition, the changes in the Zoning Ordinance do not result in additional new development potential that has not already been addressed by the existing General Plan environmental documentation or the 2010 Gold Rush Ranch EIR; therefore, no new impacts are anticipated.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XVIII. Tribal Cultural Resources

XVII. TRIBAL CULTURAL RESOURCES:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Has a California Native American Tribe requested consultation in accordance with Public Resources Code Section 21080.3.1(b)?	Yes: **X**		No:	
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?			**X**	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?			**X**	

Discussion:

Potential impacts to cultural resources were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, and 2010 GRR EIR and no additional impacts are identified. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that impacts on cultural resources were mitigated to a less than significant level by existing General Plan policies.

The Tribal Cultural Setting of the area can be found in General Plan Update Volume III Setting. The General Plan sets forth various policies and implementation measures to maintain the cultural resources in Sutter Creek and ensure that the appropriate information regarding such resources is provided to local tribes with oversight on such resources. The goals objectives, policies, and implementation measures in the Historic Element promote the protection and preservation of cultural resources and do no adversely impact these resources. Any future site-specific project will be required to submit environmental documentation and mitigation if needed with a planning application per Policy COS-1.1.1.

The City includes the Ione Band of Miwok Indians and Shingle Springs Band of Miwok Indians for review of City projects through the project application referral package review process prior to Planning Commission hearings. This allows for early review by the tribes to identify potential project conflicts with tribal cultural resources and to require avoidance, conditions, or other mitigating actions to avoid impacts.

For this project, letters were sent on August 1, 2023 to Sara Setshwaelo, Chairperson of the Ione Band of Miwok Indians and Regina Cuellar, Chairperson of the Shingle Springs Band of Miwok Indians in accordance with AB 52 (PRC Section 21080.31) and SB 18 (Government Code Section 65652.3).

The Zoning Amendments and Circulation Element Updates do not increase potential impact on these resources, as the majority of amendments satisfy changes required by state law, or provide for greater support for housing and non-auto transportation systems.

The Historic Element contains the following objectives, policies, and implementation measures to protect tribal cultural resources and avoid resource impacts:

Policy H-1.1.2: Stone walls and other structures or sites related to Sutter Creek's history, including rock walls, shall be preserved in place wherever possible. Where not possible, said structures may, in certain circumstances, be relocated and may be incorporated into new buildings if said design maintains the historic value of the structure.

Policy H-1.1.3: The North Central Information Center at Sacramento State University and qualified historians or individuals knowledgeable about the City's history shall be offered adequate information and time to review and comment upon major development proposal that has a potential to affect known or unknown cultural or historical resources. (The North Central Information Center is a regional clearinghouse regarding archaeological information and requirements.)

Implementation Measure H-1.1.4.1: Discretionary development project approvals shall contain the condition that sign of historic or prehistoric occupancy or use of the site that is discovered during grading or building activities will cause an immediate halt to such activities and the prompt notification of the City, the Chairperson, Jackson Rancheria and the North Central Information Center or the State Office of Historic Preservation.

Objective H-1.1: The preservation of the historic character of the city through preservation and enhancement of historic structures, sites and districts, and archeological resources.

Implementation Measure H-1.1.3.1: The City shall provide the North Central Information Center and historians or individuals knowledgeable about the City's history qualified to review development proposals in the City of Sutter Creek adequate information and time to review and comment upon major development proposals that have a potential to affect known or unknown cultural or historical resources.

Policy H-1.1.4: Development projects shall notify the City and relevant parties if historic or prehistoric occupancy or use of the site is discovered during grading or building activities.

Future projects are subject to site-specific environmental review and tribal consultation and mitigation measures, if needed, will be required to be implemented to protect those site-specific resources. Changes to the zoning densities and uses to conform with General Plan land use would not affect the potential for future site development or increase the potential for impacts to cultural resources; therefore, no additional impact would occur as a result of the General Plan Update.

Environmental Analysis: *Less than Significant Impact*.

Required Mitigation: **None.**

XIX. Utilities and Service Systems

XIX. UTILITIES AND SERVICE SYSTEMS: Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new water or wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?			**X**	
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years?			**X**	
c) Result in a determination by the wastewater treatment provider that serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?			**X**	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			**X**	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			**X**	

Discussion:

Potential impacts to utilities and service systems were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, the 2010 Gold Rush Ranch EIR and the IS/MND for the 2015 Joint Housing Element. The 1994 Environmental Assessment for the Sutter Creek General Plan determined that there was a cumulative impact for solid waste and that potentially significant impacts on utilities were mitigated to a less than significant level by General Plan policies and actions by other agencies. The General Plan Volume III Setting discusses existing service systems in the City.

The Amador Water Agency (AWA) provides water service in Sutter Creek. The AWA provides potable and raw water to the City of Sutter Creek via the Tanner water treatment plant. New development is required to construct all internal water distribution system improvements to support their projects. In November 2022 the Amador Water Agency (AWA) notified the City that they determined that currently reliable water treatment and storage capacity to serve new development and existing customers and commitments is severely limited and that the Tanner Water Treatment Plant must be expanded in order to provide service for any new development. At present, water service is therefore a limiting factor to the buildout of the Sutter Creek General Plan.

The General Plan addresses utilities within the Public Service and Facilities Element, which includes goals, objectives, policies, and implementation measures regarding water and sewer service, storm drainage, solid waste, and utility systems. New projects are required to demonstrate service connections and capacity,

provide for utility infrastructure within the development, pay their fair share of fees toward utility system capacity and other upgrades, and demonstrate that design and grading do not impact the storm drain system. The following goals, objectives, policies and implementation measures are in place for utilities and service systems. The proposed Zoning amendments and Circulation Element update do not changes these measures.

Goal PS-2: Maintain funding for services through the formation and management of a City Community Services District (CSD).

Objective PS-1.1: The adequate provision of City services and funding to maintain adequate service levels.

Policy PS-1.1.1: The City shall form and manage a City of Sutter Creek Community Services District to address funding for ongoing services, road development and maintenance, street lighting, recreation, City landscaping, and other City-wide services.

Policy PS-1.1.2: All development shall be annexed into the City Community Services District.

Implementation Measure PS-1.1.2.1: Development shall pay its fair share for services through Community Service District fees applied to property taxes following annexation into the City Community Services District.

Implementation Measure PS-1.3.56.1: The City shall implement Implementation Measure C-1.3.3.1 ensuring the City of Sutter Creek Capital Improvement Program and Funding Strategy addresses sewage collection and treatment as necessary.

Objective PS-1.4: New development that provides adequate drainage and does not exceed the capacity of the citywide drainage system.

Implementation Measure PS-1.4.5.1: Storm water mitigation for streets and parking areas shall focus on four areas: 1) ensuring stormwater discharge rates do not exceed pre-construction stormwater discharge rates; 2) promoting permeable landscapes to reduce stormwater surface flows; 3) preventing runoff contamination; and 4) allowing natural treatment of runoff in detention ponds or grass swales.

Policy PS-1.5.1: The City shall adopt policies for diversion of total solid waste generated by the city.

Implementation Measure PS-1.5.1.1: The City shall develop and adopt policies for diversion of total solid waste generated by the city.

Implementation Measure PS-1.11.2.1: Utilities and telecommunications infrastructure shall be placed underground in rights-of-way that have been designated to accommodate utility and telecommunications networks.

The General Plan Update does not propose a specific development project or planned development. It is unknown when, where, or to what extent new development may occur in the City; however, it can be anticipated that buildout will require additional water, wastewater, solid waste, energy and telecommunications utilities. Changes to the zoning map would not result in an adverse impact as these changes are proposed to refine the designations per parcel-based mapping data, and correct inconsistencies between the land use designation and zoning on the selected parcels or inconsistencies between the exiting use and land use designation. Any future site-specific project will be required to submit environmental documentation with a planning application, and must demonstrate that adequate utility service, based on the size and demands of the project, is secured.

The General Plan is self-mitigating through implementation of comprehensive planning and the following objectives, policies and implementation measures for new projects:

Policy PS-1.2. 1: The City supports the establishment of an additional water storage facility in the northern area of the City provided it improves fire flows citywide and does not conflict with other General Plan policies and standards.

Policy PS-1.2.2: The Amador Water Agency (AWA) should adjust its "first come, first served" policy of reserving water supplies based upon development projects to include a provision whereby water supplies will be reserved for jurisdictions who adopt reasonable and adequate general plans. The water reserved for such jurisdictions will be based upon the water supply needs identified in said plans. The City and AWA should work together to establish a rate for projecting water demands for commercial, industrial, and institutional uses in the planning area and add that to expected residential demands. These projections should then be reserved for the City.

Policy PS-1.2.3: AWA should upgrade its revenue system to ensure the long term needs of the City can be met in a timely fashion. Revenue increases should be connected to a long-term plan that meets the nexus rationale required by law.

Policy PS-1.3.1: New development projects shall upgrade, expand, and/or provide new sewage infrastructure that is sized adequately to meet expected peak flow demands from the development. The sizing of new infrastructure shall be based upon cumulative growth of the region. Reimbursement agreements may be arranged to pay back developers the cost of oversizing to accommodate cumulative growth.

Policy PS-1.3.2: New development projects shall be required to pay for or provide for expansion of the City's sewage treatment facility based upon the expected peak flow demands of said development.

Policy PS-1.3.3: New development projects may buy excess capacity in the sewage treatment facility that is equivalent to the amount of inflow and infiltration they can reduce within the City's existing sewage collection system, if this amount can be determined to the satisfaction of the City.

Policy PS-1.3.4: New development projects in the Sutter Hill/Martell area that did not pay a local match to contribute to the Economic Development Association-funded sewage system and storm drainage improvements in that area shall be assessed an equivalent local match to the extent that they benefit from said improvements.

Policy PS-1.3.5: The City shall develop and maintain a long-range capital improvement program that addresses both the maintenance and improvement of existing sewage collection and treatment facilities as well as expansion and construction of new facilities to accommodate projected growth. Existing users should not be required to pay for new or expanded facilities to serve new development; conversely, new development cannot be required to pay for existing problems. The revenue program and supporting plan should therefore include two components, one addressing existing problems and another addressing new developments. It will likely result in the need to raise rates charged to existing users and it will likely establish a clear rationale for charging new developments mitigation fees based on the new facilities and expansions they will require.

Policy PS-1.4.1: Drainage from new construction should be planned carefully to guide water into the citywide drainage system. New developments shall analyze and improve off-site drainage systems to ensure their capabilities to handle increased flows.

Policy PS-1.4.2: New development projects will provide for their incremental effect on existing storm drainage facilities as well as provide new facilities needed to adequately service the increased runoff they may generate.

Policy PS-1.4.3: New development applications will be denied unless it is demonstrated they will not overload existing drainage facilities or add to flood hazards in Sutter Creek.

Policy PS-1.4.4: Grading plans shall be designed not to create areas of standing water, except for ponds, lakes, or other areas designed or intended to provide detention, wetlands, serve recreational or aesthetic purposes, etc.

Implementation Measure PS-1.4.6.1: The next large development to be considered after adoption of the General Plan Update that has the potential to add substantial storm runoff to Sutter Creek shall be required to provide for the master drainage plan (utilize CEQA mandatory findings of cumulative effect) and be partially reimbursed by subsequent developments.

Objective PS-1.5: In accordance with the County AB 939 Task Force *Source Reduction and Recycling Element* and State Assembly Bill 341, increase diversion of total solid waste generated by the City through source reduction, recycling, composting, and special waste management.

Policy PS-1.11.1: New development shall be served by electric power and natural gas, telephone, and high speed communications.

Policy PS-1.11.2: Utilities in new neighborhoods shall be located underground; above-ground utilities in existing neighborhoods should shall be located underground where feasible.

Policy PS-1.11.3: Facilities should be located and designed to conform to the Objectives, Policies, and Implementation Measures of this General Plan.

Policy PS-1.11.4: New development projects shall be required to dedicate or set aside adequate right-of-way to accommodate cable routes and equipment housings for present and future public utility networks.

Objective PS-1.12: New development shall pay for its fair share of new, improved, or expanded public services and facilities and not bring an undue burden upon the City, its existing residents, or rate payers.

Policy PS-1.12.1: The City shall update its comprehensive public service and facilities needs and revenue study and long range capital improvement program and funding strategy to ensure that an adequate level of public services and facilities remain available to the citizens of Sutter Creek. The study and resultant plan shall include consideration of the effects of increased costs upon the supply of affordable housing and remain consistent with the Housing Element.

Objective PS-1.2: The adequate provision of water that keeps pace with demand and fire protection needs.

Implementation Measure PS-1.3.5.1: The City shall implement Implementation Measure C-1.3.3.1 ensuring the City of Sutter Creek Capital Improvement Program and Funding Strategy addresses sewage collection and treatment as necessary.

Implementation Measure PS-1.4.5.1: Storm water mitigation for streets and parking areas shall focus on four areas: 1) ensuring stormwater discharge rates do not exceed pre-construction stormwater discharge rates; 2) promoting permeable landscapes to reduce stormwater surface flows; 3) preventing runoff contamination; and 4) allowing natural treatment of runoff in detention ponds or grass swales.

Implementation Measure PS-1.11.2.1: Utilities and telecommunications infrastructure shall be placed underground in rights-of-way that have been designated to accommodate utility and telecommunications networks.

Policy PS-1.5.1: The City shall adopt policies for diversion of total solid waste generated by the city.

Implementation Measure PS-1.5.1.1: The City shall develop and adopt policies for diversion of total solid waste generated by the city.

Implementation of these measures and compliance with the listed policies ensures that future growth in the City does not result in utility demands that exceed the service system capacity without appropriate mitigation. Specifically, buildout of the General Plan will be dependent on plans from the AWA to construct greater water treatment and storage capacity at their plant. The General Plan Circulation Element update and zoning amendments do not result in additional new development potential that has not already been addressed by the existing General Plan environmental documentation or the 2010 Gold Rush Ranch EIR; therefore, no new impacts are anticipated.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XX. Wildfire

XX. WILDFIRE:	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
Is the Project located in or near state responsibility areas or lands classified as high fire hazard severity zones?	Yes: **X**		No:	
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			**X**	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			**X**	
c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			**X**	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			**X**	

Discussion:

Sutter Creek is located in a moderate fire hazard severity zone, with small pockets of high fire hazard severity zones. Potential impacts to wildfires were analyzed in the safety and hazards sections of the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 Initial Study/Negative Declaration for the General Plan Update and Zoning Map Amendment, the 2010 Gold Rush Ranch EIR and the IS/MND for the 2015 Joint Housing Element. The 1994 Environmental Assessment for the Sutter Creek General Plan and the 2015 Joint Housing Element IS/MND did not identify a significant impact specific to wildfire as a result of General Plan implementation. The 2010 Gold Rush Ranch EIR identified significant impacts related to wildfire hazard, specifically in terms of evacuation and emergency response. Mitigation for this area included development of emergency vehicle access routes, emergency service provider override on gates, and preparation of a fuels management program and coordinated wildland fire emergency response plan, which reduced wildfire impacts to a less than significant level. No additional impacts related to wildfire are identified as a result of the proposed Zoning amendments and General Plan Circulation Element update. The General Plan Volume III Setting discusses Wildfire in Section 5.5 and recognizes potential wildfire risk in the City and mentions the need for looped water systems, which are included in Safety Element Policy S-1.4.3.

The General Plan Safety Element addresses wildfire and emergency evacuation with the following objectives, policies, and implementation measures:

Objective S-1.4: To minimize possible threat to life or property due to wildland and urban fires.

Policy S-1.4.1: The Sutter Creek Fire District shall be asked by the City to review development plans, land division projects, and planned developments to ensure compliance with fire suppression and prevention requirements.

Policy S-1.4.2: New development shall ensure there is sufficient water supply and facilities for fire suppression units in the event of a wildland fire.

Policy S-1.4.3: Looped water systems shall be installed within new developments, where feasible, and new water systems shall provide for adequate pressure and volumes at each hydrant installed.

Policy S-1.4.4: In new developments there shall be sufficient access for emergency vehicles and evacuation of residents. Two or more routes of access should be provided, preferably on different sides of the development.

Policy S-1.4.5: Roads in wildland fire areas shall be well marked and homes shall have addresses in plain view.

Policy S-1.4.7: Vehicular access shall be provided to within 150 feet of a structure.

Policy S-1.4.9: Property owners in the Main Street Historic District should become organized to plan for and fund a program to reduce or eliminate the threat of urban fire.

Implementation Measure S-1.4.9.1: The City and/or Fire District shall facilitate property owners in fulfillment of this objective by sponsoring educational programs as well as efforts to obtain grants, special districts formation, or other funding mechanisms.

Objective S-1.5: To minimize possible threat to life or property through evacuation and emergency preparedness.

Policy S-1.5.1: The County Office of Emergency Services should complete an upgrade of the County's Emergency Management Plan making the document more usable by jurisdictions involved.

Implementation Measure S-1.5.1.1: The City should urge the County to accomplish this objective. The document should address the recommendations of General Plan Task Force #3 as listed within the previous text. City departments and other public service agencies should be directed to actively cooperate and provide their own emergency plans in the effort.

Policy S-1.5.2: Coordinated interagency emergency drills should be conducted on a regular basis, especially in hazard areas identified in this plan.

Implementation Measure S-1.5.2.1: Drills should be coordinated with the County Office of Emergency Services.

Policy S-1.5.3: Major developments and large commercial or industrial activities should have their own emergency plans and periodic drills.

Policy S-1.4.6: New roadways shall comply with City standards.

Policy S-1.4.8: Buildings in urban-wildland interface areas shall comply with California Department of Forestry and Fire Protection recommendations on defensible space.

Implementation Measure S-1.4.8.1: The City, in cooperation with the Fire Protection District shall prepare a Fire Safe Plan for the City's consideration and adoption.

The Public Services and Facilities Element also addresses fire protection through the following to ensure adequate service is available:

Objective PS-1.9: The City should maintain a good working relationship with the Sutter Creek Fire Protection District and Amador Fire Protection District in the interest of public safety and the provision of adequate fire protection services.

Policy PS-1.9.2: The Sutter Creek Fire Protection District is encouraged to develop a 10-year fire protection service plan based upon growth assumptions specified in the General Plan as well as projections for the surrounding area.

Implementation Measure PS-1.9.2.1: The 10-year plan should be drafted by the Sutter Creek Fire Protection District and portions that are relative to Sutter Creek should be adopted by the City Council.

Policy PS-1.9.1: New development projects shall be annexed into the County's Community Facilities District No. 2006-1 (Fire Protection Services) and the Sutter Creek Fire Protection District, as may be required.

Implementation Measure PS-1.9.1.1: New Subdivisions of five or more lots shall prepare and maintain a Fire Safe Plan.

In relation to the land use and growth within a moderate wildfire risk area, the Land Use Element includes Implementation Measure LU-1.1.5.1, "Prior to the annexation of lands to the City, an applicant shall submit a plan demonstrating the feasibility of providing services and facilities to the area proposed for annexation, that intended development will not have a negative economic impact on the City or its citizens, that the development will not have significant environmental impacts after mitigation unless the City makes findings of overriding considerations, and that the project will conform to the goals, policies, and standards of the General Plan."

The Conservation and Open Space Element addresses development in sloped areas, slope stability, and other such hazards:

Policy COS-1.3.3: No construction should be permitted on unforested slopes in excess of 30% unless the Planning Commission or City Council can make the hardship findings required for a variance.

Policy COS-1.8.1: Maintain a grading ordinance that will minimize excessive grading and set forth specific standards and regulations beyond those contained in California Building Code (CBC).

Implementation Measure COS-1.8.1.1: Develop, update, and implement as appropriate, City-wide grading standards to be adopted within the City's Development Standards and utilizing the Gold Rush Ranch Specific Plan grading standards as a model.

Policy COS-1.8.2: The City shall include, adopt, implement, and enforce erosion control guidelines within the City of Sutter Creek Development Standards.

Implementation Measure COS-1.8.2.1: The City Engineer should develop the erosion control guidelines that will more directly control wind and water erosion and the secondary impacts upon aesthetics, water quality, etc. The controls would be more specific than those that are presently

contained in the CBC. The City of Sutter Creek Conservation Best Management Practices in Volume II contains an extensive list of detailed erosion control measures that could be used in said guidelines.

Implementation Measure COS-1.3.3.1: The City shall develop and adopt standards for construction on unforested slopes in excess of 30% that will be integrated into and enforced through the Sutter Creek Development Standards. Until such standards are adopted, conditions of approval for new construction on unforested slopes in excess of 30 percent shall include the following:

- Grading on a single lot is no more than 25 percent of the gross lot area;
- Coverage by impervious surfaces is limited to 20 percent of the gross lot area;
- Stormwater discharge rates shall not exceed pre-construction stormwater discharge rates; and
- The quality of stormwater discharges shall be the same or better than the quality of pre-construction stormwater discharges.

The Zoning amendments slightly modifies where the R-3 zone controls residential development; however, these changes do not increase the potential for wildfires. The Circulation Element update does not propose any roadway changes that would affect the existing emergency access and evacuation route system or procedures.

New development under General Plan buildout would need to be consistent with the land use designation. Any future site-specific project will be required to submit environmental documentation with a planning application to ensure consistency with the General Plan and applicable safety regulations, and to ensure persons or structures are not exposed to wildfire hazards or increase the wildfire risk in the area (Policy COS-1.1.1). Projects would also be reviewed in accordance with the City's Development Standards (Policy COS-1.2.1). The environmental review process for subsequent development will ensure new projects do not increase the risk of wildfire or wildfire threat to existing land uses.

Environmental Analysis: *Less than Significant Impact.*

Required Mitigation: **None.**

XXI. Mandatory Findings of Significance

XXI. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory?			**X**	
b) Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			**X**	
c) Does the Project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			**X**	

Discussion:

The environmental analysis for the Zoning Amendments and General Plan Circulation Element update supplements the 1994 Environmental Assessment for the Sutter Creek General Plan, which identified the following significant and unavoidable impacts:

- Reduced actual number of native plants;
- Reduce number of some native animal species and increased number of others;
- Incremental increase in noise;
- Additional light and glare;
- Development of presently vacant or natural lands;
- Alteration of the present location, distribution, and growth rate of human population in planning area;
- Reduction of available housing; and
- Unacceptable circulation levels of service until Highway 49 Bypass is completed.

The Gold Rush Ranch Specific Plan EIR found the following significant and unavoidable impacts of the Gold Rush Ranch Specific Plan Project:

- Adverse physical impacts to the environment associated with the provision of new or physically altered government facilities in to maintain acceptable service ratios, response times, or other

performance objectives for fire protection, police protection, schools, parks or other public facilities;
- Increased motor vehicle trips on area roadways that will contribute to unacceptable traffic operations on roadway segments and intersections within the Project study area;
- Increased regional ozone precursor and PM_{10} emissions;
- Permanent change to the existing visual character of the Gold Rush Ranch development area as viewed from offsite; and
- Increased night sky illumination and localized light spill and glare.

No additional significant impacts to the environment are identified from those described in the 1994 Environmental Assessment for the Sutter Creek General Plan or 2010 Gold Rush Ranch Specific Plan EIR. General Plan Implementation Measures encourage the use of native plants, protection and restoration of oak woodlands and other sensitive habitats, require compliance with the adopted Design Standards which protect the aesthetic and historic quality of the City, and compliance with other local, state, and federal requirements to protect the natural environment and public safety. The Highway 49 Bypass has been completed.

The 1994 Environmental Assessment for the Sutter Creek General Plan found that cumulative impacts of the General Plan are:

- Decreased water quality in Sutter Creek and its tributaries;
- Degraded regional air quality;
- Incremental increase in the rate of use of water supplies and energy supplies;
- Increased regional traffic;
- Increased demand for regional organized sports facilities;
- Increased solid waste disposal demands for region;
- Alteration of the present location, distribution, and growth rate of human population in the region;
- Increased storm flows and peak runoff; and
- Cost of maintaining adequate services in a number of service areas exceeds available revenues.

The Gold Rush Ranch Specific Plan EIR found that cumulative impacts of the Gold Rush Ranch Specific Plan Project are:

- Long-term increased motor vehicle trips on area roadways and intersections that will contribute to unacceptable traffic operations on roadway segments and intersections within the Project study area;
- Increased greenhouse gas emissions;
- Increased long-term regional ozone precursor emissions;
- Increased traffic noise levels potentially exceeding adopted noise standards; and
- Increased night sky lighting (light pollution).

No additional cumulative impacts to the environment are identified from those described in the 1994 Environmental Assessment for the Sutter Creek General Plan or Gold Rush Ranch EIR.

The Zoning Amendments are proposed to comply with new state laws or conform to the existing General Plan. The General Plan Circulation element update identifies new goals, objectives, policies and implementation measures to comply with two new state laws regarding the use of vehicle miles traveled as a standard and establishing “complete streets” to better serve all forms of transportation. The General Plan Circulation Element update and zoning amendments do not propose or approve any physical development, nor does it result in a substantive change to the land use designation, land use designation map, or zoning code and map that would allow a substantial increase in the overall development of the City. The zoning

map amendment does not increase density or the total number of dwelling units. In addition, the growth projections for the City do not result in a significant increase over the projections in the 1994 General Plan. Because the cumulative growth is not expected to exceed the projections of the 1994 General Plan, no new impact is anticipated.

The establishment of goals, objectives, policies and implementation measures that result in benefits to the environment through use restrictions, planned improvements, increased analysis at each project level with sufficient mitigation to address site-specific impacts would not result in significant impacts. The text of these goals, objectives, policies and implementation measures self-mitigates and protects the City from environmental degradation, service capacity impacts, and other adverse effects. This Initial Study determined that there would be no impact cumulatively considerable or associated with the potential to degrade the quality of the environment, affecting plants or animals, eliminate important examples of the major periods of California history or prehistory, or result in adverse effects on human beings either directly or indirectly.

The adoption of the General Plan Update and zoning map amendment do not invoke, to a significant level, any of the Mandatory Findings of Significance. The General Plan does not have impacts beyond those that were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2019 General Plan Update IS/MND, 2015 Joint Housing Element IS/MND or 2010 Gold Rush Ranch EIR for its planning period.

The General Plan is a collection of goals, objectives, policies, and implementation measures designed to guide development in Sutter Creek and ensure the quality of life is maintained. Because these goals, objectives, policies, and implementation measures are implemented over the long-term (i.e., 20 years) and are applicable to all programs and projects over this period, they are inherently cumulative in nature.

As described above, projects permitted through the General Plan would require project-level environmental review and would be required to comply with applicable federal, state, and city regulations, including protections for human health and safety. Therefore, implementation of the General Plan would not create a substantial direct or indirect adverse effect on human beings. The General Plan update does not have cumulative or environmentally degrading impacts beyond those that were analyzed in the 1994 Environmental Assessment for the Sutter Creek General Plan, 2012 IS/MND, 2019 IS/MND or 2010 EIR.

Environmental Analysis: *Less than Significant Impact.*

List of Mitigations: None.

3.0 LIST OF PREPARERS AND REFERENCES

3.1 Lead Agency:

City of Sutter Creek
Sandra Spelliscy, City Manager

3.2 Environmental Consultant:

Hauge Brueck Associates
Erin Ventura – Staff Contract Planner
Robert Brueck - Manager

Connor Hinton, GIS Coordinator

3.3 References:

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APPENDIX A

MAY 22, 2023 PLANNING COMMISSION STAFF REPORT ON ZONING ORDINANCE AMENDMENT

SUTTER CREEK

JEWEL OF THE MOTHER LODE

STAFF REPORT

TO:	**PLANNING COMMISSION**
MEETING DATE:	**MAY 22, 2023**
FROM:	**ERIN VENTURA, CONTRACT PLANNER**
SUBJECT:	**CONSIDERATION OF ORDINANCE OF THE CITY OF SUTTER CREEK, AMENDING TITLE 18 (ZONING ORDINANCE) OF THE SUTTER CREEK MUNICIPAL CODE, TO UPDATE ZONING DISTRICTS AND TO REPLACE, ADD, AND AMEND DEFINITIONS AND DEVELOPMENT STANDARDS FOR THE PURPOSE OF MAINTAINING CONFORMITY WITH STATE LAW, INCLUDING PROVISIONS RELATED TO ACCESSORY DWELLING UNITS, DENSITY BONUSES, REASONABLE ACCOMMODATIONS, EMERGENCY SHELTER, SUPPORTIVE HOUSING, TRANSITIONAL HOUSING, AND OTHER STATE-MANDATED PROGRAMS AND REQUIREMENTS**
ATTACHMENTS:	**YES**

Recommendation

Staff recommends that the Planning Commission, by motion, recommend that the City Council adopt an Ordinance approving amendments to Title 18 (Zoning Ordinance) of the Sutter Creek Municipal Code.

Background

The proposed ordinance is intended to make a number of changes to conform the Zoning Ordinance to the City's General Plan, which was comprehensively updated in 2019. The proposed ordinance also codifies several changes required by state legislation in recent years, particularly as concerns the construction of affordable housing.

The update to the Zoning Ordinance has been an ongoing process beginning in mid-2022. The Planning Commission held two public workshops in March 2023. During the workshops the Commission reviewed the required updates and each section of the Zoning Ordinance. At the workshops the Commission provided direction to staff for additional changes to be made to the Zoning Ordinance. Those changes, along with State mandates have been incorporated into the Zoning Ordinance and are attached.

Discussion

In conforming the Zoning Ordinance to the recently updated General Plan, the proposed ordinance makes changes to some of the authorized zones. These changes include:

1. The Agricultural Zone was changed to the Residential Ranchette Zone, and the Limited Multiple Family Dwelling Zone (R-3) and the Multiple Family Dwelling Zone (R-4) were consolidated.

2. Public Service (PS) Zone was added.

3, The maximum development densities set forth in the General Plan were incorporated into the zoning districts.

4. The commercial and industrial uses allowed in the commercial zones and industrial zones were modified for consistency with the General Plan.

5. Section 18.46.050 was added to implement a review process for special events.

6. Home Occupations regulations were amended to allow administrative review of applications.

As noted, the Zoning Code is also proposed to be amended to comply with disability access and fair housing laws, as well as recent changes in State Law related to housing. On these subjects, the following changes are proposed:

1. Chapter 18.58 was added to establish a procedure for making requests for reasonable accommodation in land use, zoning, and building regulations, in compliance with Federal Fair Housing Amendments Act of 1988 (42 U.S.C. §§ 3601 et seq.) and the California Fair Employment and Housing Act (Cal. Gov't Code §§ 12955 et seq.).

2. Chapter 18.61 was added to incorporate State requirements for accessory dwelling units and junior accessory dwelling units (Government Code Section 65852.2).

3. Chapter 18.62 was added to incorporate State Density Bonus Law (California Government Code Title 7, Division 1, Chapter 4.3, Sections 65915, et seq.).

4. Definitions were amended to be consistent with State Law.

5. Single-family zones were amended to include residential care facilities with six or fewer clients as a single-family use.

6. “Family daycare homes” were added as a permitted use in all zoning districts where residential use is allowed, as required by Health and Safety Code Section 1596.78.

7. “Emergency shelters” were added as a “by-right” use in C-2, as required by Government Code Sections 65582, 65583(a), and 65589.5, and regulations related to such facilities were added to the Zoning Code.

8. “Low barrier navigation centers” were added as a “by-right” use in mixed use and nonresidential zones that permit multifamily use, as required by Government Code Section 65662.

9. Section 18.12.060 was added to incorporate Government Code Section 65583, which requires that the City treat transitional housing as a residential use of property subject only to those restrictions that apply to other residential dwellings of the same type in the same zone, and to incorporate Government Code Section 65651, which requires that the City allow permanent supportive housing, by right, in areas zoned for multifamily and mixed use. Corresponding changes were made to the zoning districts.

10. Senior housing was re-defined to comply with State Law, and changes were made to ensure that senior housing is treated the same as other residential uses in the underlying zoning district.

11. Single family zones were amended to permit employee housing for six or fewer employees as a single-family structure, as required by Health and Safety Code Section 17021.5.

Ordinance Approval Process

Before a zoning ordinance may be adopted, the Planning and Zoning Law requires that: (1) the Planning Commission recommend approval or disapproval of the ordinance (Gov. Code, § 65854); (2) the Planning Commission forward its recommendation in writing to the legislative body (*id*., § 65855); and (3) the City Council act on the ordinance by approving, rejecting, or modifying the Planning Commission recommendation (*id*., §§ 65856-65857).

Consistent with State law, the Planning Commission is requested to make a recommendation as to whether the proposed ordinance should be approved, or whether it should be approved with modifications. The Planning Commission's recommendation will be forwarded to the City Council for its consideration at a future meeting. Staff will also begin preparation of the required environmental review documents. These meetings are anticipated to occur in the summer 2023.

Budget Impact

The City has been awarded grant money through SB2 and LEAP to cover the cost of the projects. Given the scope of this project, staff will be closely monitoring expenditures to ensure that the work does not exceed the amount of remaining grant funds.

Attachments

1. Proposed Draft Ordinance
2. Definitions
3. Accommodations of persons with disabilities
4. Accessory dwelling units
5. Density Bonuses

Attachment 1

SECTION 1. All references to the "Uniform Building Code" shall be replaced with references to the "California Building Code."

SECTION 2. Section 18.040.030, Federal and State laws, is hereby added as follows:

"**18.04.030 – Federal and State laws.**

In addition to the provisions established in this zoning ordinance, the City shall comply with relevant Federal and State laws, as they are amended. These laws frequently change over time, and they shall be implemented through the City, as applicable."

SECTION 3. Chapter 18.08, DEFINITIONS, is hereby deleted in its entirety and replaced with ***Attachment 1*** (Chapter 18.08 –DEFINITIONS), attached hereto and incorporated herein.

SECTION 4. Chapter 18.10, GENERAL PROVISIONS, shall be amended as follows:

a. All references to R-4 shall be deleted.

b. Section 18.10.040, Additional permitted uses, is hereby amended as follows:

"**18.10.040 - Additional permitted uses.**

A. Uses other than those specifically listed in this title as uses permitted in each of the zones may be permitted therein, provided such uses are similar to those specifically listed and are in the opinion of the Planning Department or planning commission, as evidenced by a resolution in writing, not more obnoxious or detrimental to the welfare of the community than the permitted uses specifically mentioned in the respective zones.

B. Public utility distribution and transmission lines, both overhead and underground, shall be allowed in any district without limitation as to height provided, however, that the routes of the proposed transmission lines shall be located within established public utility easements or rights-of-way.

C. Uses shall be consistent with the General Plan.

c. Section 18.10.045, Site plans, is hereby added as follows:

"18.10.045 – Site Plans.

A. The proposed site improvements shall be consistent with city improvement standards and all ordinance requirements;

B. The proposed site development shall not conflict with the various elements of the General Plan, and the purposes of this title; and

C. Site plans shall depict the site layout or use in two dimension, whereas plans for Design Review shall depict the visual street view and three dimensional layout of the proposed improvement."

d. Section 18.10.050, Height of buildings, is hereby amended as follows:

"**18.10.050 - Height of buildings.**

No penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment, towers, including elevator or stairway towers**,** steeples, roof signs, chimneys, or other similar structures shall exceed the height limit provided in this title. If specifically permitted within a zoning district, radio and television masts, telecommunication towers, electrical generating towers, flagpoles, and smokestacks may extend not more than thirty feet above the height limit provided in this title, provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances."

e. Section 18.10.060, Accessory buildings, is hereby amended as follows:

"**18.10.060 - Accessory buildings.**

This section does not apply to accessory dwelling units and junior accessory dwellings regulated by Government Code Section 65852.2 and Chapter 18.61 of the Sutter Creek Municipal Code. The following regulations apply to the location of accessory buildings unless otherwise provided in this title.

A. No detached accessory buildings in residential zones may exceed two stories, or thirty-five feet in height, except in accordance with State height allowances for affordable units.

B. No detached accessory building or structure in residential zones shall be located within the front yard setback.

C. ~~On a corner lot, no~~ Detached accessory buildings in residential zones shall be located at a distance less than ten feet from the side street line

D. Except for accessory dwelling units, as established by State law, n~~N~~o accessory buildings in residential zones, if one story in height shall be located nearer than five feet to the side or rear property line; or if two stories in height, shall be located nearer than eight feet to the side or rear property line.

f. Section 18.10.070, Additional dwelling units, is hereby deleted in its entirety.

g. Section 18.10.100, Fences, walls and hedges, is hereby amended at subsection (G) as follows:

"G. Barriers for swimming pools shall meet the requirements of Part 2.5 Appendix V ~~Chapter 4~~ of the ~~Uniform~~ California Building Code."

h. Section 18.10.130, GP Volume II Standards, is hereby added as follows:

"**18.10.130 – GP Volume II Standards.**

Volume II of the City of Sutter Creek General Plan contains implementing standards, guidelines, and plans that provide additional direction and requirements applicable to development within the City. General Plan Volume II includes standards for specific areas within Sutter Creek, conservation efforts, parks and circulation improvements, and the Sutter Creek Design Standards, Capital Improvement Program, and Improvement Standards. Development projects are expected to comply with these standards, as applicable."

i. Section 18.10.131, Improvement standards, is hereby added as follows:

"**18.10.131 – Improvement Standards.**

The Sutter Creek Improvement Standards establish the minimum standards to be applied to improvements and private development projects to be dedicated to the public and accepted by the City for maintenance or operation, as well as improvements to be installed within existing rights of way and easements. These standards apply to and regulate the design and preparation of plans for construction of streets, highways, drainage, sewerage, street lighting, water system facilities and related public improvements."

j. Section 18.10.132, Design standards, is hereby added as follows:

"**18.10.132 – Design Standards.**

The City's adopted Design Standards provide specific guidance on new development by type and location of the development to facilitate the City's architectural regulations. They include standards for site organization, architecture, landscaping, parking, access, screening, fences and walls, lighting, refuse/storage/ and equipment areas, roofs, building materials, colors, entries, and other design components. Specific standards are established for projects within the Historic District and Main Street Historic District, and general standards are established for all projects in the City."

SECTION 5. Chapter 18.12, ZONES, shall be amended as follows:

a. All references to "R-4" shall be deleted.

b. Section 18.12.010, Land use zones—Classes designated, is hereby amended as follows:

Attachment 1

"**18.12.010 - Land use zones—Classes designated.**

In order to classify, regulate, restrict and segregate the uses of land and buildings; to regulate and restrict the height and bulk of buildings; and to regulate the area of yards and other open spaces about buildings; and to regulate the density of population, fifteen classes of land use zones are established to be known as follows:

~~A~~	~~Agriculture zone~~
RR	Residential Ranchette
RE	Residential estates zone
RL	Residential low density zone
R-1	One-family zone
R-2	Two-family zone
~~R-3~~	~~Limited multiple-family dwelling zone~~
R-~~4~~ 3	Multiple-family dwelling zone
C-1	Limited commercial zone
C-2	Commercial zone
DTC	Downtown commercial zone
MU	Mixed-use zone
I-1	Light industrial zone
I-2	Heavy industrial zone

OS	Open space zone
R	Recreation zone
PS	Public service zone

c. Section 18.12.030, Boundaries, is hereby amended as follows:

"(F) All property in the city and all property hereafter annexed and pre-zoned upon annexation, shall be classified consistent with the land use ~~map~~ diagram, Figure 4-1 the General Plan."

d. Section 18.12.050, Minimum residential densities, is hereby amended as follows:

"**18.12.050 - Minimum residential densities.**

In all R-3 zoning districts allowing residential development, the minimum density of residential units allowed for that zoning district shall be required per gross acre and such units shall be constructed as all or part of any proposed project, exclusive of any density bonuses or incentives mandated by state law to encourage affordable housing development, unless findings are made by the planning commission that the minimum density requirement cannot be met. Density ranges between districts shall be consecutive and there shall be no overlaps or gaps between districts."

e. Section 18.12.060, Transitional and supportive housing, is hereby added as follows:

"**18.12.060 – Transitional and supportive housing.**

A. Pursuant to Government Code Section 65583, supportive housing and transitional housing shall be subject to those restrictions that apply to other residential dwellings of the same type in the same zoning district.

B. Pursuant to Government Code Section 65651, permanent supportive housing shall be allowed, by right, in any mixed use and nonresidential zoning districts permitting multifamily uses."

g. Section 18.12.065, Low barrier navigation centers.

"**18.12.065 – Low barrier navigation centers.**

Pursuant to Government Code Section 65662, low barrier navigation centers shall be allowed by right in any mixed use and nonresidential zoning districts permitting multifamily uses."

h. Section 18.12.070, Pets, is hereby added as follows:

"18.12.070 – Pets.

No person shall keep or maintain more than four (4) dogs or cats (a maximum of four [4] animals) over four (4) months of age."

i. Section 18.12.080, Airport safety zones, is hereby added as follows:"**18.12.070 – Airport safety zones.**

Development within Safety Zones 5 and 6 identified in the Westover Field Airport Land Use Plan (ALUP) shall be reviewed by the City for compatibility with the ALUP and may be subject to Amador Airport Land Use Committee review."

SECTION 6. Chapter 18.13, A ZONE – AGRICULTURE, shall be amended as follows:

a. All references to "A zone" shall be deleted and replaced with references to "RR zone," and all references to "agriculture zoning district" shall be deleted and replaced with references to "residential ranchette zoning district."

b. Section 18.13.015, Purpose, shall be amended to read as follows:

"**18.13.015 - Purpose.**

~~The agriculture zoning district is designated to support agricultural activities such as the commercial production of animals and plants, grazing, timber, and similar agricultural uses.~~ The residential ranchette zoning district is designated for detached one-family dwellings on a minimum five-acre lots characterized by varying terrain."

c. Section 18.13.020, Permitted uses, shall be amended to read as follows:

"**18.13.020 - Permitted uses.**

Uses permitted in the RR zone are:

A. One detached one-family dwelling per lot or parcel;

B. The accessory buildings necessary to such use located on the same lot or parcel of land including an attached or detached garage;

C. Family food production plus the growing of fruits, flowers and vegetables, and related horticultural activities;

D. Educational animal project;

E. One horse, or one cow, or two rarities (ostrich or emu), or two llamas, or two sheep, or two goats for each two acres of lot area;

F. Family daycare homes;

G. Home occupations upon securing a home occupation use permit;

H. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 18.61;

I. Employee housing for six or fewer employees; and

J. Residential care facilities – small.

~~A. The following agricultural uses:~~

~~1. Animal raising including farms or ranches for the raising of cattle, horses, sheep, goats, llamas and ratites (ostrich and emu);~~

~~2. Small animal raising for breeding purposes or for meat, egg, or fur production, such as chicken farms, turkey farms, duck farms, and rabbit farms;~~

~~3. Crop production including the growing of plant crops for commercial purposes such as field crops, fruit and nut trees, and vineyards;~~

~~4. Educational animal project; and~~

~~5. Home occupations upon securing a home occupation use permit.~~

~~B. One detached one-family dwelling per lot or parcel.~~

~~C. A second unit dwelling pursuant to section 18.10.070.~~
~~D. Accessory buildings necessary for such permitted uses and located on the same parcel of land.~~"

d. Section 18.13.070, Area requirements, is hereby amended as follows:

"**18.13.070 - Area requirements.**

The minimum lot area shall be not less than ~~forty~~ five acres or 217,000 square feet ~~net.~~"

e. Section 18.13.090, Buildings –Lot Coverage, is hereby amended as follows:

"**18.13.090 - Buildings—Lot coverage.**

Building lot coverage shall not exceed ~~three~~ fifteen percent of the lot area."

f. Section 18.13.110, Residential Density, is hereby added to read as follows:

"18.13.110 Residential density.

Maximum development density shall be up to one (1) unit per five (5) acres."

SECTION 7. Chapter 18.14, RE ZONE – RESIDENTIAL ESTATE, shall be amended as follows:

a. Section 18.14.020, Permitted uses, is hereby amended as follows:

"**18.14.020 - Permitted uses**.

Uses permitted in the RE zone are:

A. One detached one-family dwelling per lot or parcel;

B. The accessory buildings necessary to such use located on the same lot or parcel of land including an attached or detached garage;

C. Family food production plus the growing of fruits, flowers and vegetables, and related horticultural activities;

D. Educational animal project;

E. One horse, or one cow, or two ratites (ostrich or emu), or two llamas, or two sheep, or two goats for each two acres of lot area;

F. Family daycare homes;

G. Home occupations upon securing a home occupation use permit;

H. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 18.61; ~~A second unit dwelling pursuant to section 18.10.070~~

I. Employee housing for six or fewer employees; and

J. Residential care facilities – small."

b. Section 18.14.070, Area requirements, is hereby amended to delete the word "net."

c. Section 18.14.100, Residential density, is hereby added as follows:

"**18.14.100 – Residential Density**.

Maximum development density shall be up to one (1) unit per acre, as established in City of Sutter Creek General Plan Land Use Element Table 4-3, and dependent upon site conditions and constraints."

SECTION 8. Chapter 18.15, RL ZONE – RESIDENTIAL LOW DENSITY, shall be amended as follows:

a. Section 18.15.020, Permitted uses, is hereby amended as follows:

"**Section 18.15.020 – Permitted uses.**

Uses permitted in the RL zone are:

A. One detached one-family dwelling per lot or parcel;

B. The accessory buildings necessary to such use located on the same lot or parcel of land including an attached or detached garage;

C. The non-commercial growing of fruits, flowers and vegetables, and related horticultural activities;

D. Family daycare homes;

E. Home occupations upon securing a home occupation use permit;

F. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 18.61; ~~A second unit dwelling pursuant to section 18.10.070~~

G. Employee housing for six or fewer employees; and

H. Residential care facilities –small."

b. Section 18.15.090, Building – Lot coverage, is hereby amended as follows for consistency with the General Plan Land Use Element:

"**18.15.090 – Building-Lot Coverage**.

Building lot coverage shall not exceed 30 percent of the lot area."

c. Section 18.15.100, Residential density, is hereby added as follows:

"**18.15.100 – Residential Density.**

Maximum development density shall be up to two (2) units per acre (one (1) unit per half acre), as established in City of Sutter Creek General Plan Land Use Element Table 4-3, and dependent upon site conditions and constraints."

SECTION 9. Chapter 18.16, R-1 ZONE – ONE FAMILY DWELLING, shall be amended as follows:

a. Section 18.16.020 - Permitted uses, is hereby amended as follows:

"**Section 18.16.020 – Permitted uses.**

Uses permitted in the R-1 zone are:

A. One detached one-family dwelling per lot;

B. The accessory buildings necessary to such use located on the same lot including an attached or detached garage;

C. Horticultural activities for personal use;

D. Family daycare homes;

E. Home occupations upon securing a home occupation use permit; and

F. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 18.61; ~~A second unit dwelling pursuant to section 18.10.070~~

G. Employee housing for six or fewer employees; and

H. Residential care facilities –small."

b. Section 18.16.100, Residential density, shall be added as follows:

"**18.16.100 – Residential Density.**

Maximum development density shall be up to 6.22 units per acre, as established in City of Sutter Creek General Plan Land Use Element Table 4-3, and dependent upon site conditions and constraints."

SECTION 10. Chapter 20, R-2 ZONE – TWO FAMILY DWELLING, shall be amended as follows:

a. Section 18.20.020, Permitted Uses, is hereby amended as follows:

"**18.20.020 – Permitted uses.**

A. Permitted uses in the R-2 zone include:

1. A two-family dwelling on a single lot;

2. A zero-lot line duplex with a half-plex unit on an individual lot;

3. A detached one-family dwelling on a single lot;

4. The accessory buildings necessary to such use, located on the same lot including an attached garage;

5. Family daycare homes;

6. Home occupations upon securing a home occupation use permit;

7. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 18.61; ~~A second unit dwelling pursuant to section 18.10.070~~

8. Employee housing for six or fewer employees; and

9. Residential care facilities –small.

B. Conditional uses in the R-2 zone shall include:

1. Mobile home parks"

b. Section 18.20.100, Residential density, shall be added as follows:

"**18.20.100 – Residential Density**

Maximum development density shall be up to 15 units per acre, as established in City of Sutter Creek General Plan Land Use Element Table 4-3, and dependent upon site conditions and constraints."

SECTION 11. Chapter 18.24, R-3 ZONE, is hereby deleted.

SECTION 12. Chapter 18.28, R-4 ZONE – MULTIPLE FAMILY DWELLING, is hereby amended as follows:

a. All references to "R-4" shall be replaced with references to "R-3," and all references to "Limited Multiple Family Dwellings" shall be replaced with references to "Multiple Family Dwellings."

b. Section 18.28.020, Permitted uses, is hereby amended as follows:

"**18.28.020 - Permitted uses.**

A. Uses permitted in the R-3 zone are:

1. ~~Group dwellings~~, Multiple family dwellings, apartment houses, condominiums, and townhouses;

2. The accessory buildings necessary to such use located on the same lot or parcel of land including garages and carports;

3. Home occupations upon securing a home occupation use permit;

4. Family daycare homes;

5. Farm worker housing;

6. Residential care facilities (small and large);

7. Transient occupancy buildings and board and rooming house;

8. Transitional housing; ~~farm worker housing, single room occupancy (SRO) dwellings~~

9. Permanent supportive housing that meets the criteria set forth in Government Code Section 65651 et seq.;

10. Accessory dwelling units and junior accessory dwelling units pursuant to Chapter 18.61; and

11. Single room occupancy (SRO) dwellings.

B. Permanent supportive housing projects that meet specific criteria specified in Article 11 (commencing with Section 65650), within Chapter 3 of Division 1 of Title 7 of the Government Code are allowed by right. All other supportive housing projects not meeting the criteria specified in Government Code Article 11 Section 65650 are subject to a conditional use permit."

c. Section 18.28.070, Area requirements, is hereby amended as follows:

"**18.28.070 - Area requirements.**

The minimum lot area shall be not less than 3,500 square feet or one thousand square feet per dwelling unit."

d. Section 18.28.100, Residential density, is hereby added as follows:

"**18.28.100 – Residential density.**

Maximum development density shall be 16 to 29 units per acre, as established in City of Sutter Creek General Plan Land Use Element Table 4-3, and dependent upon site conditions and constraints. See 18.62 regarding density bonus allocations."

SECTION 13. Chapter 18.29, PS ZONE – PUBLIC SERVICE, is hereby added:

"**18.29.010 Regulations designated.**

The following regulations apply in the PS public service zone unless otherwise provided in this title.

18.29.015 Purpose.

The public service district is designated for public service uses and facilities that are owned and operated by Federal, State, or local government, public utilities, and special districts that provide governmental or public services.

18.29.020 Permitted uses.

Uses permitted in the PS zone shall include:

A. Government offices;

B. Schools;

C. Cemeteries;

D. Transit centers;

E. Water or sewer treatment plants, pump station, and other utility buildings or structures;

F. Fire stations and public safety training facilities; and

G. Publicly owned and operated community meeting halls, conference halls, or other facilities open to and used by the general public.

18.29.025 Conditional uses.

Accessory facilities and uses that are permitted upon the granting of a conditional use permit in the PS zone shall be:

A. Waste disposal or transfer sites;

B. Public utility maintenance facilities and operation yards with outdoor storage of materials and supplies;

C. Residential caretaker units, one unit per parcel; and

D. Special large-assembly events.

18.29.030 Buildings--Height limitations.

Building height for the PS Zone shall be limited to three (3) stories and shall not exceed ~~thirty-five (35)~~ forty feet (40).

18.29.040 Yard--Front.

Buildings shall be located at least ten feet from the front lot line.

18.29.050 Yard--Side.

Five feet or in conformance with the California Building Code.

18.29.060 Yard--Rear.

There shall be a rear yard of not less than ten (10) feet.

18.29.070 Buildings--Required distance between.

None.

18.29.080 Area requirements.

The minimum lot area shall be not less than 7,000 square feet.

18.29.090 Buildings--Lot coverage.

Building lot coverage shall not exceed eighty-five (85) percent of the lot area."

SECTION 14. Chapter 18.30, MH COMBINING ZONE – MANUFACTURED HOUSING COMBINING, is hereby amended as follows:

a. Section 18.30.030, Permitted use, is hereby amended as follows:

"**18.30.020 - Permitted use.**

Manufactured homes are permitted within specified residential zones that allow a detached one-family dwelling, and under the following criteria:

A. Manufactured homes must be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 United States Code, Section 5401 et seq.);

B. Manufactured homes must be placed on permanent foundations pursuant to a building permit issued by the city and pursuant to Section 18551 of the California Health and Safety Code;

C. Electrical, gas, water and sewer service to the manufactured home must also be installed under a building permit issued by the city;

D. Manufactured homes must adhere to the snow load, wind pressure, and building setback requirements of the city;

E. No manufactured home shall be permitted which exceeds a period of ten years from the date of manufacture to the time of installation; and

F. Siding material, roofing material and roof overhangs shall be consistent with similar conventionally constructed homes in the vicinity, with roof eave and gable overhangs of not less than one foot, measured from the vertical side of the structure. Exterior covering material shall extend to the top of the concrete or masonry foundation."

b. Section 18.30.030, Restrictions, is hereby amended as follows:

"**18.30.030 - Restrictions.**

A. All manufactured homes shall undergo design review before obtaining design clearance; design clearance shall be required before the application(s) may be processed for permitting and/or before the proposed activity is commenced. The design review process is established in the Design Standards.

B. Manufactured homes shall not be permitted within areas designated as "Historic" or "Historic Corridor" on the general plan land use maps, or in areas which carry the HR (historic residential) combining zone designation as shown on the zoning map."

SECTION 15. Chapter 18.32, C-1 ZONE – LIMITED COMMERCIAL, is hereby amended as follows:

a. Section 18.32.015, Purpose, is hereby amended as follows:

"**18.32.015 - Purpose.**

The limited commercial district is designed to provide office, medical, and convenient services and products to residents on a daily basis."

b. Section 18.32.020, Permitted uses, is hereby amended as follows:

"**18.32.020 - Permitted uses.**

Uses permitted in the C-1 zone are:

A. Any of the following uses:

1. Bakeries;

2. Day care center - adult (14 or fewer clients);

3. Banks and automatic teller machines;

4. Barber shops;

5. Beauty shops;

6. Book stores;

7. Confectionery stores;

8. Day care center – child (14 or fewer clients);

~~7. Convenience stores;~~

9. Dental clinics or offices;

10. Dressmaking or millinery shops;

11. Drug stores;

12. Financial service offices;

13. Fire stations and public safety training facilities

14. Dry cleaning, pressing and laundry establishments using non-inflammable and non-explosive cleaning fluid;

15. Fitness/health studios, spas;

16. Dry goods or notions stores;

17. Sales and repair of electric appliances and electronic goods;

18. Florist shops;

19. Gift shops;

20. Grocery, fruit, and vegetable stores;

21. Hardware stores;

22. Jewelry stores;

23. Live-work units;

24. Meat markets or delicatessen stores;

25. Medical clinics;

26. Medical and dental laboratories;

27. Offices, professional;

28. Photographic shops;

29. Restaurants, tea rooms or cafés where all customers are served at a table or counter (excluding dancing, entertainment and sale of intoxicating liquors);

30. Shoe stores or shoe repair shops;

31. Stationery stores; and

32. Tailoring, clothing or wearing apparel shops;

~~26. Self-service laundries or launderettes; and~~"

33. Veterinarian clinics.

B. The above specified businesses shall be professional offices or retail establishments permitted only under the following conditions:

1. Such ~~stores shops or~~ businesses shall be conducted entirely within an enclosed building. Businesses proposing outdoor uses shall do so only on application to and approval by the planning commission as a conditional use;

2. Products made incidental to a permitted use may be sold at retail on the premises;

3. All public entrances to such ~~stores, shops, or~~ businesses shall be from the principal street upon which the property abuts, except that a rear or side entrance from the building to a public parking area may be provided;

4. Refer to Chapter 15.16 for signage requirements and Chapter 13.12 for obstructions to public way requirements; ~~and~~

5. The accessory buildings necessary to such use located on the same lot or parcel of land, including a storage building for the exclusive use of the patrons of the above stores or businesses;

6. Day care center – adult, with 15 or more clients, requires an application and approval by the planning commission as a conditional use; and

7. Day care center – child, with 15 or more clients, requires an application and approval by the planning commission as a conditional use.

C. Any use conducted within a C-1 zone shall comply with the provisions of Chapter 18.50, site plans."

c. Section 18.32.020– Buildings – Height limitations, is hereby amended as follows:

18.32.020– Buildings – Height limitations

Maximum building height in the C-1 zone shall be limited to ~~two-and-one-half~~ three stories and shall not exceed ~~thirty-five~~ forty feet

d. Section 18.32.100, Residential density, is hereby amended as follows:

"**18.32.100 – Residential density.**

Maximum development density shall be 16 to 29 units per acre, as established in City of Sutter Creek General Plan Land Use Element Table 4-3, and dependent upon site conditions and constraints. See 18.62 regarding density bonus allocations."

SECTION 16. Chapter 18.36, C-2 ZONE – COMMERCIAL, is hereby amended as follows:

a. Section 18.36.020, Permitted uses, is hereby amended as follows:

"**18.36.020 - Permitted uses.**

Uses permitted in the C-2 zone shall be:

A. ~~Multiple-family dwellings as permitted in the R-4 zone,~~ Any commercial use permitted in the C-1 zone;

B. Any of the following uses:

1. Retail or wholesale stores or businesses not involving any kind of manufacture, processing or treatment of products other than that which is clearly incidental to the retail business conducted on the premises and provided that not more than twenty-five percent of the floor area is used in the manufacture, processing or treatment of products, and that such operations or products are not objectionable due to noise, odor, dust, smoke, vibration or other similar causes;

2. Antiques and collectibles;

~~3. Automobile parking areas;~~

3. Automobile, recreation vehicle, boat, and truck parking and storage ;

4. Automobile service stations;

5. Automobile and truck repair and renovation, body and fender works, painting, upholstering, and used parts storage, all when operated or maintained wholly within a building;

~~5. Public baths, spas and the like;~~

6. Banks and automated teller machines;

7. Bars and cocktail lounges;

8. Billiard or pool halls or bowling centers;

9. Bird stores or pet shops;

10. Blueprinting and photostating shops;

11. Books and media stores;

12. Brewpubs;

13. Cafes and coffee shops;

14. Candy and confectionery stores;

15. Cleaning and pressing establishments using non-inflammable and nonexplosive cleaning fluid;

16. Clothing and apparel stores;

17. Conservatories of music ~~musk~~;

18. Convenience stores;

19. Delicatessens and meat and food markets;

20. Department stores;

21. Drug stores;

22. Dry cleaning, pressing and laundry establishments using non-inflammable and non-explosive cleaning fluid;

23. Electric appliances and electronic goods sales and repair;

24. Electronics store;

25. Emergency shelters operated by a governmental agency or non-profit corporation having all approvals, licenses, and permits required by state or local law for such operations.

26. ~~Wedding chapels~~ Event venues;

27. Fabric and craft supply stores;

28. Fire stations and public safety training facilities;

29. Florist shops;

30. Funeral parlors;

31. Furniture stores;

32. Gas stations;

33. Gift shops;

34. Grocery, fruit, and vegetable stores;

35. Hardware stores;

36. Hospitals;

37. Hotels, motels, motor inns, lodges, ~~and~~ time share units, short-term rental units, and vacation rentals;

38. Housewares and home ~~Interior~~ decorating shops;

39. Jewelry stores;

40. Liquor stores;

41. Live-work units;

42. Music ~~Musk~~ and vocal instructions;

43. Music ~~Musk~~ stores;

44. Nurseries, flowers or plants;

45. Parking garages and lots, public or private;

46. ~~Furniture warehouses for storing personal household goods~~ Personal storage warehouses ("mini-storage");

47. Plumbing shops;

48. Printing, lithographing or publishing establishments;

49. Restaurants and restaurants with drive through services, ~~tea rooms, cafés, brewpubs, bars and cocktail lounges~~;

~~47. Service and convenience stations;~~

50. Self-service laundries or launderettes;

51. Shoe stores or shoe repair shops;

52. Skating rinks;

53. Stationery stores;

54. Storage garages including repairing and servicing;

55. Studios;

56. Taxidermists;

57. Tea rooms;

58. Telephone public utility buildings;

59. Theaters or auditoriums (except drive-in theaters);

60. Trade schools;

61. Upholstery shops;

62. Used car sale areas, providing that no repair or reconditioning of automobiles shall be permitted, except when enclosed in a building;

~~58. Wedding chapels~~;

C. For any use conducted within a C-2 zone, the following conditions shall apply:

1. Such stores, shops and businesses shall be conducted entirely within an enclosed building. Businesses proposing outdoor uses shall do so only on application to and approval by the planning commission;

2. ~~Those businesses that require outdoor display areas~~ Uses shall comply with the provisions of Chapter 18.50, site plans.

3. Business shall not be conducted from within a residential garage, shed, or temporary structure, without a use permit therefore having been first obtained from the city.

4. Accessory buildings necessary to such use located on the same lot or parcel of land may be permitted.

5. Refer to Chapter 15.16 for signage requirements and Chapter 13.12 for obstructions to public way requirements.

D. Consistent with Government Code Sections 65582, 65583(a), and 65589.5, all California cities are required to identify a minimum of one zone that permits emergency shelters by right.

Attachment 1

Emergency shelters shall be allowed by right in the C-2 zone, subject to the following standards:

1. No individual shall be denied emergency shelter because of an inability to pay.

2. Emergency shelters shall be operated under the authority of a governing agency or private organization that provides, or that contracts to provide, emergency shelters and which, when required by law, is properly registered and licensed.

3. Emergency shelters shall comply with applicable California Health and Safety Codes.

4. Emergency shelters shall comply with all property development standards of the zone in which they are located, and, in addition, no emergency shelter shall be located within 300 feet of another such facility, said measurement being defined as the shortest distance between the outside walls of such facilities.

5. Parking shall be as required pursuant to Chapter 18.48, Off-Street Parking.

6. Each emergency shelter shall include, at a minimum, the following:

    (A) Interior and exterior lighting necessary for security, safety, and operational purposes shall conform to the California Code of Regulations Title 24 Parts 2, 2.5 and 6 or any successor provisions as applicable in effect at the time the application is deemed complete. Exterior lighting shall be stationary, directed away from adjacent properties and public rights-of-way;

    (B) If client intake is to occur on site, there shall be an indoor client intake/waiting area equal to a minimum of 10 square feet per bed provided at the facility. If an exterior waiting area is also provided, it shall be enclosed or screened from public view and adequate to prevent obstructing of the public right-of-way and required parking and access;

    (C) Clean, sanitary beds and sanitation facilities, including showers and toiletries; and

    (D) Segregated sleeping, lavatory, and bathing areas if the emergency shelter accommodates both men and women in the same building. Reasonable accommodation shall be made to provide segregated sleeping, lavatory, and bathing areas for families.

    (E) At least one facility manager shall be on site at all hours the facility is open and one hour prior to and after facility operating hours. At least one full-time equivalent employee shall be required to be on site during facility operating hours for every 20 beds in the facility.

7. Emergency shelters may provide one or more of the following types of supportive facilities or services for the exclusive use or benefit of the shelter clients:

   (A) Central cooking and dining room(s);

   (B) Recreation areas, indoor and/or outdoors;

   (C) Laundry facilities for clients to wash their clothes;

   (D) Intake and administrative offices;

   (E) Counseling and other supportive services; or

   (F) Secure storage areas for bicycles and other personal possessions.

8. The agency or organization operating the shelter shall have a written Facility Management Plan consisting of, as applicable, provisions for staff training; neighborhood outreach; security; screening of residents to ensure compatibility with services provided at the facility; training, counseling, and treatment programs for residents; and facility information, including the number of persons who can be served nightly, the location of on-site waiting and intake areas, the provision of on-site management, and on-site security during hours of operation, as established in Government Code Section 65583(a)(4)(A).

18.36.100 – Residential Density

Maximum development density shall be 16 to 29 units per acre, as established in City of Sutter Creek General Plan Land Use Element Table 4-3, and dependent upon site conditions and constraints. See 18.62 regarding density bonus allocations."

SECTION 17. Chapter 18.38, DTC ZONE – DOWNTOWN COMMERCIAL, is hereby amended as follows:

a. Section 18.38.020, Permitted uses, shall be amended as follows:

"**Section 18.38.020 – Permitted uses.**

Uses permitted in the DTC zone shall be:

A. Retail commercial uses which are pedestrian-oriented and conducive to the historic vitality of the downtown area, including the following:

   1. Antiques and collectibles;

   2. Arts and handmade crafts, ceramics, furniture, glass, and textiles;

   3. Assembly, large events;

~~#. Automobile parking areas;~~

4. Bakeries, employing not more than ten persons on the premises
5. Banks/Automated teller machines;
6. Barber shops;
7. Bars and cocktail lounges;
8. Beauty shops;
9. Books and media shops ~~recordings;~~
10. Brewpubs;
11. Cafes and coffee shops;
12. Candy and confectioneries;
13. Clothing, apparel, hats, and shoes;
14. Delicatessens and meat and food markets;
15. Department stores;
16. Event venues;
17. Fabric and craft supply stores;
18. Fine art and photography;
19 Fitness/Health studios;
20. Florist shops ~~Flowers and plants~~;
21. Gifts, precious metals, and jewelry;
22. Grocery, fruit, and vegetable stores;
23. Hardware stores;
24. Hotel, Motel, Motor Inns, Lodges, Time Share Units, Short-Term Rental Units, and Vacation Rentals;
25. Housewares and home decorating shops;
26. Live-work Units
27. Meeting and gathering halls and rooms;

#. Music and musical entertainment;

28. Music and vocal instruction;

29. Outdoor retail sales;

30. Parking garages and lots, public and private;

31. Restaurants, ~~tea rooms, brewpubs, and cafés~~;

32. Shoe stores or shoe repair shops;

33. Specialty foods, beer, wine, and spirits; ~~and~~

34. Sports equipment sales and rentals;

35. ~~Greeting cards and~~ Stationery stores;

36. Studios;

37. Tailoring;

38. Tea rooms; and

39. Theaters or Auditoriums (excluding drive-in theaters) ~~productions and cinema.~~

B. Professional governmental and similar offices;

C. Trailhead parking and preserve entrances, hiking trails, information booths, riding stables, public parks, and accessory recreational facilities;

D. First and second-story residential ~~units~~ uses, as allowed in Section 18.28.020(A)(1)-(10), including studio apartments, and excluding boarding houses and transitional housing;

E. Low barrier navigation centers;

F. Conversion of residential dwellings to commercial uses upon securing a site plan permit pursuant to Chapter 18.50; ~~and~~

G. Any use conducted within the DTC zone shall comply with the provisions of Chapter 18.50, site plans; and

H. The above uses in conjunction with historic displays and exhibits."

b. Section 18.38.030, Special provisions, shall include the following provisions:

"**18.38.030 - Special provisions.**

The following special provisions apply within the DTC zone:

A. All structures shall conform to the provisions of Chapter 3.0 of the City's Design Standards, Historic Districts Design Standards ~~2.40, historic sites;~~

B. All signage shall conform to the requirements of Chapter 15.16, signs;

C. Use of sidewalks and other public spaces shall conform to the requirements of Chapter 13.13, obstructions to public ways;

D. Required vehicle parking requirements shall conform to the provisions of Chapter 18.48, off-street parking; and

E. In compliance with 18.48.030, a change in use requires the appropriate minimum requirement for off-street parking."

c. Section 18.38.110, Residential density, shall be added as follows:

"**18.38.110 – Residential density.**

Maximum development density shall be 16 to 29 units per acre, as established in City of Sutter Creek General Plan Land Use Element Table 4-3, and dependent upon site conditions and constraints. See 18.62 regarding density bonus allocations."

SECTION 18. Chapter 18.39, MU ZONE –MIXED USE, is hereby amended for consistency with the General Plan:

Section 18.39.020, Permitted uses, is hereby amended as follows:

"**18.39.020 - Permitted uses.**

Uses permitted in the MU Zone shall be:

A. Uses permitted on the first floor of a building include neighborhood commercial uses including but not limited to:

1. Banks and automatic teller machines;
2. Bars and cocktail lounges;
3. Beauty shops;
4. Book stores;
5. Cafés, and coffee shops
6. Convenience stores;
7. Dry cleaning and laundry;
8. Florist shops;

9. Gift shops;

10. Grocery stores;

11. Real estate sales;

12. Restaurants, ~~cafés, and coffee~~ ~~shops~~;

13. Specialty clothing stores; and

14. Stationery stores;

B. Uses permitted on the second or higher floor of a building include:

1. Residential uses, as allowed in Section 18.28.020(A)(1)-(10); ~~and~~

2. Low barrier navigation centers; and

3. Business and professional offices.

C. Uses permitted on the first and higher floors of a building include:

1. Live-work units;

2. Hotels and motels; and

3. Time share, short-term rental, and vacation rental units.

D. Any use conducted within the MUC zone shall comply with the provisions of Chapter 18.50, site plans."

"**18.39.030 – Buildings – Height Limitations.**

Building height for the MU zone shall be limited to ~~four~~ three stories and shall not exceed ~~fifty-five~~ forty (40) feet.

a. Section 18.39.050, Yard—side, is amended to replace "Uniform Building Code" with "California Building Code."

b. Section 18.39.065, Area requirements, is hereby added as follows:

"**18.39.065 - Area requirements.**

Minimum parcel or lot size is 7,000 square feet."

18.39.080 – Buildings – Lot coverage.

Building lot coverage shall not exceed ~~eighty-five~~ fifty percent of the lot area.

c. Section 18.39.100, Residential density, is hereby added:

"**18.39.100 – Residential density**.

Maximum development density shall be eight (8) units per acre, as established in the City of Sutter Creek General Plan Land Use Element Table 4-3 and dependent upon site conditions and constraints. See Chapter 18.62 regarding density bonus allocations."

SECTION 19. Chapter 18.40 -I-1 ZONE – LIGHT INDUSTRIAL, is hereby amended as follows:

a. Section 18.40.020, Permitted uses, is hereby amended as follows:

"**18.40.020 - Permitted uses.**

Uses permitted in the I-1 zone shall be:

A. ~~Any uses permitted in the C-2 zone~~ Any of the following uses:

1. Manufacturing, processing, or treatment of products that do not produce, cause, or emit fumes, odor, dust, smoke, gas, noise or vibrations which are or may be detrimental to properties in the neighborhood or to the welfare of the occupants thereof;

2. Animal hospitals, kennels, and veterinaries;

3. Automobile assembling, body and fender works, painting, upholstering, dismantling and used parts storage when operated or maintained wholly within a building;

4. Bakeries;

5. Blacksmith shops;

6. Boat building;

7. Bottling plants;

8. Breweries;

9. Building material storage yards;

10. Cabinet or carpenter shops;

11. Carpet, awning, blinds, or mattress upholstery shops including cleaning and repair;

12. Contractor's plants or storage yards;

13. Creameries;

14. Distributing plants;

15. Draying; freighting or trucking yards or terminals;

16. Electric welding and electroplating;

17. Feed and fuel yards;

18. Frozen and refrigerated food lockers;

19. Fruit and vegetable canning, freezing, packing, and preserving plants;

20. Ice and cold storage plants;

21. Laboratories, experimental and the like;

22. Laundries, cleaning, and dyeing plants;

23. Lumber yards;

24. Machine shops (except punch presses of over twenty tons rated capacity, drop hammers, and automatic screw machines);

25. Meat packing and processing;

26. Motion picture studios;

27. Paint mixing plants (not employing a boiling process);

28. Personal storage warehouses (mini-storage);

29. Public utilities buildings and service yards, distributing stations, and electric transmission substations;

30. Residential caretaker units, limited to one caretaker unit per parcel;~~Multi-family residential in conjunction with a planned development (PD) combining zone~~;

31. Rubber fabrication or products made from finished rubber;

32. Sheet metal shops;

33. Stone monument works;

34. Storage spaces for transit and transportation equipment;

35. Trade schools;

36. Upholstery shops;

37. Used car sales areas;

38. Vehicle repairing and overhauling shops;

39. Vehicle storage (cars, trucks, boats, and RVs);

40. Wholesale businesses, storage buildings and warehouses;

41. Manufacture of:

    a. Billboards and advertising structures, electric or neon signs,

    b. Ceramic products,

    c. Clothing or garments,

    d. Cosmetics, perfume and toiletries, drugs, and pharmaceuticals,

    e. Electronic components, instruments, and devices,

    f. Food products (except the rendering or refining of fats or oils),

    g. Furniture,

    h. Musical instruments and toys,

    i. Shoes,

    j. Soap (cold mix only),

    k. Textiles, and

    l. Manufacturing, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, canvas, clay, cloth, cork, felt, feathers, fiber, fur, glass, hair, horn, leather, metal, rubber, semiprecious metals or stones, shell, textiles, tobacco, wood, yard, and paint not employing a boiling process;

B. Accessory buildings necessary to such use located on the same lot or parcel of land may be permitted.

C. Any use conducted within the I-1 zone shall comply with the provisions of Chapter 18.50, site plans.

D. Industrial parks or research and development campuses may be conditionally permitted and shall include low-rise structures limited to two stories not to exceed thirty-five feet, with landscaped or open space areas."

SECTION 20. Chapter 18.41, I-2 ZONE – HEAVY INDUSTRIAL, is amended as follows:

a. Section 18.14.020, Permitted uses, is hereby amended to also include the following under subsection (A):

"…

10. Construction material sales yards including the manufacture of material such as concrete and asphalt and the storage of aggregate; and

11. Warehousing and storage, including construction material and equipment storage, public utilities materials and equipment storage, and public storage of vehicles, RVs, boats, and trailers."

b. Section 18.14.020, Permitted uses, is hereby amended to add subsection (C) as follows:

"C. Any use conducted within the I-2 zone shall comply with the provisions of Chapter 18.50, site plans."

SECTION 21. Section 18.44.025, Conditional uses, is hereby amended to add the following:

"D. One residential caretaker unit per permitted use."

SECTION 22. Chapter 18.45, Design Standards, is amended as follows:

a. Section 18.45.020, Sutter Creek design standards, is hereby amended as follows:

"**18.45.020 - Sutter Creek design standards.**

The city council adopted Design Standards by Resolution 15-15-13 that are ~~shall adopt by resolution design standards to be~~ utilized in determining whether construction and development proposals are consistent with the adopted aesthetic and preservation goals of the city. The design standards ~~shall~~ include criteria for those aspects of structure and site design deemed important by the city council. The standards shall be made available to assist property owners, architects, contractors, and realtors in complying with this chapter."

b. Section 18.45.030, Applicability, is hereby amended as follows:

"**18.45.030 - Applicability.**

A. The ~~provisions of this chapter shall~~ Design Standards apply to every project in the City that requires either a building permit or a planning entitlement, or both, including each of the following: new construction; alterations to the exterior of an existing structure; repair of exterior features on an existing structure; additions to the exterior

of an existing structure; moving an existing structure; demolition of an existing structure; and new subdivisions. In addition, within the Main Street historic district, these design standards also apply to the repair, maintenance, and painting of existing structures and facilities when neither a building permit nor planning entitlement is required. The design elements of each project (including site design, architecture, landscaping, signs, parking design) will be reviewed on a comprehensive basis.

B. The review authority may interpret the design standards on a case-by-case basis by applying flexibility in their application to specific projects, as not all design criteria may be workable or appropriate for every project, as established in Section 1.3.3 of the Design Standards. The overall objective is to ensure that the intent and sprit of the design standards are implemented."

c. Section 18.45.060, Review process, is hereby amended as follows:

"**18.45.060 - Review process.**

All projects for activities to which this chapter applies shall undergo design review before obtaining design clearance; design clearance shall be required before the application(s) may be processed for permitting and/or before the proposed activity is commenced. The design review process is established in Section 1.4 of the Design Standards. ~~shall be as follows:~~

~~A. Projects outside of the Historic Districts. City staff shall evaluate the building permit and/or planning entitlement application(s) and issue design clearance for those projects that clearly demonstrate conformance with the design standards. An application which does not clearly demonstrate conformance with the standards will be forwarded to the design review committee for review.~~

~~B. Projects within the Historic Districts. City staff shall evaluate the building permit and/or planning entitlement application(s) and make a recommendation to the design review committee regarding conformance with the design standards. The design review committee shall consider staff's recommendation and either: a) issue design clearance on concurrence with staff's recommendation; or b) find that the application is not in conformance with the standards, whereby the applicant may either modify the project so that conformance is achieved or appeal the committee's interpretation to the planning commission.~~

~~C. Projects within the Main Street historic district. Staff will evaluate the application and determine if the action is a significant modification to the exterior of a structure or if the action is not a significant modification to a structure.~~

~~1. For applications that do not propose a significant modification to the exterior of a structure, staff will make a recommendation to the DRC regarding the project's conformance with the design standards. The DRC will consider staff's recommendation and either:~~

~~a. Issue design clearance on concurrence with staff's recommendation; or~~

~~b. Issue design clearance with required modifications; or~~

~~c. Find that the application is not in conformance with these standards, in which case the applicant may either modify the project so that conformance is achieved or appeal the DRC's interpretation to the planning commission.~~

~~2. For actions that create a significant modification to the exterior of a structure, staff and DRC will make recommendations to the planning commission regarding the project's conformance with the design standards. The planning commission will consider staff's recommendation and either:~~

~~a. Issue design clearance on concurrence with staff and DRC recommendation; or~~

~~b. Issue design clearance with required modifications; or~~

~~c. Find that the application is not in conformance with these standards and deny the design clearance and direct the applicant to modify the project so that conformance is achieved.~~

Any decision made by city staff may be appealed to the design review committee, and any decision made by the design review committee may be appealed to the planning commission. Decisions made by the planning commission may be appealed to the city council in accordance with chapter 2.53 of this Code."

SECTION 23. Chapter 18.47, SPECIAL EVENTS, is hereby added as follows:

"**Chapter 18.47 – SPECIAL EVENTS.**

18.47.010 – Special event use.

A. Upon receipt of a completed application for a special event permit, the City Manager or their designee shall determine if the proposed use requires "administrative review" or "city council review." The following criteria shall be considered by the City Manager or their designee for such a determination:

1. Parking (e.g., adequacy of number, location, circulation design, safety, etc.);

2. Frequency (e.g., possible conflicts with other activities within the community);

3. Nuisance issues (e.g., dust, noise, odor, etc.);

4. Circulation (e.g., assurance of pedestrian and vehicular circulation safety);

5. Public safety (e.g., assurance of providing and maintaining open fire lanes, providing on-site security personnel and on-site emergency care service);

6. Lighting (e.g., assurance of adequate on-site lighting and limiting off-site light and glare);

7. Attendance (e.g., number of attendees will affect public safety requirements, adequate number of restroom facilities, as well as many of the other listed criteria);

8. Clean-up (e.g., assure removal of temporary structures, equipment, debris, etc.);

9. Duration (e.g., assure appropriate hours of operation and length of the event);

10. Location (e.g., assure compatibility with surrounding land uses and adequacy of pedestrian and vehicular access);

11. Signage (e.g., assure size and location that does not obstruct required visibility at driveway locations);

12. Public notice (e.g., assure standard public noticing of the event where wider impacts to the community may be involved);

13. Other (e.g., criteria that may be unique to the proposed special event).

B. The director shall notify the applicant of his/her determination within five working days of receiving a completed application.

18.47.020 – Special event application.

The City Manager or their designee shall prescribe the forms and documents to be filed for a special event permit. The forms and documents shall be filed with the City Manager or their designee and accompanied, as required, by the following:

A. A description of the site which may include a map drawn to scale showing lot lines and dimensions, ingress and egress points, improved areas, grading plans, parking, traffic control locations and a description, including location, of all signs;

B. A fee as specified in the current city council fee resolution;

C. Written authorization of the subject property owner or his/her designated representative agreeing to the special event;

D. The names and mailing addresses of the property owners as shown on the last county equalized assessment roll for properties within three hundred feet of the special event site;

E. A written explanation of the nature and duration of the special event;

F. Such additional information as the City Manager or their designee may require.

18.47.030 – Special event decisions.

A. Upon determination that the application will be processed as administrative review, the City Manager or their designee shall review the application for its compliance with Section 17.46.060. The City Manager or their designee shall have the authority to, and shall take action to grant, grant with conditions, or deny the application based on the information contained in the application and any information obtained from the staff review of the project. The City Manager or their designee shall render his/her decision in writing, setting forth the findings of fact supporting the decision, and shall serve the applicant with the written decision within ten days of the City Manager or their designee 's determination. The decision is subject to a ten-day appeal period, and shall not become final until such time has expired.

The City Manager or their designee may act on the application without initial prior notice to adjoining owners of property affected by the special event permit and without a hearing. If the City Manager or their designee grants or conditionally grants the special event permit, he/she shall give notice of the action to those persons who would have received notice of a hearing before the planning commission had the application been for a conditional use permit. Such notice shall specify that any interested person, other than the applicant, may appeal the action of the City Manager or their designee in the manner provided by Section 18.50.080.

B. For special events determined by the City Manager or their designee to require city council review, a noticed public hearing shall be held by the city council. Noticing shall be consistent with the requirements of Chapter 18.06. The notice shall include a description of the proposed use and its location, and the date, hour and place of the hearing. At the conclusion of the hearing, the city council shall grant, grant with conditions, or deny the application. The decisions of the city council shall be in writing, setting forth the findings of facts supporting the decision, and shall be served on the applicant within ten days."

SECTION 24. Chapter 18.48, OFF-STREET PARKING, is hereby amended as follows:

a. Section 18.48.050, Parking standards, is hereby amended as follows:

"**18.48.050 – Parking standards.**

Unless otherwise superseded by Development Standards adopted by the City, ~~T~~the following standards shall apply to off-street parking:

A. Disabled/handicapped parking spaces and accessible path of travel shall be provided as required by the Americans with Disabilities Act and Title 24 of the California Administrative Code.

B. Parking areas shall provide suitable maneuvering room so that vehicles enter and leave a parking lot in a forward direction.

C. The minimum parking stall dimensions shall be eighteen feet long and nine feet wide, except for parallel parking stalls which shall be at least twenty-four feet long.

D. The minimum aisle width shall be twelve feet per travel lane.

E. All parking spaces, aisles, approach lanes and maneuver areas shall be paved with asphaltic concrete or concrete and shall be clearly marked with directional arrows and lines.

F. Parking lots shall have a maximum slope of five percent measured in any direction.

G. Tandem parking may be allowed to satisfy off-street parking requirements for single-family dwellings, duplexes, second unit dwellings, and bed and breakfast inns."

SECTION 25. Chapter 18.50, SITE PLANS, is hereby amended as follows:

a. Section 18.50.020, Applicability, is hereby amended as follows:

"**18.50.020 – Applicability.**

A. Provisions of this chapter shall apply to ~~all~~ the R-3, ~~R-4,~~ C-1, C-2, DTC, MUC, I-1, and I-2 ~~commercial and industrial~~ zones.

B. No building shall be constructed, reconstructed, rehabilitated or demolished on a parcel unless in compliance with all site plan requirements of this chapter."

b. Section 18.50.060, Findings and decision, is hereby amended to delete subsections (D) and (E).

SECTION 26. Chapter 18.52, VARIANCES, is hereby amended as follows:

a. Section 18.52.050, Filing applications, is hereby amended as follows:

"**18.52.050 - ~~Filing applications~~ Application Review.**

~~The planning commission shall cause to be made by its own members, or by members of its staff, such investigation of facts bearing upon such application as will serve to provide all necessary information to assure that the action on each such application is consistent with the intent and purpose of this title and with previous actions of the planning~~

~~commission.”~~ The Planning Department shall review the application and prepare a staff report for action by the appropriate legislative body.

b. Section 18.52.060, Investigation, is hereby amended as follows:

“**18.52.060 - Investigation.**

The ~~planning commission~~ Planning Department shall cause to be made ~~by its own members~~, or by members of its staff, such investigation of facts bearing upon such application as will serve to provide all necessary information to assure that the action on each such application is consistent with the intent and purpose of this title and with previous actions of the legislative bodies ~~planning commission~~.”

SECTION 27. Chapter 18.54, Zone Changes, is hereby amended as follows:

a. Section 18.54.020, Amendments and changes of zone boundaries, is hereby amended at subsection (A) as follows:

“A. Whenever the public necessity, convenience, general welfare or good zoning practice justify such action, the planning commission may recommend to the city council upon its own motion or upon the verified application of any interested person, proceedings to amend, supplement or change the zones, regulations, or districts established by this title.”

b. Section 18.54.030, Filing applications, is hereby amended as follows:

“**18.54.030 - Filing applications.**

~~Applications for changes of zone shall be made in writing to the planning commission in such form as is approved by the planning commission. The planning commission may provide forms for such purposes and may prescribe the type of information to be provided thereon. No petition shall be received unless it complies with such requirements.”~~

The Planning Department shall review the application and prepare a staff report for action by the appropriate legislative body.

c. Section 18.54.040, Investigation, is hereby amended as follows:

“**18.54.040 – Investigation.**

The ~~planning commission~~ Planning Department shall cause to be made ~~by its own members, or members of its staff,~~ such investigation of facts bearing upon such application as will serve to provide all necessary information to assure that the action on each such application is consistent with the intent and purpose of this title and with the land use element of the general plan.”

SECTION 28. Chapter 18.56, ZONING UPON ANNEXATION, is hereby amended to add Section 18.56.020 as follows:

"**18.56.020 Annexation of agricultural land**.

Conversion of agricultural lands annexed into the City of Sutter Creek from outside the Planning Area or Sphere of Influence shall be mitigated at a rate of 1:1 of equivalent value and quality of agricultural land, preferably within proximity to the City of Sutter Creek."

SECTION 29. Chapter 18.58, ACCOMMODATIONS OF PERSONS WITH DISABILITIES, is hereby deleted in its entirety and replaced with ***Attachment 2*** (Chapter 18.58 – ACCOMMODATIONS OF PERSONS WITH DISABILITIES), attached hereto and incorporated herein.

SECTION 30. Chapter 18.60, CONDITIONAL USE PERMITS, shall be amended as follows:

a. Section 18.60.010, Conditional use permits, is hereby amended as follows:

"**18.60.010 - Conditional use permits.**

The following regulations apply to the granting of 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 ~~essential or~~ desirable to the public convenience or welfare, and are in harmony with the various elements or objectives of the comprehensive general plan. The procedure for filing applications, filing fees, investigation, notices, public hearings, findings and appeal shall be as specified in Chapter 18.06, except that the city council upon recommendation of the planning commission may waive public hearings on an application for conditional use permits for public utility or public service uses or public buildings, when found to be necessary for the public health, safety, convenience or welfare."

b. Section 18.60.020, Uses permitted in any zone, is hereby amended as follows:

"**18.60.020 - Uses permitted in any zone.**

The following uses may be permitted in any zone unless limited to specific zones, and upon the granting of a conditional use permit

~~A. Airports or aircraft landing fields;~~

B. Bed and breakfast inns;

C. Cemeteries, columbariums, ~~crematories,~~ mausoleums and mortuaries;

D. Day care centers (adult/child);

E. Churches or other places used exclusively for religious worship;

F. Educational institutions including public and private schools;

G. Establishments or enterprises involving large assemblages of people or vehicles including: amusement parks, circuses, carnivals, expositions, fair grounds, open air theaters, ~~race tracks,~~ recreational and sports centers, and recreation vehicle parks;

H. Hospitals and sanitariums;

I. Institutions of a philanthropic (benevolent) or eleemosynary (charitable) nature;

J. Libraries, museums and private dubs;

K. Large scale neighborhood housing projects having a minimum gross area of five acres;

L. Mining and natural resources development together with the necessary buildings, apparatus or appurtenances incidental thereto;

M. Outdoor retail sales;

N. Parks, playgrounds, parking lots or structures, and community buildings;

O. Public utility or public service buildings, structures and uses, except as otherwise provided in this ordinance;

P. New or remodeled residential structures in a commercial or industrial zone;

Q. Existing structures converted to residential uses in a commercial or industrial zone; and

R. Golf courses, driving ranges and country clubs.

S. Special events."

c. Section 18.60.040, Findings and decisions, is hereby amended as follows:

"**18.60.040 - Findings and decisions.**

The commission, on the basis of the evidence submitted at the hearing, may grant use permits required by the provisions of this title when it finds that:

A. The proposed uses of the property are ~~essential or~~ 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;

C. 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."

d. Section 18.60.050, Home occupation use permits, is hereby amended as follows:

"**18.60.050 - Home occupation use permits.**

A. Applications for a home occupation use permit shall be processed administratively by the Planning Department.

B. Home occupation use permits may be granted if the Planning Department finds:

1. There are no added vehicle trips;

2. There is no signage pertaining to the home occupation;

3. There is no exterior evidence of a home occupation and all equipment, supplies, and materials used in business are stored inside the dwelling or accessory structures;

4. There is only up to one employee from outside the residence;

5. The floor area used for the home occupation is no greater than 25% of the gross floor area.

6. Products produced by the home occupation are not displayed so as to be visible outside the dwelling unit.

7. There are no public health or safety risks associated with the home occupation;

8. There are no limitations to public utilities or services result from operation of the home occupation;

9. The home occupation is secondary to the principal use a residence.

10. There is only one home occupation per dwelling unit."

SECTION 32. Chapter 18.61, ACCESSORY DWELLING UNITS, attached hereto and incorporated herein as ***Attachment 3*** (Chapter 18.61 – ACCESSORY DWELLING UNITS), is hereby added.

SECTION 33. Chapter 18.62, DENSITY BONUSES, attached hereto and incorporated herein as ***Attachment 4*** (Chapter 18.62 – DENSITY BONUSES), is hereby added.

SECTION 34. Section 18.66.020, Definitions, is hereby deleted in its entirety.

SECTION 35. Chapter 18.66, SURFACE MINING AND RECLAMATION, is hereby amended as follows:

a. Section 18.66.020, Definitions, is hereby amended as follows:

"**18.66.020 - Definitions.**

~~The following words and phrases shall have the meanings set forth in this chapter:~~

~~A. "Exploration" or "prospecting" means the search for minerals by geological, geophysical, geochemical or other techniques, including, but not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent, or quantity of minerals present.~~

~~B. "Mined lands" means and includes the surface, subsurface, and groundwater of an area in which surface mining operations will be, are being or have been conducted, including private ways and roads appurtenant to any such area, land excavations, working, mining waste and areas in which structures, facilities, equipment, machines, tools or other materials or property which result from, or are used in, surface mining operations are located.~~

~~C. "Minerals" means any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.~~

~~D. "Mining waste" means and includes the residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.~~

~~E. "Operator" means any person who is engaged in surface mining operations, himself, or who contracts with others to conduct operations on his behalf.~~

~~F. "Overburden" means soil, rock, or other materials that lie above a natural mineral deposit or in between deposits, before or after their removal, by surface mining operations.~~

~~G. "Permit" means any formal authorization from, or approved by, the city, the absence of which would preclude surface mining operations.~~

~~H. "Person" means any individual, firm, association, corporation, organization, or partnership, or any city, county, district, or the state or any department or agency thereof.~~

~~I. "Reclamation" means the process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion and other adverse effects~~

~~from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.~~

~~J. "State board" means state mining and geology board, in the department of conservation, State of California.~~

~~K. "State geologist" means individual holding office as structured in Section 677 of Article 3, Chapter 2 of Division 1 of the Public Resources Code.~~

~~L. "Surface mining operations" means all or any part of the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations shall include, but are not limited to:~~

~~1. In-place distillation, retorting or leaching;~~

~~2. The production and disposal of mining waste;~~

~~3. Prospecting and exploratory activities.~~ Words and phrases associated with surface mining and reclamation are provided in section 18.08 - Definitions."

Attachment 2

Chapter 18.08 – DEFINITIONS

18.08.010 Definitions – Generally.

This title shall be known as the "Zoning Ordinance" of the City of Sutter Creek. For the purpose of this title, certain terms and words are defined. When not inconsistent with the context, words used in the present tense include the future, words in the singular number include the plural number, and words in the plural number include the singular number, and the masculine includes the feminine. The word "shall" is always mandatory and not merely directory.

"*Affordable rent*" means the maximum monthly rent for a specified income level calculated in accordance with Health and Safety Code Section 50053 and implementing regulations.

"Affordable sales price" means the maximum housing cost for a specified income level, calculated in accordance with Health and Safety Code Section 50052.5 and implementing regulations.

"Affordable units" means those dwelling units which are required to be rented at affordable rents or sold at an affordable sales price to very low income households, low income households, or moderate income households.

"*Alley*" means a public way permanently maintained as a secondary means of access.

"*Apartment hotel*" means a building, or portion thereof, designed for or containing both individual guest rooms or suites of rooms and dwelling units.

"*Apartment house*" means a building, or portion thereof, designed for or occupied by five or more families living independently of each other.

"*Area requirements*" means the minimum net square footage of any lot excluding street rights-of-way. Area requirements are the equivalent of land use density.

"*Automobile service station*" means an establishment for the primary purpose of gasoline or vehicle fuel retail sales. This may also include sales of automotive accessories, vehicular operating fluids, and convenience goods or groceries, as well as the provision of minor vehicle maintenance, such as vehicle washing facilities, excluding automotive repair.

"*Boarding and rooming house*" means a residence, other than a hotel, wherein a room or rooms, with or without individual or group cooking facilities, are rented, leased, or subleased under two or more separate written or oral rental agreements, leases, or subleases, whether or not the owner, agent or rental manager resides within the dwelling unit.

"*Building*" means any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or property of any kind. See also *Structure*.

"*Building footprint*" means the ground area of a building or group of buildings.

"*Building height*" means the vertical distance from the average finished grade of a building footprint to the highest point of the structure. See also *Grade.*

"*Building setback*" is the minimum distance allowed between a lot line and the nearest building, column, wall, or fence structure requiring a building permit.

"*Bungalow court*" means a group of two or more detached one-family or two-family dwellings as rental units located upon a single lot, together with all open spaces as required by this title.

"*Carport*" means a permanent roofed structure with not more than two enclosed sides used or intended to be used for automobile shelter or storage.

"*Change of occupancy*" means a discontinuance of an existing use and substitution therefore of a use of a different kind or class.

"*Child day care facility*" means a facility that provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis, as defined in California Health and Safety Code Section 1596.750 as amended. "Child day care facility" includes day care centers - child and family day care homes.

"*Day care center - adult*" means a social rehabilitation facility or adult day program, as defined in Health and Safety Code Section 1502, that provides care to persons 18 years of age or older on less than a 24-hour basis.

"*Day care center - child*" means a child day care facility, other than a family day care home, and includes infant centers, preschools, extended day care facilities, and school age childcare centers, and includes childcare centers licensed pursuant to Health and Safety Code Section 1596.951.

"*Club*" means an association of persons, whether incorporated or unincorporated, for some common purpose but not including groups organized primarily to render a service carried on as a business.

"*Concession or incentive*" is as defined in Government Code Section 65915.

"*Condominium*" means a building or group of buildings in which the interior spaces of units are owned, individually, but the structure, common areas, and facilities are owned by the owners on a proportional, undivided basis.

"*Convenience store*" means a retail business with primary emphasis placed on providing the public a convenient location at which to purchase from a wide array of consumable products, predominantly food or food and gasoline services.

"*Corner lot*" means a lot situated at the intersection of two or more streets having an angle of intersection of not more than one hundred thirty-five degrees.

"*Director*" means the Community Development Director, or a designee of the Community Development Director.

"*Duplex dwelling*" or "*duplex*" means a single building consisting of two dwelling units designed for or occupied exclusively by two families living independently of each other.

"*Dwelling*" means a building or portion thereof designed or occupied for residential purposes, including one-family/single-family, two-family, multiple dwellings, but not including hotels, boarding and lodging houses, trailers and mobile homes.

"*Dwelling group*" means a combination or arrangement of dwellings on one building site.

"*Dwelling unit*" means a room or group of rooms (including sleeping, eating, cooking, and sanitation facilities, but not more than one kitchen), that constitutes an independent housekeeping unit, occupied or intended for occupancy by one household on a long-term basis.

"*Educational animal project*" means an animal husbandry activity which is under the supervision of an educationally-oriented youth program or organization that is connected with a school or nonprofit organization.

"*Educational institution*" means a college or university giving general academic instruction equivalent to the standards prescribed by the State Board of Education.

"*Emergency shelter*" has the meaning ascribed to it in Government Code Section 65582(d) and Health and Safety Code Section 50801(e), as such sections may be amended from time to time, and which presently define the term "emergency shelter" to mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person.

"*Employee housing*" has the meaning ascribed to it in Health and Safety Code Section 17008, as may be amended, and that is regulated by the California Department of Housing and Community Development.

"*Exploration*" or "*prospecting*" means the search for minerals by geological, geophysical, geochemical or other techniques, including, but not limited to, sampling, assaying, drilling, or any surface or underground works needed to determine the type, extent, or quantity of minerals present.

"*Family*" means a group of individuals, not necessarily related by blood or marriage, or adoption, or guardianship, living together in a single dwelling unit as a single housekeeping unit.

"*Family day care home*" means a licensed home in which the daycare provider resides and that provides family child care for up to twelve (12) children, or for up to fourteen (14) children, as may be applicable if the criteria in Health and Safety Code Sections 1597.44 and 1597.465 are met, as set forth in Health and Safety Code Section 1596.78, as may be amended from time to time, provided the provider holds a license from the state to operate as such. A family day care home is not required to hold a business license from the city nor pay a fee or tax to the city to operate.

"*Family food production*" means the non-commercial raising or keeping of animals by a family on the same lot as the primary residence of the family, solely for the purposes of personal use and consumption.

"*Farmworker housing*" has the same meaning as "employee housing," as set forth in Health and Safety Code Section 17008(a), for farmworkers.

"*Floor area*" means the sum of the gross floor area for each story of a building measured from the exterior faces of the exterior walls. Floor area includes all enclosed spaces.

"*Floor area ratio*" means the total floor area of the building or buildings on a lot, divided by the lot area. For example, on a lot with 10,000 square feet of lot area, a FAR of 1.00 will allow 10,000 square feet of gross square feet of building floor area to be built, regardless of the number of stories in the building (e.g., 5,000 square feet per floor on two floors or 10,000 square feet on one floor). On the same lot, a FAR of 0.50 would allow 5,000 square feet of floor area and a FAR of 0.25 would allow 2,500 square feet.

"*Fourplex dwelling*" or "*fourplex*" means a single building consisting of four dwelling units.

"*Front lot line*" means the boundary line of a lot that separates the property from the street or right-of-way. On a corner lot, only the line separating the street on which the proposed or existing structure will face is considered as a front lot line.

"*Front yard*" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the building setback line.

"*Garage*" means a building or portion of a building in which motor vehicles used by the occupants or tenants of the main building or buildings on the premises are stored or kept.

"*Gas station*" means an automobile service station and convenience store which supplies fuel to motor vehicles, groceries, and sundry items, and can include vehicle servicing and repairing, vehicle washing, sales of motor vehicle accessories and other customary services for automobiles, but excluding painting and body work.

"*Grade*" means the average of the finished ground level at the center of all walls of a building.

"*Gross acre*" means the entire acreage of a parcel.

"*Halfplex dwelling*" or "*halfplex*" means one-half of a duplex dwelling which is located on a separate lot from the other half of the duplex. Also referred to as a zero lot line unit.

"*Home occupation*" means an occupational activity or business use conducted within a dwelling unit and/or an accessory structure by a resident of the property, and that is secondary to the residential use of a property, but does not include a family day care home.

"*Hospital*" means any building or portion thereof used for the accommodation and medical care of sick, injured or infirm persons and including sanitariums.

"*Hotel*" means a building that provides accommodations for temporary lodging and services for travelers and tourists, in which there are five or more guest rooms, and in which no provision is made for cooking in any individual room or suite.

"*Interior lot*" means a lot other than a corner lot.

"*Live-work unit*" means a building or space within a building that is used jointly for office/business and residential uses allowed in the applicable zoning district.

“*Lot*” means a parcel.

"*Lot area*" means the total horizontal area (i.e. map area) within the lot lines of a lot.

"*Lot coverage*" means the ratio of the total footprint area of all structures and impervious cover on a lot relative to the lot area. The sum of the footprints of all primary and accessory structures, including garages, carports, covered patios, and roofed porches is used to calculate lot coverage.

"*Lot depth*" means the lesser of the horizontal distances separating the front and rear lot lines measured at the side lot lines.

"*Lot width*" means the lesser of the horizontal distances separating side lot lines measured at the front and rear lot lines.

“*Low barrier navigation center*” means a housing first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing, that meets the requirements of Government Code Section 65662, as may be amended.

“*Major transit stop*” means a site containing any of the following: (a) an existing rail or bus rapid transit station; (b) a ferry terminal served by either a bus or rail transit service; or (c) The intersection of two or major bus routes with a frequency of service interval of 15 minutes or less during the morning or afternoon peak commute period, or as otherwise defined by Public Resources Code Section 21064.3.

“*Manufactured housing*” means has the same meaning as “manufactured home” in Section 18007 of the Health and Safety Code.

"*Mined lands*" means and includes the surface, subsurface, and groundwater of an area in which surface mining operations will be, are being or have been conducted, including private ways and roads appurtenant to any such area, land excavations, working, mining waste and areas in which structures, facilities, equipment, machines, tools or other materials or property which result from, or are used in, surface mining operations are located.

"*Minerals*" means any naturally occurring chemical element or compound, or groups of elements and compounds, formed from inorganic processes and organic substances, including, but not limited to, coal, peat, and bituminous rock, but excluding geothermal resources, natural gas, and petroleum.

"*Mining waste*" means and includes the residual of soil, rock, mineral, liquid, vegetation, equipment, machines, tools, or other materials or property directly resulting from, or displaced by, surface mining operations.

“*Mobile home*” means a structure, transportable in one or more sections, built on a permanent chassis and designed for use as a single-family dwelling unit and which (1) has a minimum of 400 square feet of living space; (2) has a minimum width in excess of 102 inches; (3) is connected to

permanent utilities; and (4) is tied down to a permanent foundation or is set on piers, with wheels removed and skirted, in a mobile home park or on a lot owned, rented, or leased by the homeowner.

"*Mobile home parks*" means a parcel or contiguous parcels under one ownership that are planned and improved, or on which two or more mobile home lots are rented, leased, or held out for rent or lease, to accommodate mobile homes for human habitation. The rental paid for any such mobile home shall be deemed to include rental for the lot it occupies. Mobile home parks may include accessory outdoor storage areas for recreational vehicles, boats, etc., for the exclusive use of park residents.

"*Multiple family dwelling*" means a building containing two or more dwelling units for the use of individual households; an apartment or condominium building is an example of this dwelling unit type.

"*Nonconforming building*" means a building or structure or portion thereof conflicting with the provisions of this title applicable to the zone in which it is situated.

"*Nonconforming use*" means a use that conflicts with the provisions of this General Plan, and may include use of a conflicting structure, a conflicting use within a conforming building, a conflicting use within a conflicting structure, or a conflicting use of land.

"*Nuisance*" means anything which is injurious to the health, safety or public welfare, or is an obstruction to the free use and enjoyment of property in the affected area.

"*Occupied*" means the active use of a property, structure, or dwelling.

"*One-family dwelling*" or "*single-family dwelling*" means a dwelling, not attached to any other dwelling, which is designed for and occupied by not more than one family and surrounded by open space or yards.

"*Operator*" means any person who is engaged in surface mining operations, himself, or who contracts with others to conduct operations on his behalf.

"*Outdoor retail sales*" means the outdoor display of products by a permanent business establishment and temporary retail operations, including farmer's markets; sidewalk sales; seasonal sales; semi-annual sales of art or handcrafted items in conjunction with community festivals or art shows; and retail sales of various products from individual vehicles. Does not include flea markets or swap meets which occupy more than two acres of land.

"*Parcel*" means a contiguous area of land, except for intervening easements and right-of-way with a continuous boundary defined by the description of said parcel as recorded in the office of the County Clerk or by reference to a recorded subdivision plat.

"*Permit*" means any formal authorization from, or approved by, the city, the absence of which would preclude surface mining operations.

"*Person*" means any individual, firm, partnership, joint venture, association, club, fraternal organization, corporation, estate trust, receiver, organization, syndicate, city, county, municipality, district or other political subdivision, or any other group or combination acting as a unit. In regard

to surface mining and reclamation "person" means any individual, firm, association, corporation, organization, or partnership, or any city, county, district, or the state or any department or agency thereof.

"*Pet*" means domestic animals ordinarily permitted in the house and kept for company or pleasure, such as dogs, cats, birds and the like

"*Planned development*" is as defined in Civil Code Section 1351(k).

"*Primary dwelling unit* "means an existing or proposed single-family residential structure on a single parcel with provisions for living, sleeping, eating, a single kitchen for cooking, and sanitation facilities occupied and intended for one household, and does not include an accessory dwelling unit or junior accessory dwelling unit.

"*Public garage*" means a garage, other than a private garage.

"*Rear lot line*" means the line opposite the front lot line.

"*Rear yard*" means a yard extending across the full width of the lot between the building setback line and the rear lot line. The depth of the required rear yard is measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line.

"*Reclamation*" means the process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may extend to affected lands surrounding mined lands, and may require backfilling, grading, resoiling, revegetation, soil compaction, stabilization, or other measures.

"*Recreational vehicle*" means a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, originally designed for human habitation for recreational or emergency occupancy, and bearing the state or federal insignia of approval for recreational vehicles.

"*Residential care facility – large*" means any family home or group care facility serving seven or more persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, excluding jails or other detention facilities.

"*Residential care facility - small*" means any family home or group care facility serving six or fewer persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, excluding jails or other detention facilities.

"*Residential caretaker unit*" means permanent or temporary housing that is secondary or accessory to the primary use of the property. Such dwellings are used for housing a caretaker employed on the site of a nonresidential use where a caretaker is needed for security purposes or to provide twenty-four (24) hour care or monitoring facilities, equipment, or other conditions on the site, or

for employees and seasonal workers employed on the site where work is in locations deficient in housing. Caretaker units are limited in size to a maximum of 800 square feet.

"*School*" means a public or private elementary, junior high, or high school which offers instruction in the several branches of learning and study required to be taught by the Education Code of the State of California.

"*Senior housing*" means a housing development consistent with the California Fair Employment and Housing act (Government Code Section 12900 et. Seq., including 12955.9 in particular), which has been "designed to meet the physical and social needs of senior citizens," and which otherwise qualifies as "housing for older persons" as that phrase is used in the federal Fair Housing Amendments Act of 1988 P.L. 100-430) and implementing regulations (24 CFR, part 100, subpart E), and as the phrase is used in California Civil Code Sections 51.2 and 51.3. Senior housing shall be allowed the same as other residential uses in the same zone.

"*Short-term rental unit*" or "*Vacation rental*" means a residential dwelling unit or accessory building rented for periods of 30 consecutive days or fewer. Also known as a vacation rental.

"*Side lot line*" means any lot lines other than a front lot line or a rear lot line.

"*Side yard*" means a yard between the main building and the side lot line extending from the building setback line of the required front yard to the rear yard the width of which side yard shall be measured horizontally from, and at right angles to, the nearest point of a side lot line towards the nearest part of a main building.

"*Single housekeeping unit*" means an interactive group of persons jointly residing in a single dwelling unit exercising joint responsibility for and use of the dwelling's common areas, jointly sharing household expenses, and jointly sharing household activities and responsibilities such as meals, chores, and household maintenance."

"*Single room occupancy facility*" means a structure that provides living units that have separate sleeping areas and may have private or some combination of shared bath or toilet facilities. The structure may or may not have separate or shared cooking facilities for the residents.

"*Single room occupancy unit*" means a room that is used, intended or designed to be used by no more than two persons as a primary residence, but which lacks either or both a self-contained kitchen or bathroom.

"*Special event*" means any commercial outdoor gathering of at least 25 individuals, whether on public or private property, assembled with a common purpose for a period of up to 72 hours. Special events include, but are not limited to concerts, fairs, carnivals, parades, races, festivals, celebrations, or any other gathering or events of similar nature. Special events do not include: a temporary event conducted in an approved place of public assembly, such as a theater, convention center, meeting hall, public school events on school property, sports facility, or fairgrounds; or private non-commercial events/ parties held at a private residence. Events occurring for more than three contiguous days are not special events and require a conditional use permit.

"*State board*" means state mining and geology board, in the department of conservation, State of California.

"*State geologist*" means individual holding office as structured in Section 677 of Article 3, Chapter 2 of Division 1 of the Public Resources Code.

"*Storage*" means the placement or keeping of an object, vehicle, or materials in a stationary location on private property for a period of time exceeding seventy-two hours.

"*Story*" means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above it.

"*Half story*" means a story with at least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the floor area immediately below it.

"*Street*" means a thoroughfare which affords the principal means of access to abutting property.

"*Structure*" means anything constructed or erected, the use of which requires being attached to the ground or attached to something located on the ground. For the purposes of this document, the term "structure" includes "buildings."

"*Supportive housing*" or "*permanent supportive housing*" means permanent housing with no limit on the length of stay that is occupied by the target population and that is linked to onsite or offsite services that assist the supportive housing residents in retaining the housing, improving his or her health status, and maximizing his or her ability to live, and when possible, work in the community. Shall also include associated facilities if used to provide services to housing residents.

"*Surface mining operations*" means all or any part of the process involved in the mining of minerals on mined lands by removing overburden and mining directly from the mineral deposits, open-pit mining of minerals naturally exposed, mining by the auger method, dredging and quarrying, or surface work incident to an underground mine. Surface mining operations shall include, but are not limited to:

1. In-place distillation, retorting or leaching;
2. The production and disposal of mining waste;
3. Prospecting and exploratory activities.

"*Target population*" means people with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act [Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code] and may include, among other populations, adults, emancipated minors, families with children, elderly people, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and people experiencing homelessness.

"*Time share unit*" means a condominium or similar unit that can be purchased for a specified annual term of use (typically one to two weeks).

"*Townhouse*" means a dwelling unit occupied or intended for occupancy by only one household that is structurally connected with at least one other such dwelling unit and where no unit is located over another unit.

"*Trade school*" or technical school means a postsecondary educational institution designed to train students for a specific job in a skilled trade career.

"*Transient occupancy building"* means a building that has an occupancy of 30 consecutive days or fewer, and may include a boarding house, vacation rental unit, hospice, or hostel.

"*Transitional housing*" means housing with supportive services for up to 24 months that is exclusively designated and targeted for recently homeless persons, with the ultimate goal of moving recently homeless persons to permanent housing as quickly as possible. Transitional housing limits rents and service fees to an ability-to-pay formula reasonably consistent with the United States Department of Housing and Urban Development's requirements for subsidized housing for low-income persons. Rents and service fees paid for transitional housing may be reserved, in whole or in part, to assist residents in moving to permanent housing.

"*Triplex dwelling*" or "*triplex*" means a single building consisting of three dwelling units.

"*Use*" means the purpose for which a lot or structure is or may be leased, occupied maintained, arranged, designed, intended, constructed, erected, moved, altered, and/or enlarged in accordance with the general plan land use designations and City zoning ordinance.

"*Yard"* means an open space on a lot unoccupied and unobstructed from the ground upward.

18.08.020 Rules and Interpretations.

A. *Terminology*. The following rules apply to all provisions of the Zoning Code:

1. Language. The words "shall", "must", "will", "is to", and "are to" are always mandatory. "Should" is not mandatory but is strongly recommended, and "may" is permissive.

2. *Tense.* The present tense includes the past and future tense, and the future tense includes the present.

3. *Number.* The singular number includes the plural number, and the plural the singular, unless the natural construction of the words indicates otherwise.

4. *Conjunctions.* "And" indicates that all connected items or provisions shall apply. "Or" indicates that the connected items or provisions may apply singly or in any combination. "Either-or" indicates that the connected items and provisions shall apply singly but not in combination. "Includes" and "including" shall mean "including but not limited to".

5. *Local reference.* "City" as used herein means the City of Sutter Creek and all public officials, bodies and agencies referenced herein are those of the City unless otherwise stated.

B. *Number of days.* Whenever the number of days is specified in the Zoning Code, or in any permit, condition of approval, or notice issued or given as provided in the Zoning Code, the number of days shall be construed as calendar days. When the last of the specified number of days falls on a weekend or City holiday, time limits shall extend to the end of the next working day.

C. *Minimum requirements.* In interpreting and applying the provisions of the Zoning Code, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the Zoning Code imposes a greater restriction upon the use of buildings or land or requires larger open spaces than are imposed or required by this Code or other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of the Zoning Code shall control.

Attachment 3

Chapter 18.58 – ACCOMMODATIONS OF PERSONS WITH DISABILITIES.

18.58.010 Purpose.

It is the policy of the City of Sutter Creek, pursuant to the Federal Fair Housing Amendments Act of 1988 (42 U.S.C. §§ 3601 *et seq.*) and the California Fair Employment and Housing Act (Cal. Gov't Code §§ 12955 *et seq.*) (hereafter "fair housing laws"), to provide individuals with disabilities reasonable accommodation in rules, policies, practices, and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities. This ordinance establishes a procedure for making requests for reasonable accommodation in land use, zoning, and building regulations, to comply fully with the intent and purpose of fair housing laws.

18.58.020 Applicability.

A. *Reasonable Accommodation*. "Reasonable accommodation" for purposes of this Chapter shall mean providing individuals with disabilities flexibility in the application of land use, zoning, and building regulations when it is necessary to eliminate barriers to housing opportunities.

B. *Individual with a Disability*. An "individual with a disability" shall mean someone who has a physical or mental impairment that limits one or more major life activities, anyone who is regarded as having such impairment, or anyone with a record of such impairment.

C. *Request*. A request for reasonable accommodation may be made by any individual with a disability, his or her representative, when the application of a land use, zoning, or building regulation, including policies, practices, or procedures, acts as a barrier to fair housing opportunities.

18.58.030 Requests.

A. *Required Information.* Requests for reasonable accommodation shall be in writing and provide the following information:

1. Name and address of the requestor(s);

2. Name and address of the property owner(s);

3. Address of the property for which accommodation is requested;

4. Description of the requested accommodation and the regulation(s), policy, or procedure for which accommodation is sought; and

5. Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.

B. *Confidential Information*. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

C. *Timing.* A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

D. *Assistance*. If an individual needs assistance in making the request for reasonable accommodation, the Planning Division will provide assistance to ensure that the process is accessible.

18.58.040 Review.

A. *Timing*. Planning Director shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth in subsection (B) herein. If the Planning Director fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time period allotted by subsection (A) herein, the request shall be deemed granted. Notwithstanding the foregoing, if necessary to reach a determination on the request for reasonable accommodation, the Planning Director may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.

B. *Factors*. The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:

1. Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;

2. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;

3. Whether the requested accommodation would impose an undue financial or administrative burden on the City;

4. Whether the requested accommodation would require a fundamental alteration in the nature of the City's land use, zoning, or building program;

5. Whether the requested accommodation is reasonable given the impact that the requested accommodation would have on the surrounding community and on public safety; and

6. Whether there are other accommodations that may provide an equivalent level of benefit.

C. *Written Decision*. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the Planning Director's findings on the criteria set forth in subsection (B) herein. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.

D. *Laws in Full Force and Effect*. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

E. *Decision Final Unless Appealed*. The written decision of the Planning Director shall be final unless an applicant appeals it to the Planning Commission pursuant to Section 18.58.050.

18.58.050 Appeals.

A. *Timing*. Within thirty (30) days of the date of the Planning Director's written decision, an applicant may appeal an adverse decision. Appeals from the adverse decision shall be made in writing.

B. *Assistance*. If an individual needs assistance in filing an appeal on an adverse decision, the Planning Division will provide assistance to ensure that the appeals process is accessible.

C. *Content of Appeal*. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. *Additional Remedies*. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

Attachment 4

Chapter 18.61 – ACCESSORY DWELLING UNITS.

18.61.010 Purpose.

This chapter provides for accessory dwelling units (ADU) and junior accessory dwelling units (JADU) consistent with Government Code Section 65852.2.

18.61.020 Accessory dwelling unit criteria.

A. *Location.* Accessory dwelling units may be allowed as follows:

1. Parcels zoned for single-family, duplex or multifamily use, or on nonresidentially zoned properties, which are currently used for a single-family residential use, either simultaneous to or subsequent to construction of the principal single-family detached dwelling;

2. Parcels which are currently used for a multifamily land use, when the accessory dwelling unit is created within portions of the existing multifamily dwelling structure that is not used as livable space, and if each space complies with applicable building and health and safety codes. However, one-story detached accessory dwelling units may be allowed on a multifamily dwelling parcel provided such units comply with the development standards for one-story accessory dwelling units in subsection D of this section.

B. *Limitation.*

1. *Single-Family Residential Uses.* In no case shall more than one accessory dwelling unit and one junior accessory dwelling unit be placed on the same lot or parcel for single-family dwellings.

2. *Multifamily Residential Uses.*

a. No more than two detached accessory dwelling units shall be allowed on a parcel zoned multifamily residential.

b. The number of accessory dwelling units allowed on a multifamily property are limited to not more than 25 percent of the number of multifamily dwelling units on the property, except that at least one accessory dwelling unit shall be allowed.

C. *Zoning District Standards*. All requirements and regulations of the zoning district in which the lot is situated shall apply, except as set forth in subsection D of this section.

D. *Special Conditions.* The accessory dwelling unit may be established by the conversion of an attic, basement, garage or other portion of an existing residential unit or by new construction; a detached accessory dwelling unit may be established by the conversion of an accessory structure or may be established by new construction provided the following criteria are met:

Attachment 4

1. *Floor Area.* The floor area of an attached accessory dwelling unit shall not exceed 800 square feet or 50 percent of the existing living area, whichever is greater. The floor area of a detached accessory dwelling unit shall not exceed:

   a. Parcels of 10,000 square feet or greater: 1,000 square feet.

   b. All other parcels: 850 square feet for a studio or one-bedroom accessory dwelling unit, or 1,000 square feet for an accessory dwelling unit that provides for more than one bedroom.

2. *Height.* Accessory dwelling units are subject to the same height standards that apply to primary dwellings on the lot in the applicable zoning district.

3. *Architecture.*

   a. Accessory dwelling units shall be substantially compatible with the primary dwelling unit and the neighborhood.

   b. All windows along the wall facing the adjoining property line shall be clerestory (minimum of six feet height above the finished floor) or shall have permanently obscured glazing.

4. *Setbacks.* Accessory dwelling units are subject to the same setback standards that apply to primary dwellings on the lot in the applicable zoning district, except that a setback of no more than four feet shall be required from the side and rear lot lines. No setback shall be required for a garage or other accessory structure which was constructed with a building permit as of January 1, 2020, that is converted to an accessory dwelling unit.

5. *Manufactured.* Manufactured accessory dwelling units that meet the requirements of State law shall be allowed; provided, that they are constructed on a permanent foundation, are deemed substantially compatible architecturally with the primary dwelling unit by the Planning Director, and adhere to the development standards set forth in this chapter.

6. *Utility Connections.* At the discretion of the City Engineer, utility connections (sewer, water, gas, electricity, telephone) may or may not be connected to the primary dwelling unit. If utility connections are separate from the primary dwelling unit, power and telephone lines shall be underground from the point of source as approved by the respective utility purveyor to the accessory dwelling unit. However, for the creation of an accessory dwelling unit contained within the existing space of a single-family residence or accessory structure, the City shall not require the applicant to install a new or separate utility connection directly between the accessory dwelling unit and the utility or impose a related connection fee or capacity charge.

7. *Selling Accessory Dwelling Units.* The accessory dwelling unit shall not be offered for sale apart from the primary dwelling unless the accessory dwelling unit or the primary dwelling was built or developed by a qualified nonprofit, there is an enforceable restriction on use pursuant to a recorded contract between the qualified buyer and the qualified nonprofit corporation, and the property is held pursuant to a recorded tenancy in common agreement

that includes the requisite provisions set forth in Section 65852.6. For purposes of this provision, all terms shall have the meaning set forth in Government Code Section 65852.6.

8. *Renting Accessory Dwelling Units.* The rental of an accessory dwelling unit is allowed, provided the term is longer than 30 consecutive days. The rental of an accessory dwelling unit for 30 days or less is prohibited.

9. *Separate Entrance Required.* The entry to an attached accessory dwelling unit shall be accessed separately and securely from the primary dwelling unit. No passageway shall be required in conjunction with the construction of an accessory dwelling unit. For the purpose of this chapter, a passageway is a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

10. *Applicable Codes.* Accessory dwelling units must comply with applicable building, fire and other health and safety codes.

11. *Lot Coverage.* Accessory dwelling units shall not be considered when calculating the maximum lot coverage allowed.

12. *Parking.* There shall be one offstreet parking space per accessory dwelling unit or per bedroom in the accessory dwelling unit(s), whichever is less. Offstreet parking spaces for the ADU may be provided as tandem parking or in setback areas in locations determined by the City, unless the City finds that tandem parking or parking in setback areas is not feasible based upon specific site or regional topographical or fire and life safety conditions. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, or converted to an accessory dwelling unit, no replacement offstreet parking spaces shall be required.

E. *Application Procedure.* Planning Director, or designee, approval shall be required for all accessory dwelling units. The property owner shall file a completed administrative review application with the Planning Department, or a building permit application, and pay all applicable fees. The completed application form shall include, but not be limited to, data on the floor space and height of the proposed unit and the existing residential unit(s), a photograph of the existing residential unit(s), the height of adjacent residences, and an accurately drawn site plan showing the location and size of all existing and proposed structures, the proposed accessory dwelling unit, setbacks, utility connections and vehicle parking.

F. *Reserved.*

G. *Existing Nonpermitted Accessory Dwelling Units.* The Planning Director may approve an accessory dwelling unit constructed without benefit of required permits; provided, that the unit conforms to the current building code, is subject to applicable current permit and impact fees, and conforms to setback, height, area, and other physical development standards otherwise applicable.

H. *General Plan and Zoning Densities*. Accessory dwelling units shall not be counted as "development units" under the General Plan density requirements or the density requirements for the applicable zoning district.

I. *Connection Fees or Capacity Charges*. Accessory dwelling units shall not be considered new residential uses for the purposes of calculating local agency connection fees or capacity charges for utilities, including sewer and water. Accessory dwelling units of 750 square feet or less shall not be subject to impact fees. Accessory dwelling units larger than 750 square feet may, as determined by the City Council by resolution, be subject to impact fees charged proportionately in relation to the square footage of the primary dwelling unit.

J. *Fire Sprinklers*. The installation of fire sprinklers shall not be required in an accessory dwelling unit if they are not required for the primary dwelling unit (unless otherwise required by the Fire Chief based on State law).

K. *Maintenance and Conversion*. An accessory dwelling unit created under this chapter shall be maintained with the provisions of this chapter and shall not be destroyed or otherwise converted to any other use (including reverting to a portion of the primary dwelling unit) except with approval of the Planning Director. In considering such requests, the Planning Director shall consider the length of time such permit has been in force, the conditions of approval, the exceptions granted for the permit, and the impact on the City's affordable housing supply. As a condition of termination, the Planning Director shall require the owner to make modifications to the property to: (1) comply with current building code requirements and (2) comply with current development standards in effect at the time of the request to terminate the use of the ADU.

18.61.030 Junior accessory dwelling unit criteria.

A. *Location.* Junior accessory dwelling units may be allowed only on parcels zoned for single-family residential use with an existing single-family dwelling unit on the parcel; or, as part of a proposed single-family residential use when it is within the proposed space of a single-family dwelling.

B. *Limitation.* In no case shall more than one accessory dwelling unit and one junior accessory dwelling unit be placed on the same lot or parcel.

C. *Occupancy.* Owner-occupancy is required in the single-family dwelling unit in which the junior accessory dwelling unit will be permitted. The owner may reside in either the remaining portion of the single-family dwelling unit or the newly created junior accessory dwelling unit. Owner-occupancy shall not be required if the owner is a governmental agency, land trust, or housing organization.

D. *Existing Structure/Bedroom.* A junior accessory dwelling unit shall be located within the walls of an existing or proposed single-family residence.

E. *Entrance.* A junior accessory dwelling unit shall include its own discrete entrance, separate from the main entrance to the structure. A permitted junior accessory dwelling unit may include an interior entry to the main living area, and may include a second interior doorway for sound attenuation.

F. *Kitchen.* The junior accessory dwelling unit shall include an efficiency kitchen, which shall include all of the following: sink, food preparation counter, refrigerator, and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

G. *Parking.* Junior accessory dwelling units have no parking requirement.

H. *Deed Restriction.* The junior accessory dwelling unit shall not be offered for sale apart from the primary dwelling unit. A deed restriction, which shall run with the land, shall be filed with the City and shall include both of the following:

1. A prohibition on the sale of the junior accessory dwelling unit separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers; and

2. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this section.

I. *Timing.* A permit shall be issued within 60 days of submission of an application for a junior accessory dwelling unit that meets the criteria in this section and is part of an existing single-family dwelling.

J. For the purposes of any fire or life protection ordinance or regulation, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

K. For the purposes of providing service for water, sewer, or power, including a connection fee, a junior accessory dwelling unit shall not be considered a separate or new dwelling unit.

L. A junior accessory dwelling unit created under this chapter shall be maintained with the provisions of this chapter and shall not be destroyed or otherwise converted to any other use (including reverting to a portion of the primary dwelling unit) except with approval of the Planning Director. In considering such requests, the Planning Director shall consider the length of time such permit has been in force, the conditions of approval, the exceptions granted for the permit, and the impact on the City's affordable housing supply. As a condition of termination, the Planning Director shall require the owner to make modifications to the property to: (1) comply with current building code requirements and (2) comply with current development standards in effect at the time of the request to terminate the use of the ADU.

Attachment 5

Chapter 18.62 - DENSITY BONUSES.

18.62.010 Purpose.

The purpose of this section is to implement requirements of the State Density Bonus Law (California Government Code Title 7, Division 1, Chapter 4.3, Sections 65915, et seq.), and the City's Housing Element by specifying how the City shall provide density bonuses and other incentives, concessions, or waivers to developers for the production of housing affordable to lower income households, moderate income households, and senior citizens, and to increase the availability of childcare facilities in the City. Nothing in this Chapter is intended to create a mandatory duty on behalf of the City or its employees under the Government Tort Claims Act, and no cause of action against the City or its employees is created by this Chapter that would not arise independently of the provisions of this Chapter.

18.62.020 Definitions.

All terms used in this Chapter shall be interpreted in accordance with the definitions herein except to the extent otherwise defined in the State Density Bonus Law.

"*Affordable rent*" means the maximum monthly rent for a specified income level calculated in accordance with Health and Safety Code Section 50053 and implementing regulations.

"*Affordable sales price*" means the maximum housing cost for a specified income level, calculated in accordance with Health and Safety Code Section 50052.5 and implementing regulations.

"*Affordable units*" means those dwelling units which are required to be rented at affordable rents or sold at an affordable sales price very low income households, low income households, or moderate income households.

"*Applicant*" or "*developer*" means a person, persons, or entity who applies for a housing development, as well as the owner or owners of the property if the applicant does not own the property on which development is proposed.

"*Area Median Income*" or "*AMI*" means the median family income (adjusted for family size) for Placer County promulgated and published annually by the California Department of Housing and Community Development ("HCD") pursuant to Title 25, § 6932 of the California Code of Regulations.

"*Childcare facility*" means a childcare facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age child care centers.

"*Concession or incentive*" is as defined in Government Code Section 65915.

"*Density bonus*" means a density increase over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the applicant to the city, as defined by Government Code Section 65915.

"*Director*" means the Community Development Director, or a designee of the Community Development Director.

"*Housing development*" is a residential development project for five or more residential units, including mixed-use developments, as defined in Government Code Section 65915.

"*Planned development*" is as defined in Civil Code Section 1351(k).

"*Total units*" means a calculation of the number of units in a housing development, excluding units added by a density bonus award pursuant to this Chapter and including units designated to satisfy an inclusionary zoning requirement if applicable.

18.62.030 Eligible Projects.

The City shall grant one density bonus, the amount of which shall be as specified in section 18.62.040 and if requested by the applicant and consistent with the applicable requirements of this Chapter, incentives or concessions, as described in subsection 18.62.050, reduced parking ratios, as described in subsection 18.62.060, and waivers and reductions, as described in subsection 18.62.070, if the housing development proposed by the applicant meets at least on of the following requirements:

A. A minimum of 5 percent of the total units of the housing development is restricted and affordable to very low-income households as defined in Health and Safety Code Section 50105.

B. A minimum of 10 percent of the total units of the housing development is restricted and affordable to lower income households as defined in Health and Safety Code Section 50079.5.

C. A minimum of 10 percent of the total units of the housing development is sold to moderate income households, as defined by Health and Safety Code Section 50093, provided that all units are offered to the public for purchase.

D. The housing development qualifies as a senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Civil Code Sections 798.76 or 799.5.

E. A minimum of 10 percent of the total units of a housing development are used for transitional foster youth, as defined by Education Code Section 66025.9, disabled veterans, as defined in Government Code Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.), and are subject to a recorded affordability restriction of fifty-five (55) years and provided at the same affordability as very low income units.

F. All of the units of the housing development are used for students enrolled full-time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges, in which a minimum of 20 percent of the total dwelling units are for lower income households, with priority given to students experiencing homelessness (verified pursuant to Section 65195(b)(1)(f)(i)(IV) of the Government Code), and the rent for such units does not to exceed 30 percent of 65 percent of the area median income for a single-room occupancy unit type.

18.62.040 Density Bonus.

If a project meets the requirements set forth in section 18.62.030, the applicant shall be entitled to a density bonus calculated as set forth herein. Each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

A. *100% Affordable Housing Development.* If 100 percent of the units in the housing development are lower income or very low-income units, excluding manager's units, with up to 20 percent of the units for moderate income households, the City shall allow an 80 percent maximum density bonus and four (4) concessions or incentives meeting all the applicable eligibility requirements of this Chapter.

B. *Very Low-Income Housing Development*. A very low-income housing development that meets the requirements of subsection 18.62.030(A) shall be entitled to the following density bonus calculation and number of incentives or concessions:

Very Low-Income Unit Percentage	Density Bonus	Incentives or Concessions
5% - 9%	20% - 30%	1
10% - 11%	32.5% - 35%	2
12% - 13%	38.75% - 42.5%	2
14%	46.25%	2
15% - 99%	50%	3
100% (Can include a combination of very low and low income, with up to 20% moderate income)	80%	4

C. *Low Income Housing Development*. A low-income housing development that meets the requirements of subsection 18.62.030(B) shall be entitled to the following density bonus calculation:

Low-Income Unit Percentage	Density Bonus	Incentives or Concessions
10% – 13%	20% - 24.5%	1
14% - 16%	26% - 29%	1
17% - 20%	30.5% - 35%	2
24% - 99%	50%	3

100% (Can include a combination of very low and low income, with up to 20% moderate income)	80%	4

D. *Moderate Income Housing Development*. A moderate income housing development that meets the requirements of subsection 18.62.030(C) shall be entitled to the following density bonus calculation and number of concessions or incentives:

Moderate Income Unit Percentage	Density Bonus	Incentives or Concessions
10% - 15%	5% - 10%	1
16% - 19%	11% - 14%	1
20% - 29%	15% - 24%	2
30% - 35%	25% - 30%	3
36% - 42%	31% - 42.5%	3
43% - 44%	46.25 - 50%	3
45% - 99%	50%	3
100% (Can include a combination of very low and low income, with up to 20% moderate income)	80%	4

E. *Senior Citizen Housing Development*. A senior citizen housing development that meets the requirements of subsection 18.62.030(D) shall be entitled to a 20 percent density bonus.

F. *Transitional Housing Development*. A transitional housing development that meets the requirements of subsection 18.62.030(E) shall be entitled to a 20 percent density bonus.

G. *Student Housing Development.* A student housing development that meets the requirements of subsection 18.62.030(F) shall be entitled to a 35 percent density bonus and shall be entitled to one (1) concession or incentive.

18.62.050 Concessions or Incentives.

For purposes of this Chapter, concessions and incentives include the following:

A. A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable and actual cost reductions, to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code.

B. Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the

commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

C. Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in subdivision (c).

18.62.060 Parking Reductions.

If a housing development meets the requirements of 18.62.030, the following parking requirements apply. If the total number of parking spaces for a development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, a housing development may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking.

A. *General Parking Requirements*. Upon an applicant's request, the City may not require more than the following parking ratios for housing developments (inclusive of parking for persons with disabilities):

Studio	1 space
1 Bedroom	1 space
2 Bedroom	1.5 spaces
3 Bedroom	1.5 spaces
4 Bedroom	2.5 Spaces

B. *Special Parking Requirements*. Notwithstanding subsection (A), upon the request of a developer, the City shall not impose a parking ratio, inclusive of parking for persons with a disability and guests, that exceeds the following for specified projects:

Rental or for-sale housing development with at least 11% very low income or 20% low income units, within ½ mile of accessible major transit stop.	0.5 spaces per unit
For-sale housing development with at least 40 percent moderate-income units, within ½ mile of a major transit stop, as defined by Public Resources Code Section 21155(b), and where residents of the housing development have unobstructed access to the major transit stop.	0.5 spaces per bedroom
Rental housing development that is 100% affordable to lower income households, as defined by Health and Safety Code Section 50079.5, within ½ mile of accessible major transit stop.	0 spaces per unit
Rental senior citizen housing development that is 100% affordable to lower income households, either with paratransit service or within ½ mile of accessible bus route (operating at least eight times a day).	0 spaces per unit

Rental housing development that is 100% affordable to lower income households that is a special needs housing development, as defined in Health and Safety Code Section 51312.	0 spaces per unit
Rental housing development that is 100% affordable to lower income households that is a supportive housing development, as defined in Health and Safety Code Section 5675.14.	0 spaces per unit

C. The application of the ratios herein does not reduce or increase the number of incentives or concessions to which an applicant is entitled. An applicant may request parking incentives or concessions beyond those provided herein.

18.62.070 Waiver or Reduction of Development Standards.

If a development standard would physically prevent the housing development from being built at the permitted density and with the granted concessions or incentives, the developer may propose to have those standards waived or reduced. The City is not required to waive or reduce development standards that would cause a public health or safety problem, an environmental problem, harm historical property, or would be contrary to law. The waiver or reduction of a development standard does not count as a concession or incentive, and there is no limit on the number of development standard waivers that may be requested or granted.

18.62.080 Land Donation Bonus.

When an applicant for a tentative subdivision map, parcel map, or other housing development donates land to the City that meets the requirements of subsection (A), the applicant shall be entitled to the density bonus calculations in subsection (B).

A. Requirements. An applicant will be entitled to a density bonus if the land donation meets the following requirements:

1. The land is donated and transferred no later than the date of approval of the final subdivision map, parcel map, or residential development application to the City or to a housing developer approved by the City and by this time the transferred land shall have all permits and approvals, other than building permits, necessary for the development of the very low income housing, with the exception of any design review that would be allowed pursuant to Government Code Section 65583.2(I), as the same may be amended from time to time, if the design has not been reviewed prior to the time of transfer.

2. The zoning classification and general plan designation of the land is appropriate for affordable housing and the land is or will be served by adequate public facilities and infrastructure.

3. The transferred land is at least one acre in size or sufficient size to permit development of at least 40 units.

4. There is appropriate zoning and development standards to make the development of the affordable units feasible.

5. The transferred land is within the boundary of the proposed development. The applicant may submit a written request to the City to allow the transferred land to be located within ¼ mile of the boundary of the proposed project.

B. Density Bonus. Land donations made in accordance with subsection (A) shall be entitled to the following density bonus calculation and number of concessions or incentives:

Low Income Units Percentage	Density Bonus	Incentives or Concessions
10% - 19%	15% - 24%	0
20% -29%	25% - 34%	0
30% +	35%	0

18.62.090 Childcare Facilities Bonus.

When an applicant for a housing development includes a childcare facility that meets the requirements in subsection (A), the applicant shall be entitled to the density bonus in subsection (B):

A. *Requirements*. If an application for a housing development is submitted pursuant to this Chapter, and includes a childcare facility on the premises of, as part of, or adjacent to, the project, the City shall require as a condition of approval that the following occur:

1. The childcare facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable, pursuant to the State Density Bonus Law.

2. Of the children who attend the childcare facility, the children of very low income households, lower income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low income households, lower income households, or families of moderate income, pursuant to the State Density Bonus Law.

B. *Density Bonus and Concessions or Incentives.* If a housing development meets the requirements of subsection (A), then the City shall grant either of the following:

1. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the childcare facility.

2. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.

C. Notwithstanding any requirement of this section, the City shall not be required to provide a density bonus or concession for a childcare facility if it finds, based upon substantial evidence, that the community has adequate childcare facilities.

18.62.100 Condominium Conversions.

To receive a density bonus or concessions or incentives set forth in subsection (B), an applicant shall meet the requirements for condominium conversions set forth in subsection (A).

A. *Requirements.* An applicant proposing to convert apartments to condominiums shall meet the following requirements:

1. A minimum of 33 percent of the total units of the housing development shall be restricted and affordable to low-income or moderate-income households, or

2. A minimum of 15 percent of the total units of the housing development shall be restricted and affordable to lower-income households.

B. *Density Bonus or Concessions or Incentives*. If an applicant satisfies the conditions in subsection (A), the City shall grant a density bonus or other concessions or incentives of equivalent value. An applicant proposing to convert apartments to condominiums shall be ineligible for a density bonus, concession or incentives under this section if the apartments proposed for conversion constitute a housing development for which a density bonus, concession or incentives were previously provided under this Chapter. A density bonus awarded pursuant to this section shall be equal to a 25 percent increase in units to be provided within the existing structure or structure proposed for conversion. For concessions or incentives, the City shall not be required to provide cash transfer payments or monetary compensation but may include reductions or waivers of requirements which the City might otherwise apply as conditions of conversion approval.

C. Nothing in this Chapter shall be construed to require the City to approve a proposal to convert apartments to condominiums.

18.62.110 Project Application.

A. *Requirements*. To submit a complete application to the City for a density bonus and other concessions or incentives, the applicant shall:

1. Identify the section and/or subdivision of the State Density Bonus Law under which the application is made. See Government Code Section 65915, subdivision (b), paragraph (2) for requirements related to lower income households, very low income households, senior citizen housing development, transitional foster youth housing development, disabled veterans housing development, housing development for homeless persons, and moderate income common interest development; see Government Code Section 65915, subdivision (h) for donations of land; see Government Code Section 65915, subdivision (h) for child care facilities; and see Government Code Section 65915.5 for conversion of apartments to condominium projects.

2. Quantify the total density bonus requested, along with the factual and legal basis for the request in accordance with the State Density Bonus Law and this code.

3. Identify any incentives or concessions requested by the applicant, along with the factual and legal basis for the request in accordance with the State Density Bonus Law and this code.

4. Identify any waivers, reductions, or modifications of development standards requested by the applicant, along with the factual and legal basis for the request in accordance with the State Density Bonus Law and this code.

5. Provide a preliminary sketch plan showing the context and compatibility of the proposed project within the surrounding area, the number, type, size, and location of buildings, and parking. The design of proposed affordable dwelling units shall be compatible with the market-rate dwelling units within the project.

6. Provide information satisfactory to the Director to enable the City to determine whether the requirements of the State Density Bonus Law and this code have been met by the applicant, including, for example, the project cost per unit and whether any requested incentive or concession is necessary to make the housing units economically feasible. (See Government Code Section 65915, subdivision (d).) Such information may include capital costs, equity investment, debt service, projected revenues, operating expenses, and any other information deemed necessary by the Director.

7. Make payment for the requisite fees in connection with the application.

B. *Review.* The Director shall review the information provided by the applicant and shall make a recommendation the decision-making body for the proposed project regarding the density bonus and any requested concessions, incentives, waivers, reductions, or modifications. To the extent the Director recommends the grant of a density bonus, concession, incentive, waiver, reduction, or modification, any such grant shall be conditioned upon the applicant's compliance with all relevant obligations set forth in the State Density Bonus Law and this code.

C. *Approval.* The decision-making body for the proposed project shall also make the final decision on behalf of the City related to any application submitted in accordance with this section based on the Director's recommendation and on substantial evidence. This Chapter shall not be interpreted to require that the City grant a concession or incentive that has a specific, adverse impact, as defined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon health or safety, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact, or that would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

18.62.120 Enforcement; Conditions.

A. Affordable units under this section shall be constructed at the same time as the market-rate units.

B. The right to a density bonus or any other concession, incentive, or waiver under this chapter shall not be transferred to another development.

C. Where a developer proposes to simultaneously develop two or more parcels in the City, nothing in this section shall prohibit the City from using a density bonus and/or concession/incentive granted for one of the parcels on another of the multiple parcels.

D. The developer and/or property owner shall provide the City a yearly accounting of the total project units occupied and vacant, the total occupied and vacant units designated for households of moderate income, households of low income, and households of very low income.

E. An applicant shall agree to ensure that a for-sale unit that qualified the applicant for award of a density bonus meets either of the following conditions:

1. The unit is initially occupied by a person or family of very low, low, or moderate income, as required, and it is offered at an affordable housing costs and is subject to an equity sharing agreement, or

2. The unit is purchased by a qualified nonprofit housing corporation pursuant to a recorded contact that satisfies all of the requirements specified in paragraph 10 of subsection (a) of Section 402.1 of the Revenue and Taxation Code and that includes the restrictions set forth in Government Code Section 65915(c)(2).

F. An applicant shall agree to ensure the continue affordability of all very low and low-income rental units that qualified the applicant of the award of the density bonus for fifty-five (55) years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

G. The City may require a density bonus agreement or recorded affordability restrictions to effectuate any of the requirements of this Chapter and to ensure compliance therewith. Such agreements shall be on a form approved by the City Attorney.

APPENDIX B

GENERAL PLAN CIRCULATION ELEMENT UPDATE

6 Circulation Element

6.1 Introduction

6.1.1 Statutory Requirements

California Government Code Section 65302(b) requires that the general plan include "a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan." The California courts have found, particularly in the landmark case of Concerned Citizens of Calaveras County vs. Board of Supervisors of Calaveras County (1985), that a general plan circulation element must be "closely, systematically and reciprocally related to the land use element of the plan...The statutory correlation requirement is evidently designed in part to prohibit a general plan from calling for unlimited population growth in its land use element, without providing in its circulation element, 'proposals' for how the transportation needs of the increased population will be met." The "Concerned Citizens" case concluded that adequate "correlation" does not exist where "no known funding sources are available for improvements necessary to remedy the problems...."

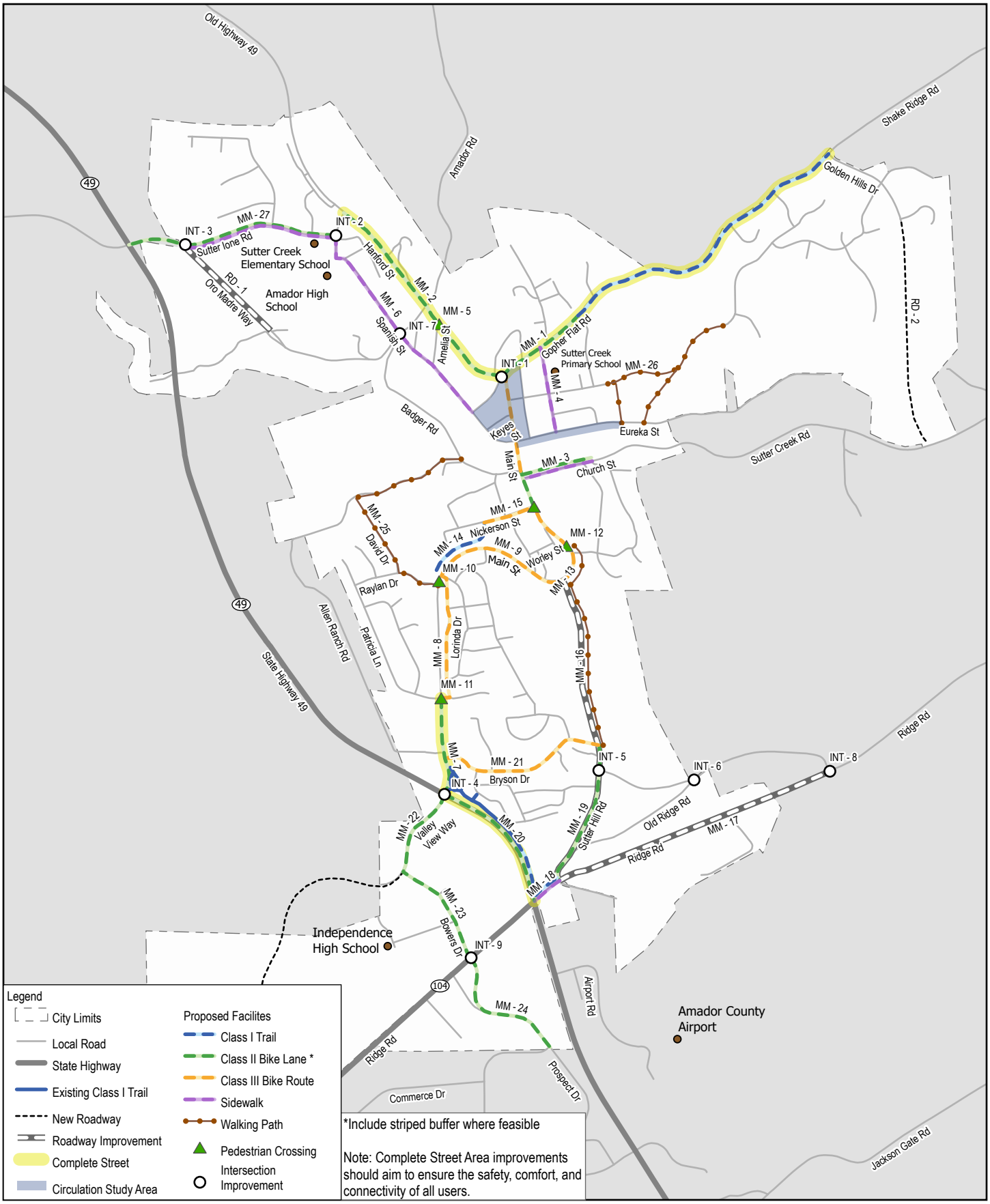
6.1.2 Format

The format of the Sutter Creek Circulation Element is similar to that used in the other general plan elements; text followed by goals, objectives, policies, and implementation measures. In order to ensure that the "correlation" requirements of State law are met, Volume II includes a capital improvements program and funding strategy.

Similar to the Land Use Element and the Noise Element, the Circulation Element contains the Circulation Element Diagram (Figure 6-1), which is a conceptual visual representation of the circulation system that will need to be developed during the 20-year planning period.

The circulation of non-traffic-related aspects of infrastructure (water, sewer, storm drainage, public utilities, etc.) are addressed separately in the Public Services and Facilities Element. Pedestrian walkways and bicycle trails are further addressed in the Parks and Recreation Element.

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GHD

City of Sutter Creek
Circulation Element Update

Project No. **11218455**
Revision No. **-**
Date **02/09/2021**

Circulation Diagram

FIGURE 6-1

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6.2 Goals, Objectives, Policies, and Implementation Measures

6.2.1 Goals

Goal C-1: The primary goal of the City of Sutter Creek Circulation Element is to ensure a safe and connected transportation network for all users by providing adequate multimodal facilities that address existing and future city-wide mobility needs. ~~that public safety and adequate levels of service are maintained through a variety of available modes of transportation as the City grows.~~

The following lists of objectives, policies, and implementation measures are intended to achieve this goal. The lists are organized as follows:

- Highway and Complete Street Improvements
- Multimodal and Transportation System Management (TSM)/Travel Demand Management (TDM) Considerations
- Circulation and Downtown Parking
- Health and Safety
- Operations and Maintenance
- Vehicle Miles Travelled (VMT)
- Local Transportation Analysis Procedures

Funding mechanisms for circulation improvements include: direct construction, mitigation fees, land exactions, and special assessment districts or Mello-Roos districts.

6.2.2 Objectives, Policies and Implementation Measures

The objectives, policies, and implementation measures are consistent with the Capital Improvements Program (CIP) and Funding Strategy found in Volume II. The CIP is itself an objective.

6.2.3 Highway and Street Improvements

Easterly Bypass Collector Road

Objective C-1.1: Construction of the Easterly Bypass Collector Road.

Policy C-1.1.1: The City shall require the dedication and construction of the Easterly Bypass Collector Road.

Implementation Measure C-1.1.1.1: As property is developed between Ridge Road and Shake Ridge Road, these development projects shall be required to dedicate and construct a minor collector road that will ultimately connect Ridge Road to Shake Ridge Road to the east of the City. Target date: Ongoing review standard

~~Signalization~~ Intersection Control

Objective C-1.2: The provision of traffic signals at intersections where warranted and feasible.

Policy C-1.2.1: Provide traffic signals at intersections where warranted and feasible.

Implementation Measure C-1.2.1.1: A number of intersections in the Sutter Creek planning area have met one or more of the standard warrants for signals. Each of these intersections should be further evaluated as time progresses to determine if traffic signals should be installed. Installation of the signals should be programmed as long-term improvements only when and if fully justified. Target date: Ongoing review standard

Policy C-1.2.2: Roundabouts should be considered when evaluating intersection controls.

Policy C-1.2.3: Provide and maintain coordinated traffic control systems that move traffic within and through the City in an efficient and orderly manner. Update systems as technology evolves.

Street Improvements

Objective C-1.3: The provision of necessary street improvements, where and when appropriate, for existing streets and in new development projects. Streets shall be designed and constructed in conformance with the City's adopted improvement standards and policies that apply to each classification. State highways shall be designed and constructed per Caltrans design standards or as mutually approved. All street standards shall be periodically reviewed and revised for design, construction, and maintenance of "Complete Streets."

Policy C-1.3.1: New development projects that have a potential to exceed the growth assumptions contained in the General Plan or that may have specific traffic and circulation concerns not identified by this General Plan shall be required to conduct independent traffic analysis and/or pay for construction improvements to the city's circulation system beyond those addressed in this Circulation Element through direct construction, mitigation fees, land exactions, or special assessment or Mello-Roos districts. In such instances, the citywide traffic model and this Circulation Element shall be updated at the developer's expense.

Policy C-1.3.2: Improve existing streets and make extensions where appropriate to improve circulation, safety, and capacity. Streets shall be constructed or modified in conformance with the City's adopted improvement standards (May 2018) and policies that apply to each classification. When constructing or modifying transportation facilities, strive to incorporate "Complete Streets" design to provide for the movement of vehicles, commercial trucks, alternative and low energy vehicles, transit, bicyclists, and pedestrians in a manner that is appropriate for the road classification and adjacent land use.

"Complete Streets" improvements should aim to ensure the safety, comfort, and connectivity of all users through the balanced provision of adequate multimodal facilities and traffic calming measures with roadway maintenance and rehabilitation efforts. Improvements include roadway with curb, gutter, and sidewalks where not currently provided. Where feasible, shoulders should be widened to accommodate buffered Class II Bicycle Lanes. In areas where road widening and/or sidewalks are not feasible, or per City preference, an adjacent Class I Shared-Use Path may be provided to accommodate both pedestrian and bicyclist travel.

The following existing roadways are considered priority areas for "Complete Streets" improvements: Gopher Flat Road, Hanford Street, Main Street, and SR 49 within the City limits.

Implementation Measure C-1.3.2.1: Improve Gopher Flat Road ~~and~~ from Main Street to city limits as funding is available. The street should be improved with curb, gutter, and sidewalk and be widened to provide two ~~12~~ 11-foot travel lanes, and bicycle lanes~~, and a center two-way, left-turn lane~~ wherever right-of-way is not constrained by existing buildings or other factors. Where right-of-way is constrained, consider options to provide an adjacent Class I Shared-Use Path for bicyclist and pedestrian travel. Target date: ~~Long-term~~ Intermediate-term

~~**Implementation Measure C-1.3.2.2:** Provide a walkway for elementary school children on Spanish Street. Improve with curb, gutter, and sidewalks where not now provided between the school entrance and Main Street: Intermediate-term~~

Commented [MC1]: Moved to Policy C-1.3.3.

~~**Implementation Measure C-1.3.2.3:** Evaluate the appropriateness and feasibility of the designation of the following as one-way streets: Hayden Alley, Keyes Street, Randolph Street and Boston Alley. Limiting parking to one side of Randolph Street may eliminate the need for the street to become one way. Target date: Long-term~~

Commented [MC2]: Moved to Downtown Parking and Circulation section.

Implementation Measure C-1.3.2.2~~3~~4: Widen as appropriate and feasible Sutter Hill Road ~~and Eureka-Sutter Hill Road~~ to provide ~~12~~ 11-foot travel lanes and ~~five~~ four-foot paved shoulders. Provide a walking path or shared-use path adjacent to Sutter Hill Road from Bryson Drive to Main Street. Target date: Long-term

Commented [MC3]: These roadways have different functional classifciations (major vs minor collector), and therefore different cross-section recommendations.

Implementation Measure C-1.3.2.3~~5~~: Improve the North Amelia Street and Spanish Street intersection. Amelia Street is misaligned through its intersection with Spanish Street. Realignment will require acquisition of right-of-way. Target date: Long-term

Commented [MC4]: Renumbered

Implementation Measure C-1.3.2.4: The following streets should be improved with curb, gutter, and sidewalk and accommodate buffered Class II Bicycle Lanes, and/or provide a Class I Shared-Use Path for bicyclist and pedestrian travel, where not currently provided. Target date: Intermediate-term

- Church Street: Main Street to Greenstone Terrace
- Hanford Street: Spanish Street to Main Street
- Main Street: SR 49 to Patricia Lane/Lorinda Drive; Nickerson Street to Church Street
- Ridge Road: SR 49 to Old Ridge Road
- Sutter Hill Road: Ridge Road to Bryson Drive
- Valley View Way: SR 49 to Bowers Road
- Bowers Road: Valley View Way to SR 104
- Prospect Drive: SR 104 to City Limits

Policy C-1.3.3: Improve safety and comfort on identified streets near schools and public recreation areas for pedestrians and bicyclist or all ages consistent with Safe Routes to School program guidance. The following existing roadways are considered priority areas for "Safe Routes to School" improvements: Spanish Street, Sutter Ione Road, Broad Street, and Gopher Flat Road.

Implementation Measure C-1.3.3.1: Provide continuous pedestrian paths for students on priority "Safe Routes to School" roadways: Spanish Street, Broad Street, Sutter Ione Road, and Gopher Flat Road. Improve with curb, gutter, and sidewalks where not now provided, and widen shoulders as appropriate and feasible to accommodate Class II Bicycle Lanes. Target date: Intermediate-term

Policy C-1.3.4: The City will update the City of Sutter Creek Capital Improvement Program and Funding Strategy as additional street improvement needs are identified (beyond those presently identified in the Circulation Element).

Commented [MC5]: Renumbered

Implementation Measure C-1.3.3.1: The City shall review and update the City of Sutter Creek Capital Improvement Program and Funding Strategy. Target date: Annual

Intersection Improvements ~~(Other Than Signalization)~~

Objective C-1.4: The provision of intersection improvements, where and when appropriate.

Policy C-1.4.1: Provide improvements at intersections per City standards to improve safety and traffic flow as conditions warrant.

Implementation Measure C-1.4.1.1: Improve radius of curb returns as appropriate and feasible. Most intersections of side streets with Main Street in Sutter Creek should be improved by removing a 10-foot square section of the ten foot wide sidewalks on each side of an intersection and replacing the sidewalk with a 10-foot radius curb return and handicapped ramp. Target date: Long-term

Implementation Measure C-1.4.1.2: Construct turning and acceleration/deceleration lanes as appropriate and feasible. At intersections where turning movements from the minor street are significant (over 100 vehicles per hour during the peak hours of the day), the Level of Service (LOS) can be improved by adding separate turn lanes for the various turning and through movements. This measure is not practical in the Main Street Historic District.

Traffic on the state highways can be expedited with turn pockets at intersections, a continuous median turning lane for mid-block turning movements, and acceleration and deceleration lanes at intersections. Target date: Ongoing

Implementation Measure C-1.4.1.3: Improve sight distance at intersections as appropriate and feasible. At locations where accident records show problems due to poor visibility, corrective measures should be taken. These measures might involve removal or lowering of plantings or fences and, in some cases, the removal of low tree branches where buildings cannot be moved; stop signs can help in these situations. Target date: Ongoing

Implementation Measure C-1.4.1.4: Conduct operations and/or safety evaluation to determine improvements at the following intersections. Target date: Intermediate-term

- Sutter Hill Road at Eureka Road
- Eureka Road at Old Ridge Road
- Ridge Road at Old Ridge Road
- SR 104 at Bowers Drive/Prospect Drive

Policy C-1.4.2: Improve multimodal access at intersection via the provision of bicyclist and pedestrian facilities, including but not limited to complete sidewalks, improved pedestrian crosswalks, bulb-outs, bicycle approach lanes, and bicycle travel lane markings.

Implementation Measure C-1.4.2.1: Conduct evaluation of multimodal and safety improvement needs at the following intersections. Target date: Intermediate-term

- Main Street at Gopher Flat Road
- Sutter Ione Road at Spanish Street

- Sutter Ione Road at Oro Madre Way
- Main Street/Valley View Way at SR 49

New Streets

Objective C-1.5: The provision of new streets that meet City standards and incorporate "Complete Streets" design principles, where and when appropriate.

Policy C-1.5.1: The City defines and authorizes the use of a "Plan Line." The Plan Line is a process that specifically defines the location of center lines, alignment, right-of-way, cross sections, and intersections for future or proposed roadways and non-motorized transportation rights-of-ways. The purpose of a Plan Line is to provide adequate right-of-way for future growth needs and to protect the right-of-way from encroachment.

Implementation Measure C-1.5.1.1: Adopted Plan Lines shall be incorporated into development plans to define specific requirements for dedicating the right-of-way for street purposes and to implement Circulation Element policies of the General Plan. Target date: Ongoing review standard

Policy C-1.5.2: As development takes place, developers shall be required to construct arterials and major and minor collectors that are needed to serve the area. In lieu of construction, additional fees may be assessed in the amount of the particular developer's share of the cost unless the cost of specific road improvements has been included in City or County mitigation fee computations.

Policy C-1.5.3: Residential lots should not have direct access to new collectors and arterials; lots should front on local subdivision streets only.

Policy C-1.5.4: Parking shall not be permitted on arterials and collectors where roadway design does not provide shoulders, bicycle lanes and/or parallel facilities available for use by cyclists and for emergency parking.

Policy C-1.5.5: Road design should minimize necessary grading by aligning roads with topography, running roads along natural ridges or valleys, and working with existing grade.

Policy C-1.5.6: Road sections shall have curbs and gutters or alternative drainage facilities adequate for receiving stormwater runoff from roadway surfaces. New roadway sections shall include sidewalks or pedestrian routes that provide safe and efficient pedestrian access. Sidewalks are preferred but may be deleted in an effort to minimize grading if an alternative is provided for pedestrian use that meets the satisfaction of the Planning Commission or City Council.

Policy C-1.5.7: Multiple ingress and egress options should be provided through new development projects for safety purposes.

Policy C-1.5.8: Neighborhood streets should be curvilinear and follow existing contours to the greatest extent feasible.

Policy C-1.5.9: Neighborhood streets shall be protected from high traffic counts by not allowing large or accumulated developments from relying on them for access.

Policy C-1.5.10: Cul-de-sacs and dead end streets shall be discouraged and through streets should be preferred.

Policy C-1.5.11: Arterials and collector streets should be of adequate width for projected traffic and should not have direct access from low or medium density residential lots.

6.2.4 Multimodal and TSM/TDM Considerations

Transit

Objective C-1.6: Increased use of public transit.

Policy C-1.6.1: Maximize the use of public transit to reduce dependence on the private automobile.

Implementation Measure C-1.6.1.1: Provide bus service to and from special events from local parking facilities. Charter bus service from the San Francisco Bay Area and Central Valley locations should be promoted for special events that are expected to draw large crowds. Target date: Intermediate-term

Implementation Measure C-1.6.1.2: Extend and add transit routes as demand dictates. Target date: Ongoing

Implementation Measure C-1.6.1.3: Bus shelters and benches should be provided where demand warrants and their provision included as part of development approval requirements. New development projects should provide safe locations off the traveled way for busses to stop without impeding the flow of traffic. Target date: Ongoing

Implementation Measure C-1.6.1.4: Public transit facilities (bus stops, etc.) should be located near or incorporated into commercial and industrial projects employing more than 10 people provided there is not an adequate existing bus stop within 1/4 mile. Target date: Ongoing review standard

Policy C-1.6.2: The City shall request that the Amador County Transportation Commission (ACTC) and Amador Regional Transit System (ARTS) review and comment upon new projects that may generate or attract, individually or cumulatively, large or moderate volumes of traffic. ACTC's roles and responsibilities involve two overlapping categories: (1) administration of Transportation Development Act and other funds that are allocated to ACTC, and (2) to serve as the Regional Transportation Planning Agency for Amador County. ARTS serves as the local transit system for Amador County.

Implementation Measure C-1.6.2.1: The City shall work with ACTC and ARTS to review and comment upon new projects that may generate or attract, individually or cumulatively, large or moderate volumes of traffic. Target date: Ongoing review standard

Policy C-1.6.3: Encourage ridership on public transit systems through marketing and promotional efforts. Provide information to residents and employees on transit services available for local and regional trips.

Delivery of Goods and Services

Objective C-1.7: The reduction of auto trips through delivery and conventional access to goods and services.

Policy C-1.7.1: Encourage delivery services to homes and businesses to reduce the number of auto trips.

Implementation Measure C-1.7.1.1: The City shall encourage retail stores to provide delivery service and telephone and online shopping services. Some retail stores are instituting online ordering and delivery of goods to homes and business. This trend should be encouraged. Target date: Long-term

Policy C-1.7.2: Small neighborhood commercial facilities should be included where economically viable to minimize automobile traffic as new areas of the city develop.

Implementation Measure C-1.7.2.1: Implement the (pd) land use designation explained on Table LU-2 in the Land Use Element, which allows planned developments to include neighborhood commercial uses. Target date: Long-term

Policy C-1.7.3: High-density residential development that conforms to standards and programs of the General Plan and City ordinances should be constructed in the Sutter Hill/Martell area with convenient walking access to shopping and public services.

Ridesharing

Objective C-1.8: Increased use of carpooling and ridesharing.

Policy C-1.8.1: The City should encourage carpooling to reduce vehicle trips.

Implementation Measure C-1.8.1.1: The City encourages commercial development projects and employers to provide reserved parking spaces and vans for use by employees who carpool. Target date: Ongoing

Implementation Measure C-1.8.1.2: The City shall work with the Amador County Transportation Commission to encourage use of carpool parking at the Sutter Hill Transit Center. Target date: Ongoing

Staggered Working Hours

Objective C-1.9: Increased use of staggered work hours.

Policy C-1.9.1: The City encourages employers to provide staggered work hours for employees to reduce vehicle trips. Staggered work shifts can spread out and reduce peak hour traffic.

Bicycle and Pedestrian Facilities

Objective C-1.10: Increased provision of bicycle and pedestrian facilities to improve multimodal connectivity and level of comfort. Multimodal facility improvements identified in the Circulation Diagram map shall be considered priority projects for the City. Projects should aim to meet the mobility needs of pedestrians and bicyclists of all skill levels and ages, persons using wheelchairs, and those with other mobility limitations.

Policy C-1.10.1: ~~Bicycle lanes or paved shoulders~~ Bicycle facilities, including Class II Bicycle Lanes and/or Class IV bikeways, should be provided on new arterial and ~~major~~ collector roadways, consistent with City standards. ~~facilities unless separate~~ Where feasible, Class II Bicycle Lanes should be buffered. Where right-of-way limitations or City preference does not allow for on-street bicycle facilities, alternative bicycle routes may be provided via adjacent Class I Shared-Use Paths. Bicycle facilities should include improved visibility features such as green paint at conflict areas and at intersections.

Implementation Measure C-1.10.1.1: Improve and pave the existing pedestrian path adjacent to Main Street between Highland Drive and Nickerson Street to provide a Class I Shared-Use Path. Target date: Intermediate-term

Policy C-1.10.2: ~~When required for pedestrian access to public services and facilities, the~~ The City shall require development projects to construct pedestrian ~~walks~~ paths, such as sidewalks or shared-use paths, on

all new roadways, consistent with City standards. Where right-of-way limitations or City preference does not allow for sidewalks, alternative pedestrian routes may be provided via adjacent Class I shared-use trails or walking paths.

Policy C-1.10.3: Crosswalks along arterial roads and identified school routes should be provided and/or upgraded with high visibility features, such as pavement markings and patterns, advanced warning signage, and/or flashing beacons.

Implementation Measure C-1.10.3.1: Sutter Creek will urge the creation of safe, high visibility crossings on Main Street (Old Highway 49) at the following locations: ~~especially on Old Highway 49 toward Sutter Hill, at the intersection of Old Highway 49 and Sutter Hill Road, at the foot of Sutter Oaks and Mount Pleasant, and near Spanish Street.~~ Target date: Intermediate-term

- Highland Drive/Raylan Drive
- Lorinda Drive/Patricia Lane
- Miner's Bend, near Sutter Hill Road/Greenstone Terrace

Implementation Measure C-1.10.3.2: Sutter Creek will urge the creation of a safe, high visibility pedestrian crossing on Hanford Street at Amelia Street. Target date: Intermediate-term

Policy C-1.10.4: Sutter Creek should require new development proposals to help create walking paths or lanes along Old Sutter Hill Road and Sutter Creek-Volcano Road.

Policy C-1.10.5: New development projects should be required to create a creekside trail system along Sutter Creek going toward Volcano as the city limits are moved outward.

Policy C-1.10.6: The design of public facilities, including pedestrian facilities shall comply with the Americans with Disabilities Act.

Policy C-1.10.7: New development projects should be tied together and to existing parts of the City by an interlinked bicycle and pedestrian trail network as addressed in the Parks and Recreation Element, and should connect to existing and planned bicycle and pedestrian facilities as presented in the circulation diagram.

Policy C-1.10.8: Sutter Creek shall require new subdivisions, commercial projects requiring a site plan approval, and industrial projects to implement or fund, as appropriate, a bike system for children to ensure safe access to schools and parks within town.

Policy C-1.10.9: The Sutter Hill commercial and industrial area should have bicycle and pedestrian access from the adjacent multifamily designated area. Specific facilities for pedestrian and bicycle circulation should be added to the Sutter Hill circulation plan.

Policy C-1.10.10: Existing and new minor collector and local roadways with speed limits of 25 miles per hour or less shall be designated as Class III Bicycle Routes, unless it is feasible or desired to provide a striped Class II Bicycle Lane or adjacent Class I Shared-Use Trail.

Implementation Measure C-1.10.10.1: Designate the following existing roadways as Class III Bicycle Routes and implement traffic calming measures. Target date: Intermediate-term

- Lorinda Drive

- Nickerson Street
- Bryson Drive

Policy C-1.10.11: Ensure continuous multimodal connectivity throughout the City by filling gaps in the existing and proposed multimodal network.

Implementation Measure C-1.10.11.1: As funding is available, improve shoulder and provide a walking path to connect to the future walking path along Sutter Hill Road. Provide safe connections to the future pedestrian crossing at Miner's Bend. Target date: Intermediate-term

Implementation Measure C-1.10.11.2: As funding is available, provide a walking path from Main Street to Badger Street via David Drive and Allen Ranch Road. Target date: Intermediate-term

Implementation Measure C-1.10.11.3: As development occurs, require a walking path from east of Downtown connecting Sutter Crest and Golden Hills neighborhoods to Randolph Street and Eureka Street. Target date: Intermediate-term

Implementation Measure C-1.10.11.4: As development occurs, require sidewalk gap infill to connect proposed sidewalk along Ridge Road with future Class I Shared-Use Path extension east of SR 49 to Ridge Road. Target date: Intermediate-term

6.2.5 Downtown Parking and Circulation

Objective C-1.11: The provision of downtown parking, where appropriate.

Policy C-1.11.1: Provide adequate parking in the historic central business district to serve existing and future development and improve traffic flow on narrow streets.

Implementation Measure C-1.11.1.1: As traffic increases on some City streets, parking should be curtailed where parked vehicles encroach into the traveled way. Target date: Ongoing

Implementation Measure C-1.11.1.2: On-street parking is important to the business community and should be reserved for customers. Members of the business community should use the off-street lots. Target date: Ongoing

Implementation Measure C-1.11.1.3: Provide adequate parking for new and old development. Off-street parking should be required whenever new commercial buildings are constructed. Where downtown businesses cannot provide adequate off-street parking, in-lieu fees shall be charged. These fees should go toward purchase of land and construction of parking facilities located within the downtown commercial district or other appropriate locations.

Due to the heavy tourist demand for parking on weekends, additional public off-street parking facilities should be added as land becomes available within walking distance of the historic commercial area. Available off-street spaces should be retained and additional space developed as property becomes available. Parking structures can provide additional parking where land values are high and available land area is limited. Target date: Ongoing

Implementation Measure C-1.11.1.4: Where designated, post standard "No Parking" signs on streets and alleys in appropriate locations to ensure compliance and enforcement. Target date: Short-term

Policy C-1.11.2: Develop a comprehensive parking and circulation strategy for streets included in the Downtown Circulation Study Area and Eureka Shared Street Study Area (see Circulation Diagram map).

Implementation Measure C-1.11.2.1: The Downtown Circulation Study Area includes the downtown area bordered by the following streets: Spanish Street, Hayden Alley, Fiefield Street and Boston Alley. Improvement strategies shall include access to parking, wayfinding, multimodal connectivity, and flexible street us (e.g., one-way street conversions or street closures). Target date: Intermediate-term

Implementation Measure C-1.11.2.2: The Eureka Shared Street Study Area extends from Main Street to Broadway. Improvement strategies shall include multimodal connectivity, access to parking, truck delivery/unloading. Target date: Intermediate-term

Implementation Measure C-1.11.2.3: Evaluate the appropriateness and feasibility of the designation of the following as one-way streets: Hayden Alley, Keyes Street, Randolph Street and Boston Alley. Limiting parking to one side of Randolph Street may eliminate the need for the street to become one way. Target date: Long-term

Commented [MC6]: Moved/renumbered Implementation Measure.

Policy C-1.11.2: Provide wayfinding signage to assist residents and visitors find major destinations, including parking and places of interest. Wayfinding signage should encourage the use of walkable and bikeable routes through the Downtown area. Signage should be legible, consistent, and logical to clearly communicate the Downtown's street network and principal paths.

6.2.6 Health and Safety

Objective C-1.12: Provide safe and well-connected neighborhood streets that balance automotive circulation needs with neighborhood context and bicycle and pedestrian users' safety.

Policy C-1.12.1: Ensure compatibility and complimentary relationships between the circulation system and existing and planned land uses, promoting environmental objectives such as safe and uncongested neighborhoods, energy conservation, reduction of greenhouse gas, air, and noise pollution, and access to bicycle, pedestrian, and transit facilities.

Policy C-1.12.2: Where neighborhood traffic management is necessary, implement traffic calming measures that are designed to reduce vehicle speeds and volumes without disrupting transit service or bicycle movement.

Policy C-1.12.2: Maintain and periodically update a local roadway safety plan consistent with state and federal Highway Safety Improvement Program requirements.

6.2.7 Operations and Maintenance

Objective C-1.13: Provide efficient citywide automobile circulation by maintaining and, where necessary, improving local and regional roadway facilities.

Policy C-1.13.1: The City shall prioritize and allocate funds to pavement rehabilitation projects to ensure the continued safety and usability of local and regional roadways within the City.

Implementation Measure C-1.13.1.1: As funding is available, conduct pavement rehabilitation on Oro Madre Way from Sutter Ione Road to Oak Court. Target date: Intermediate-term

Policy C-1.13.2: Provide and maintain coordinated traffic control systems that move traffic within and

through the City in an efficient and orderly manner, and upgrade systems as technology evolves.

6.2.8 Vehicle Miles Traveled (VMT)

Objective C-1.14: Maintain and reduce average citywide vehicle miles traveled in accordance with SB 743.

Policy C-1.14.1: Prioritize transportation infrastructure improvements that support bicycle, pedestrian, and/or transit mobility options in an effort to reduce vehicle trips.

Policy C-1.14.2: Improve the existing street network to minimize travel times and improve mobility for transit, bicycle, and walking trips between new projects and surrounding land uses in an effort to reduce vehicle trips.

Policy C-1.14.3: Provide incentives to individuals for the use of regional public transit and active modes of transportation, which reduce the reliance on automobiles.

Policy C-1.14.4: Provide incentives to commercial projects that demonstrate the implementation of measures that reduce VMT beyond required thresholds.

6.2.9 Local Transportation Analysis Procedures

Objective C-1.15.: Develop local transportation analysis procedures to review development projects and ensure adequate levels of service are maintained on roadways.

Policy C-1.15.1: The City shall utilize regional level of service (LOS) thresholds for roadways and intersections in lieu of local Transportation Impact Study Guidelines.

Implementation Measure C-1.15.1.2: Attain and maintain automobile Level of Service LOS 'D' or better on all street segments and controlled intersections to the maximum extent feasible. Target date: Ongoing

Policy C-1.15.2: New development that is projected to degrade conditions to a LOS E or below or further exacerbate conditions already below LOS D shall be required to make transportation improvements that offset the level degradation to the maximum extent feasible. Improvements to non-automobile modes of transportation at the same segment or intersection may also be considered as an offset to degradation of automobile LOS.

Policy C-1.15.3: The City should periodically review actual system performance to consider Capital Improvement programs, operational improvements, and/or policy revision and refinement.

Policy C-1.3.4: Evaluate projects to ensure that the safety, comfort, and convenience of pedestrians, bicyclists, and transit users are given equal level of consideration to motor vehicle operators.

3. Circulation

3.1. Introduction

The City of Sutter Creek has retained GHD to complete updates to the City's General Plan Circulation Element. As part of the Circulation Element update, this Setting update has been prepared in order to document available background data and existing conditions assessments related to roadway volume and travel characteristics, crash type and severity, multimodal facilities and transit service, and other pertinent transportation information. This information sets the transportation baseline and was utilized in forecasting transportation conditions in line with anticipated regional and citywide growth over the next 20 years.

This information provides a baseline to assess the City's existing and future circulation needs related to roadway capacity, safety and mobility, and was used to identify improvement locations and types to be included in the City's preferred circulation plan. This Setting document also provides a summary of the Circulation Element public involvement process which was key to developing priority transportation projects for the City.

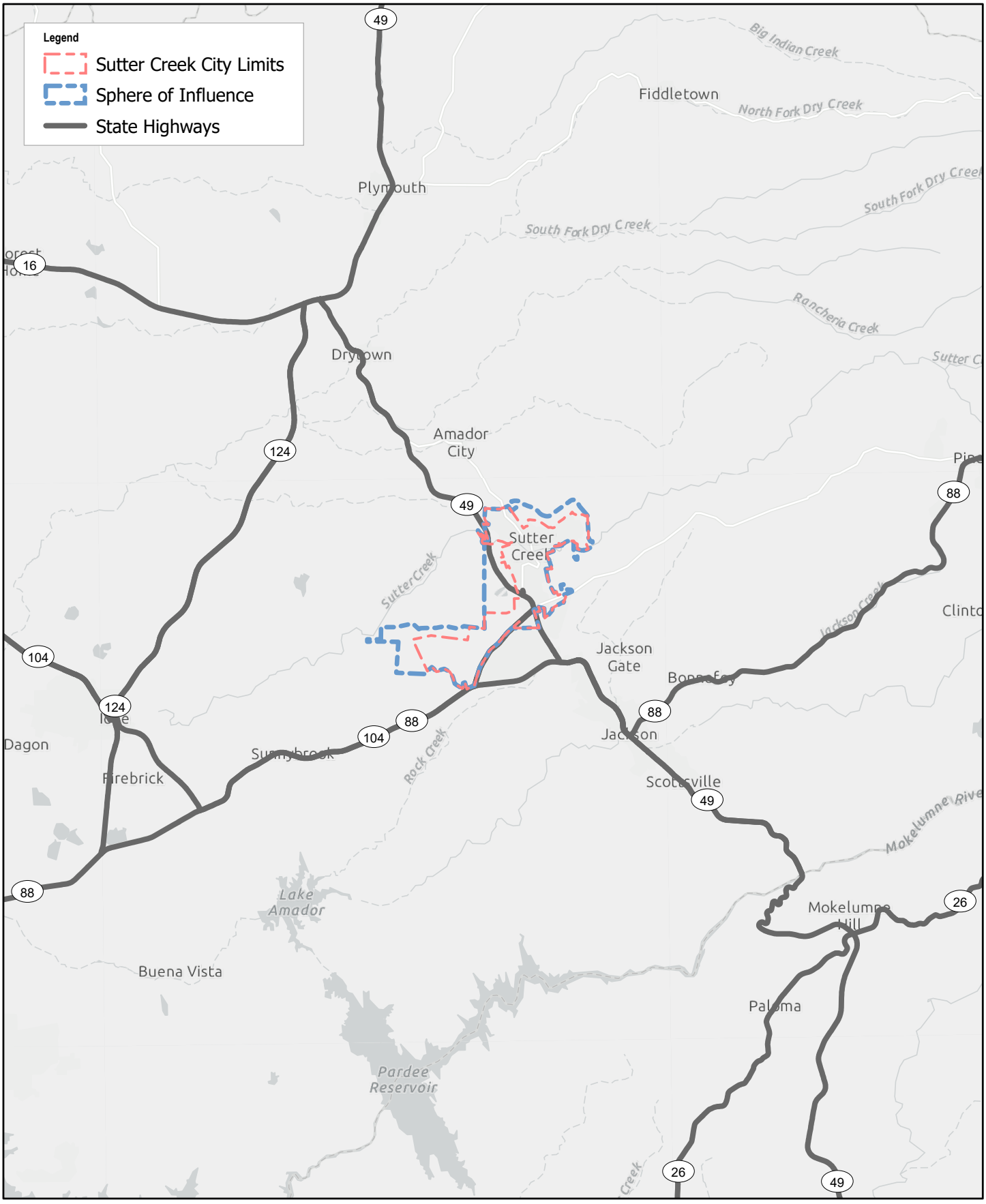
The City's ultimate objective is to update their Circulation Element to include implementation measures, policies, goals, and objectives that will create an optimal multi-modal transportation system for the City. Policies goals, and objectives will be consistent with the requirements of AB 1358, "The California Complete Street Act", and SB 743, the change from Level of Service to VMT as the measure of transportation impacts under the California Environmental Quality Act (CEQA), to provide integrated smart growth planning. The updated Circulation Element will also bring the City's planning efforts in compliance with the goals set forth in Amador County Transportation Commission (ACTC) 2020 Regional Transportation Plan (RTP) as required by SB 375, "The Sustainable Communities and Climate Protection Act of 2008", authorized by AB 32, "The Global Warming Solutions Act of 2006".

3.2. Existing Setting

The City of Sutter Creek is an incorporated community within Amador County, California. The city lies about 35 miles east of Sacramento. The City is 2.70 square miles in area and is at an elevation of 1,188 feet. Relative to nearby communities, the City is located four miles north of the City of Jackson along the State Route 49 (SR 49) corridor, and two miles south of the City of Amador.

SR 49 crosses diagonally through the middle of the City in a northwest to southeast direction, and is the primary State highway providing regional access, connecting the City with other parts of Amador County and the State. State Route 88 also runs near to the City's southern limits in the east-west direction. Ridge Road (a portion of which is also State Route 104) as well as Shake Ridge Road provide more localized access between the City and the residential areas in the surrounding unincorporated area to the east of the City. Old Route 49 runs between Sutter Creek and Amador City to the north, and provides access to the city center.

The study area, including the city limits and sphere of influence limits, is provided in Figure 3-1.



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Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

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GHD

City of Sutter Creek
Circulation Element Update
Setting Report

Study Area

Project No. **11218455**
Revision No. 1
Date **10/30/2020**

FIGURE 3.1

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Print date: 19 Nov 2020 - 08:13

Data source: Light Gray Reference: Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community
Light Gray Base: Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Created by: zporteous

3.2.1. Roadway Functional Classifications

A hierarchy of streets provide access to and from residential, commercial, and industrial uses throughout the City and beyond. A route's design, including number of lanes, lane width, and speed limit, is determined by its functional classification and its projected traffic levels to achieve safe and convenient movement at the development intensity anticipated in the Land Use Element. As part of this Circulation Element update, the City of Sutter Creek roadway functional classifications were updated and are presented in Figure 3-2. Future arterial and collector roadways, including Gold Rush Ranch roadways and the Easterly Bypass Connector, are also presented in the roadway functional classification figure as new roadways.

Typical sections for each roadway classification from the City's improvement standards are presented in Figure 3-3. Roadway speed limits, as observed via Google Earth, are provided in Figure 3-4.

State Highways

Controlled access facilities whose junctions with cross streets are characterized by at grade intersections rather than interchanges are classified as highways. Highways can either be divided or undivided roadways, with speed limits usually ranging from 40 to 55 mph. The following highways serve the Sutter Creek community.

State Route 49 (SR 49) is a state highway route that runs predominately in a north-south direction connecting Sutter Creek with the cities of Jackson and Plymouth in Amador County, El Dorado County to the north, and Calaveras County to the south. SR 49 is a primary commuter route connecting to SR 88 and SR 104 in the southern portion of Sutter Creek. SR 49 has a general two-lane highway type cross-section through most rural segments north and south of Sutter Creek. Within Sutter Creek, SR 49 increases to a four-lane highway cross-section between SR 88 and Main Street/Old Highway 49.

State Route 104 (SR 104) is a state highway route that runs predominately in an east-west direction from its western terminus at SR 99 in Sacramento County north of the City of Galt to its eastern terminus at SR 49 in Sutter Creek. SR 104 becomes Ridge Road east of SR 49 and continues east through Amador County. SR 104 has a general two-lane highway type cross-section, and overlaps with SR 88 for a portion of its alignment west of Sutter Creek.

State Route 88 (SR 88) is a state highway route that runs predominately in an east-west direction from the City of Stockton in San Joaquin County to the Nevada state line in Alpine County, connecting with SR 88 and SR 49 in Sutter Creek. SR 88 has a general two-lane highway type cross-section, and overlaps with SR 104 for a portion of its alignment west of Sutter Creek and SR 49 just south of Sutter Creek.

Arterial Streets

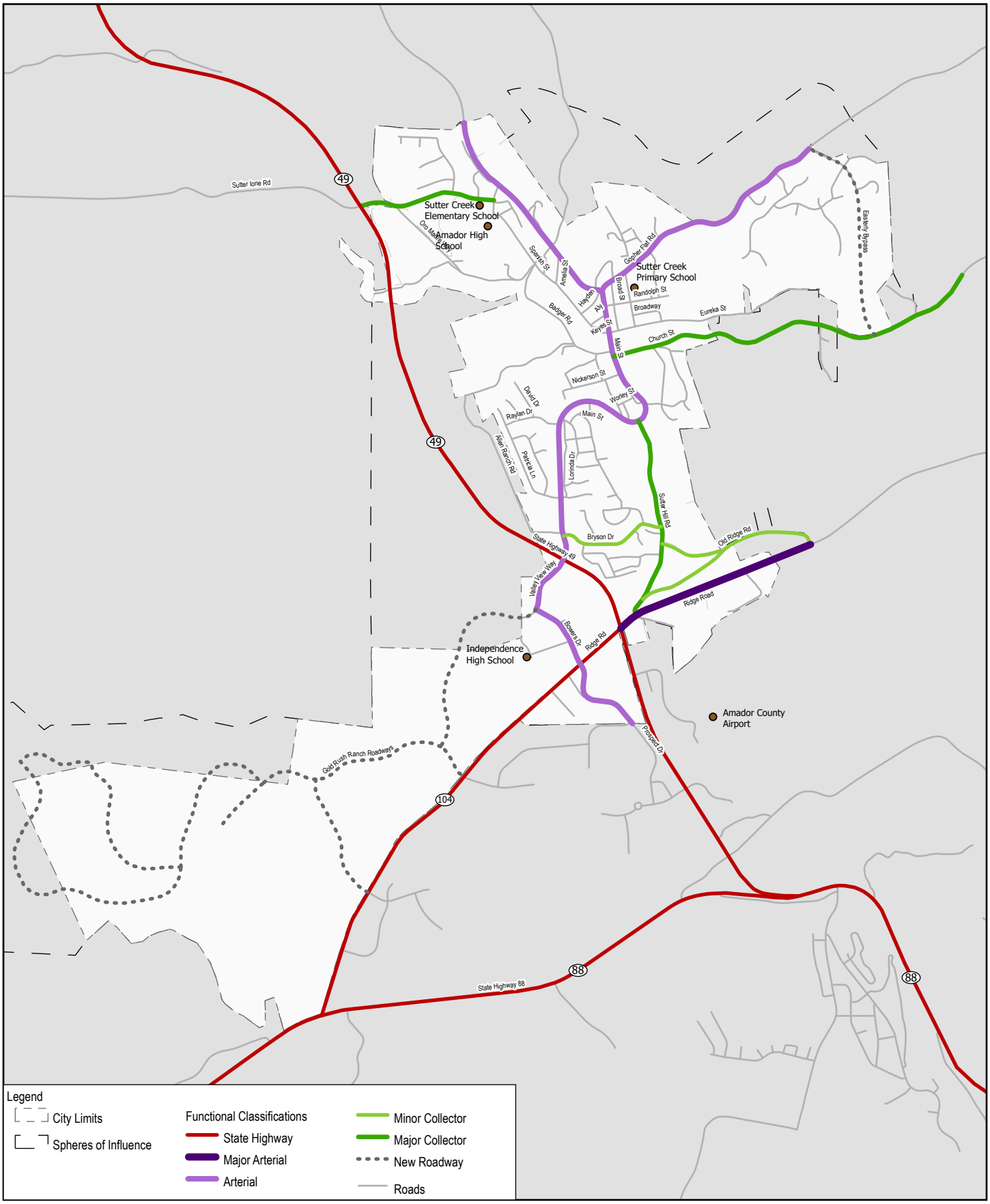
Arterial facilities serve to connect areas of major activity within the urban area and function primarily to distribute cross-town traffic from freeways / highways to collector streets. Within the City, arterial streets are mostly two-lane facilities with maximum operating speeds ranging from 30 to 45 miles per hour (mph). Main Street through the City's downtown area has a speed limit of 15 to 25 mph. Arterials within the City include Hanford Street, Main Street, Gopher Flat Road, Prospect Drive, Valley View Way, and Bowers Road. Ridge Road is considered a Major Arterial within the City due to its regional significance. Arterials within the City should have Buffered Class II Bicycle Lanes and sidewalk, or a Class I Shared-Use Path to accommodate bicycle and pedestrian travel.

Collector Streets

Collectors function as connector routes between local and arterial streets and provide access to residential, commercial, and industrial property. The City defines two types of collectors: major collectors and minor collectors. Major collectors include Sutter Ione Road, Church Street/Sutter Creek Road, and Old Sutter Hill Road. Minor collectors include Old Ridge Road, Bryson Drive, and Golden Hills Drive. Major collectors within the City should have Class II Bicycle Lanes and sidewalk, or a Class I Shared-Use Path to accommodate bicycle and pedestrian travel. Minor collectors with parking should be designated as Class III Bicycle Routes with sidewalk.

Local Streets

Local streets provide direct access to abutting properties and allow for localized movement of traffic. Local streets are characterized by low daily traffic volumes and low travel speeds. All roadways not identified in the General Plan circulation system map as freeways, highways, arterials, or collectors are designated local streets. Local roads with parking should be designated as Class III Bicycle Routes with sidewalk.



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Feet

Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

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GHD

City of Sutter Creek
Circulation Element Update

Roadway Functional Classifications

Project No. **11218455**
Revision No. **-**
Date **02/09/2021**

FIGURE 3-2

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Data source: . Created by: ethompson3

Figure 3-3 City of Sutter Creek Typical Roadway Sections

	Total Right-of-Way (feet)	# Travel Lanes	TWLTL Width (feet)	Directional 1 (feet)						Directional 2 (feet)						Shared-Use Path Option (feet)[4]	
				Sidewalk[1]	Shoulder/Gutter[2]	Parking	Bike Lane	Bike Lane Buffer[3]	Travel Lane	Travel Lane	Bike Lane Buffer[3]	Bike Lane	Parking	Shoulder/Gutter[2]	Sidewalk[1]	Physical Separation	Shared-Use Path and Shoulder
Major Arterial	62	2	12	6			6	2	11	11	2	6			6		
Arterial																	
Buffered Bike Lane, with Parking (both sides)	66	2		6		7	6	3	11	11	3	6	7		6		
Buffered Bike Lane, with Parking (one side)	58	2		6		7	6	3	11	11	2	6			6		
Buffered Bike Lane, no Parking	50	2		6			6	2	11	11	2	6			6		
Class IV Bikeway[5]	56	2		6	2		6	3	11	11	3	6		2	6		
Shared-Use Path	51	2			6				11	11				6		5	12
Major Collector																	
Class II Bike Lane, with Parking (both sides)	60	2		6		7	6		11	11		6	7		6		
Class II Bike Lane, with Parking (one side)	53	2		6		7	6		11	11		6			6		
Class II Bike Lane, no Parking	46	2		6			6		11	11		6			6		
Shared-Use Trail	47	2			4				11	11				4		5	12
Minor Collector	46	2		5		8	Class III		10	10		Class III	8		5		
Local	44	2		5		7	Class III		10	10		Class III	7		5		

TWLTL = Two-way left-turn lane

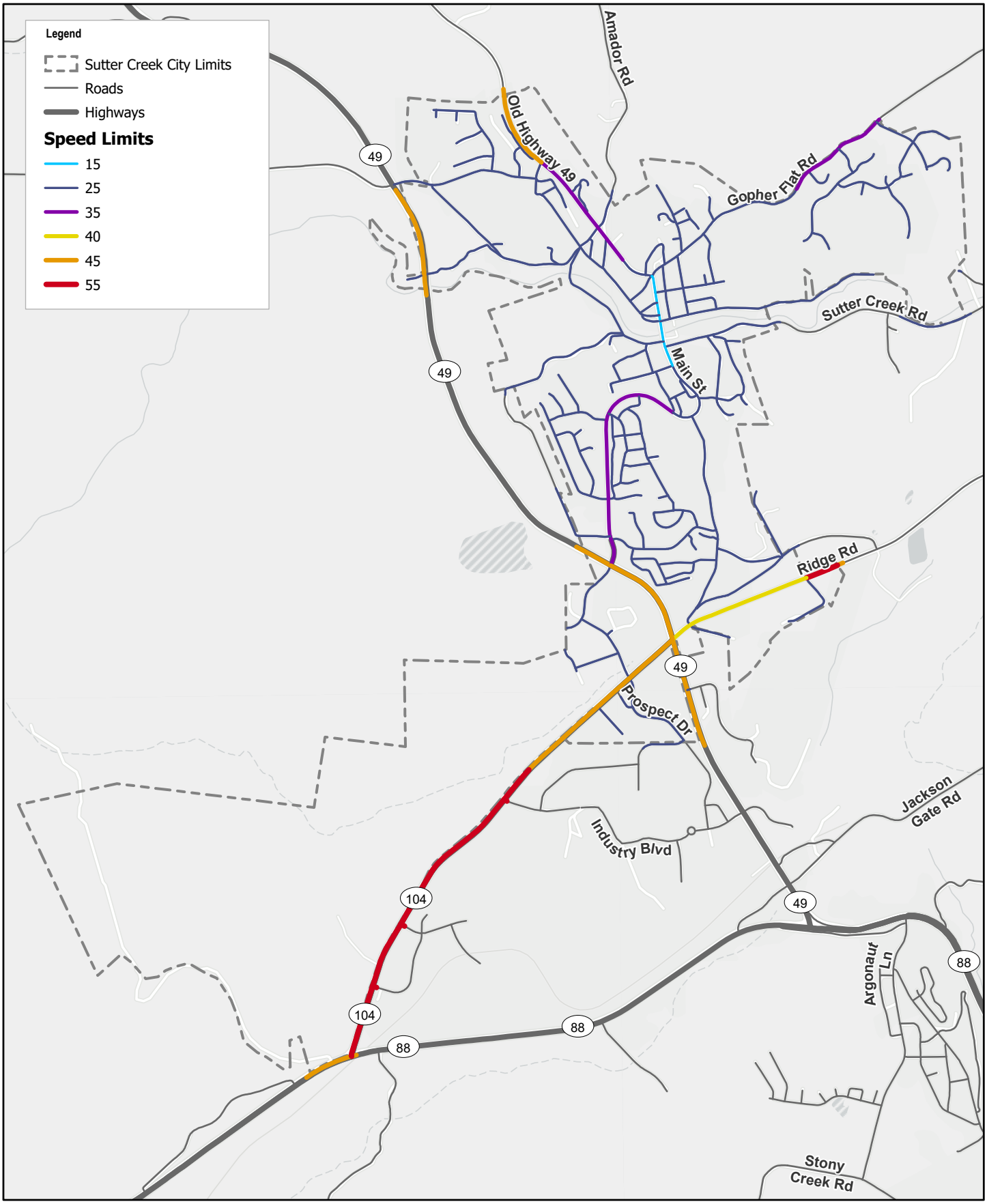
[1] 4-foot minimum; 6-foot minimum recommended

[2] Shoulder/Gutter included in parking lane if present.

[3] If parking lane is present, a total of 3-feet striped bike lane buffer shall be provided (1 1/2-feet per side of bike lane). If no parking lane is present, the bike lane buffer shall be 2-feet.

[4] 8-foot minimum/10-foot recommended shared-use path with 5-foot physical separation from adjacent roadway/highway; additional 2-foot shoulders on either side of the path.

[5] Vertical separation provided via flexible post or inflexible physical barrier (i.e. concrete median or planter).



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Miles

Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

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GHD

City of Sutter Creek
Circulation Element Update
Setting Report

Project No. **11218455**
Revision No. **-**
Date **11/16/2020**

Speed Limits

FIGURE 3.4

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Print date: 19 Nov 2020 - 08:28

Data source: Light Gray Base: Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Created by: zporteous

3.3. Travel Characteristics

Data from the United States Census Bureau's American Community Survey (ACS) 5-year estimates between 2014 and 2018 form the basis of the following demographic analysis. Based on the ACS data, the population in the City has increased from 2,271 in 2014 to 2,538 in 2018, approximately a 12% increase. During the same timeframe, the total number of employed residents of the City has increased from 835 to 957, approximately a 15% increase.

Prior to examining the various transportation modes in Sutter Creek, the following sub-section will examine some recent trends and current facts concerning commuter mode-choice and travel times in the City.

3.3.1. Commute Trends

Prior to examining the various transportation modes in the City of Sutter Creek, the following sub-section will examine some recent trends and current facts concerning commuter mode-choice and travel times in Sutter Creek. Table 3-1 presents the various means of transportation to work reported in Sutter Creek between the 2014 and 2018 ACS estimates. Figure 3-5 presents the relationship between those who travel via public transportation and walked as compared to those who drive alone and carpool.

Table 3-1
Means of Transportation to Work

Means of Transportation	2014	2015	2016	2017	2018
Drove Alone	79.8%	81.0%	84.2%	83.3%	88.0%
Carpool	7.1%	5.3%	4.7%	4.5%	1.1%
Public Transportation (Transit)	0.5%	0.0%	0.2%	0.8%	0.6%
Walked	8.1%	9.2%	5.7%	4.3%	3.3%
Other Means	0.6%	0.4%	0.1%	0.1%	0.1%
Worked at Home	3.9%	4.0%	5.0%	7.1%	6.9%

Source: American Community Survey, 2014-2018: ACS 5-Year Estimates

Figure 3-5 Changes in Primary Modes of Transportation to Work

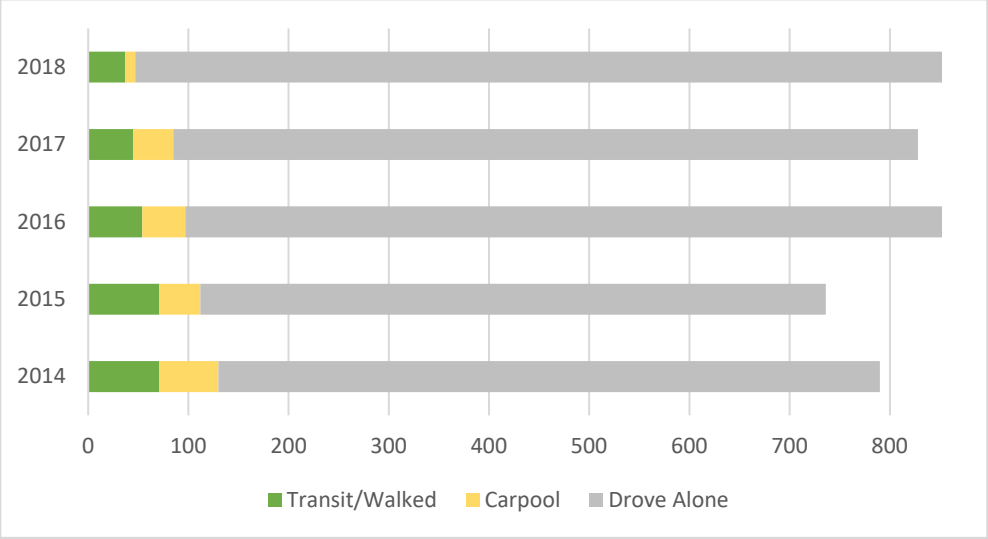


Table 3-2 and Figure 3-6 present a comparison between means of transportation to work for the City of Sutter Creek and Amador County as a whole. As shown, the portion of individuals who travel via carpool in Sutter Creek is less than the corresponding portion in Amador County overall; however, a greater percentage of individuals walk and take public transportation in Sutter Creek. Table 3-3 and Figure 3-7 present travel time to work for residents of Sutter Creek between 2014 and 2018. As shown, travel time to work has remained fairly constant, averaging approximately 25 minutes over 5 years.

Table 3-2
Amador County & Sutter Creek Transportation Comparison

Means of Transportation	Sutter Creek	Amador County
Drove Alone	88.0%	80.6%
Carpool	1.1%	7.8%
Public Transportation (Transit)	0.6%	0.2%
Walked	3.3%	2.3%
Other Means	0.1%	1.5%
Worked at Home	6.9%	7.6%

Source: American Community Survey, 2018: ACS 5-Year Estimate

Figure 3-6 Amador County and Sutter Creek Transportation Comparison

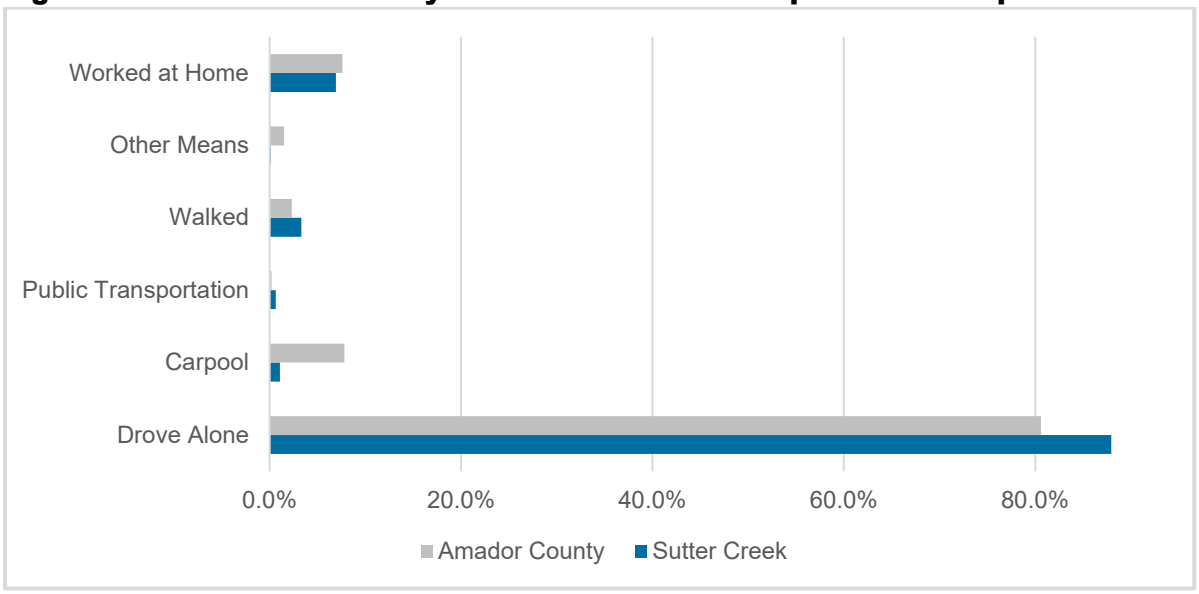


Table 3-3
Travel Time to Work

	2014	2015	2016	2017	2018
Time (min)	22.3	24.6	27.1	25.0	25.8

Source: American Community Survey, 2014-2018: ACS 5-Year Estimates

Figure 3-7 Travel Time to Work

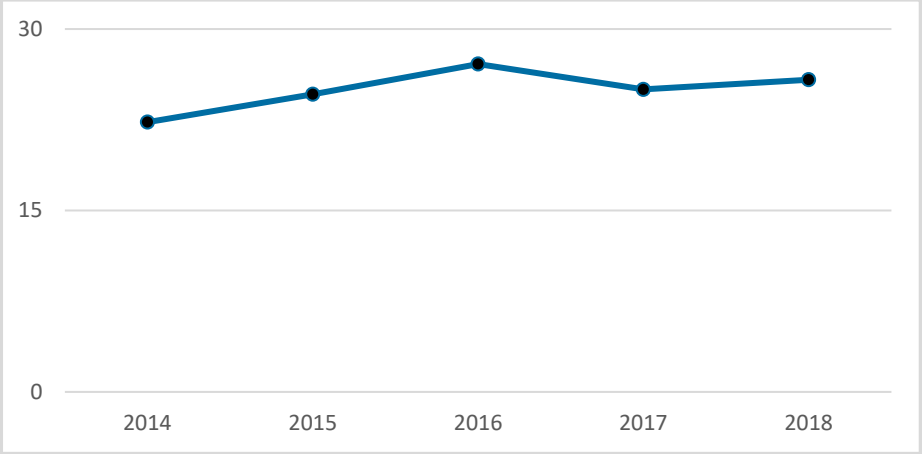
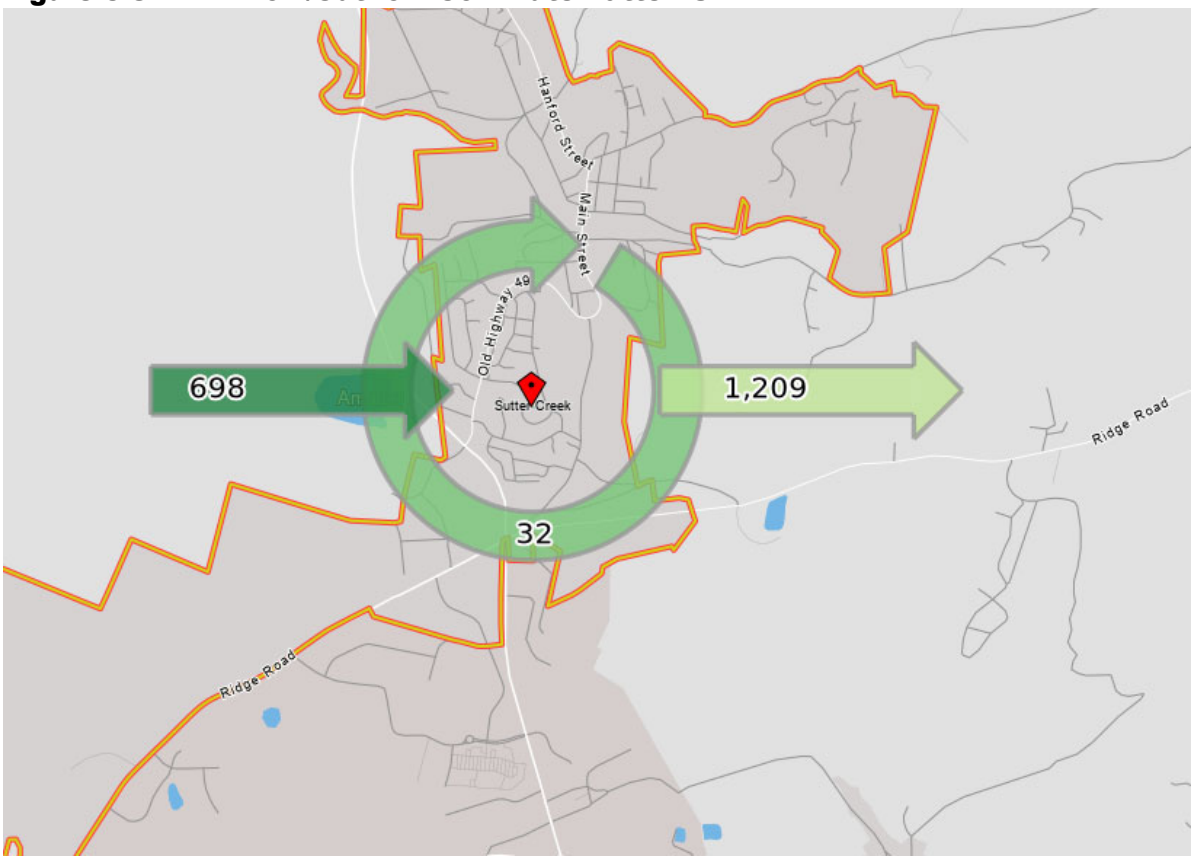


Figure 3-8 presents the inflow/outflow commute patterns for employed residents of Sutter Creek as well as for non-residents employed in Sutter Creek as provided by Longitudinal Employer-Household Dynamics (LEHD) data. As shown, the majority (97-percent) of Sutter Creek residents commute to work outside of the city. Of the total jobs within Sutter Creek, approximately 96-percent of employees commute from outside of the city.

Figure 3-8 Inflow/Outflow Commute Patterns



Source: OnTheMap, 2017

3.4. Vehicle Travel

This section of the report presents data related to vehicle travel in the form of annual average daily traffic (AADT) and roadway operations in the form of levels of service (LOS) analysis for existing (2019) and future (2040) conditions.

3.4.1. Annual Average Daily Traffic (AADT)

In coordination with City staff, daily roadway traffic data has been collected for 13 roadway segments throughout the City and Sphere of Influence. "Big data" from Streetlight Data was utilized to access traffic count data between 2016 and 2020, providing average daily traffic (ADT) at the count locations throughout the City. StreetLight Data uses Bluetooth and GPS devices, and provides hourly data anonymously. Streetlight Data is updated monthly and provides information for all roadways identified on the "Open Streets Map". This service provides traffic data for pre-COVID-19 conditions.

Table 3-4 presents AADT volumes for the roadway segment locations for years 2016 through 2020. The highest increase in volume occurred between 2016 and 2017, but has remained fairly constant along all study roadways over the past 5 years (with the exception of year 2020). The study roadway segment locations are presented on Figure 3-9.

Table 3-4
Roadway Segment Locations AADT (2016-2020)

		AADT				
#	Location	2016	2017	2018	2019	2020*
1	Old California 49, north of City Limits	1,737	1,844	1,732	1,692	1,437
2	Gopher Flat - Shake Ridge Rd, east of Werner Rd	1,950	2,035	1,987	1,954	1,569
3	Ridge Rd, east of Old Airport Rd	9,709	10,083	9,968	9,948	8,321
4	Ridge Rd, west of Prospect Drive	6,077	6,326	6,178	6,131	5,067
5	SR 49, north of Ridge Road-Valley View Way	14,370	14,955	14,723	14,696	12,136
6	SR 49, north of Martell	15,511	16,187	15,865	15,591	13,065
7	SR 49, north of Sutter Ione Rd	9,327	9,730	9,657	9,570	8,023
8	Sutter Ione, east of SR 49	1,866	1,942	1,858	1,893	1,540
9	Main St - Downtown, south of Eureka St	3,974	4,172	4,094	3,942	3,148
10	Main Street, north of SR 49	5,334	5,751	5,523	5,536	4,514
11	Church St, east of Main St	1,850	1,921	1,930	1,867	1,558
12	Old Sutter Hill Road, north of Ridge Rd	2,655	2,705	2,494	2,575	2,081
13	Bowers Rd, north of Ridge Rd	1,884	2,018	1,914	1,834	1,514

**AADT reported for 2020 includes data from January - October 2020*

Figure 3-9 Roadway Segment Locations Map

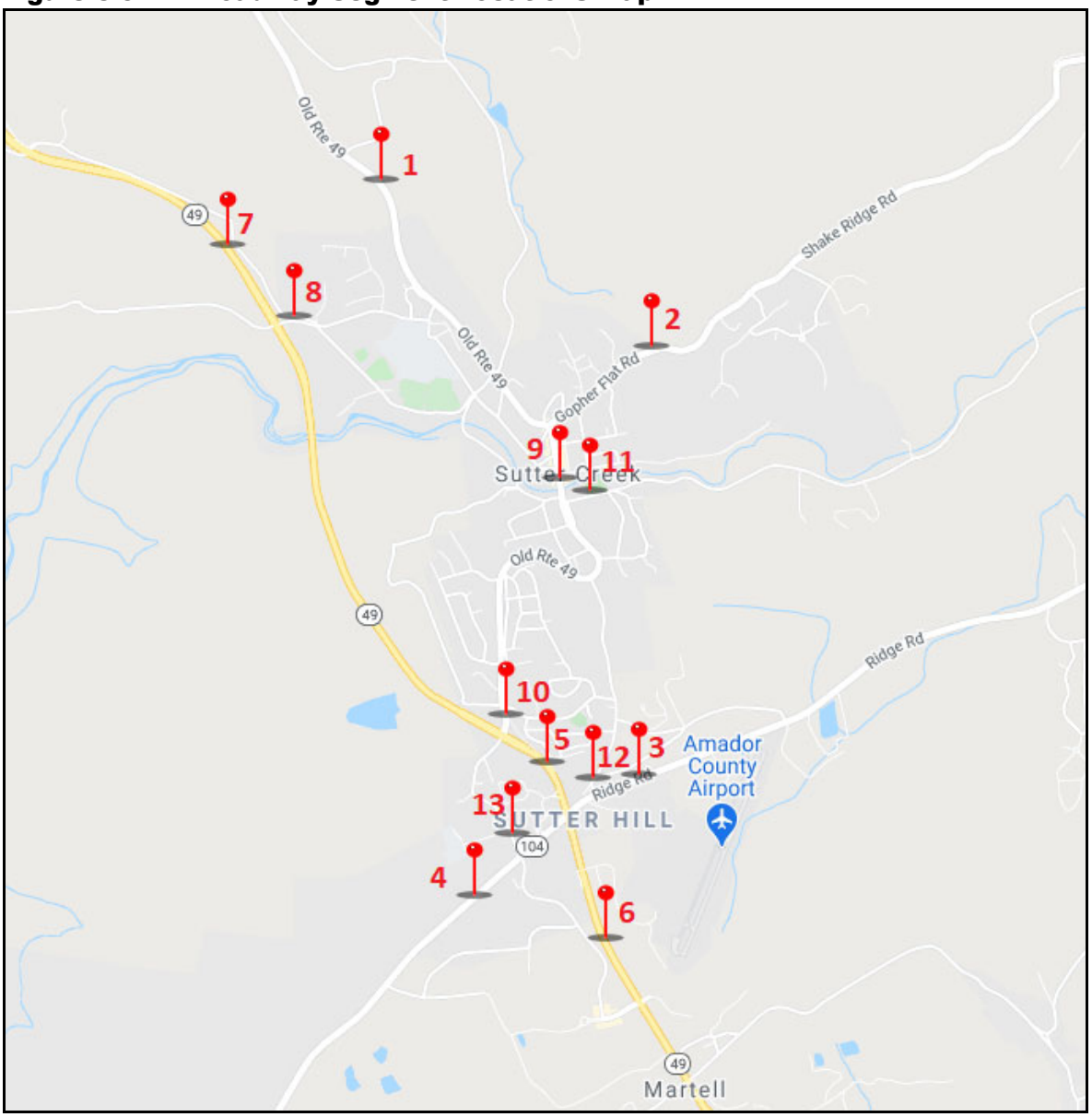


Table 3-5 presents ADT averaged over seasons for years 2019 and 2020 to evaluate the effect that COVID-19 conditions has had on daily travel within Sutter Creek. This analysis was conducted during the month of October 2020, and therefore volume for year 2020 is only provided through September.

As shown, daily roadway volume has decreased significantly during 2020 with an average of 35% reduction in daily travel along study roadways between April and June, suggesting a correlation with state and local travel and activity restrictions due to public health concerns. However, travel then increased between the months of July and September, with an average of a 14% reduction in daily travel compared to 2019.

Table 3-5 Roadway Segment Seasonal Average Daily Volume Trends											
		ADT									
		2019				2020					
#	Location	Jan-Mar	Apr-Jun	Jul-Sept	Oct-Dec	Jan-Mar	% Change from 2019	Apr-Jun	% Change from 2019	Jul-Sept	% Change from 2019
1	Old California 49, north of City Limits	1,373	1,867	1,950	1,459	1,303	*-5%*	1,254	*-33%*	1,709	*-12%*
2	Gopher Flat - Shake Ridge Rd, east of Werner Rd	1,640	2,110	2,177	1,763	1,512	*-8%*	1,365	*-35%*	1,786	*-18%*
3	Ridge Rd, east of Old Airport Rd	8,678	10,596	11,175	8,678	7,741	*-11%*	7,035	*-34%*	9,945	*-11%*
4	Ridge Rd, west of Prospect Drive	5,353	6,599	6,889	5,259	4,808	*-10%*	4,180	*-37%*	6,050	*-12%*
5	SR 49, north of Ridge Road-Valley View Way	12,882	15,735	16,219	12,965	11,624	*-10%*	10,272	*-35%*	14,171	*-13%*
6	SR 49, north of Martell	13,635	16,658	17,236	13,905	12,328	*-10%*	11,187	*-33%*	15,325	*-11%*
7	SR 49, north of Sutter Ione Rd	8,111	10,247	10,807	8,488	7,617	*-6%*	6,873	*-33%*	9,367	*-13%*
8	Sutter Ione, east of SR 49	1,640	2,073	2,035	1,653	1,571	*-4%*	1,246	*-40%*	1,776	*-13%*
9	Main St - Downtown, south of Eureka St	3,469	4,235	4,288	3,486	3,115	*-10%*	2,673	*-37%*	3,569	*-17%*
10	Main Street, north of SR 49	4,813	5,999	6,154	4,821	4,304	*-11%*	3,829	*-36%*	5,273	*-14%*
11	Church St, east of Main St	1,542	2,055	2,166	1,591	1,386	*-10%*	1,323	*-36%*	1,906	*-12%*
12	Old Sutter Hill Road, north of Ridge Rd	2,157	2,798	3,003	2,199	1,882	*-13%*	1,751	*-37%*	2,543	*-15%*
13	Bowers Rd, north of Ridge Rd	1,538	1,986	2,130	1,552	1,413	*-8%*	1,279	*-36%*	1,802	*-15%*

3.4.2. Roadway Operations

Consistent with SB 743, vehicle miles travelled (VMT) will be used to determine CEQA transportation impacts. However, the City intends, by policy, to continue to use "Level of Service" as a metric to evaluate traffic operations to assess need, type, and timing of transportation improvements.

Roadway operations were determined for both existing (2019) and future (2040) transportation conditions and were quantified through the determination of "Level of Service" (LOS). LOS is a qualitative measure of traffic operating conditions, whereby a letter grade "A" through "F" is assigned to a roadway segment, representing progressively worsening traffic conditions. LOS "A" represents free-flow operating conditions and LOS "F" represents over-capacity conditions. Existing (2019) and future (2040) roadway LOS was determined on a daily basis for study roadway segments identified in previous sections of this document, as shown in Table 3-7. Regional roadway LOS criteria and thresholds presented in the Amador County Regional Transportation Plan (ACTC, 2020) were employed. As shown, the study roadways are projected to operate acceptably (LOS "D" or better) under future Year 2040 conditions.

Table 3-6
Roadway Level of Service

				Existing (2019)		Forecast 2040	
ID #	Roadway	Location	Lanes	AADT	LOS	AADT	LOS
1	Hanford Street	n/o Spanish Street	2	1,692	A	2,300	B
2	Gopher Flat Road	e/o Werner Road	2	1,954	A	2,700	B
3	Ridge Road	e/o Sutter Hill Road	2	9,948	C	13,200	D
4	State Route 104 / Ridge Road	w/o Prospect Dr	2	6,131	C	10,800	D
5	State Route 49	n/o Ridge Road	4	14,696	C	19,300	C
6	State Route 49	s/o Airport Road	4	15,591	C	21,500	C
7	State Route 49	n/o Sutter Ione Road	2	9,570	D	13,800	D
8	Sutter Ione Road	e/o State Route 49	2	1,893	A	2,400	B
9	Main Street - Downtown	s/o Eureka Road	2	3,942	B	5,200	C
10	Main Street	n/o State Route 49	4	5,536	C	7,400	D
11	Church Street	w/o Gold Dust Trail	2	1,867	A	2,500	B
12	Old Sutter Hill Road	n/o Ridge Road	2	2,575	B	3,400	B
13	Bowers Road	n/o State Route 104 / Ridge Road	2	1,834	A	3,200	B

3.4.3. VMT Methodologies

SB 743 was signed into law in 2013, with the intent to better align CEQA practices with statewide sustainability goals related to infill development, active transportation, and greenhouse gas (GHG) emissions. SB 743 required the Governor's Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. Among the changes to the State CEQA Guidelines was removal of vehicle delay and Level of Service (LOS) from consideration as environmental impacts under CEQA. For land use projects, OPR identified Vehicle Miles Traveled (VMT) per capita (for residential), VMT per employee (for office), and net VMT (for retail) as new metrics for transportation analysis. For transportation projects, lead agencies for roadway capacity projects have discretion, consistent with CEQA and planning requirements, to choose which methodology to use to evaluate transportation impacts.

Various methodologies are currently available to calculate VMT. A primary tool typically used to estimate baseline and future VMT is the regional travel demand model. This regional model for the area is currently under development by Amador County Transportation Commission (ACTC) to enhance its ability to generate VMT outputs. Upon completion of these model enhancements, baseline VMT metrics should be developed on a regional level in order to establish thresholds consistent with SB 743 requirements as established by OPR (January 2020).

3.4.4. Parking

On-street parking is provided along Old Route 49 and Broad Street in the downtown area between Eureka Street and Gopher Flat Road. The adjacent sidewalk facilities provide pedestrian access to the businesses fronting this main arterial. There are also two off-street parking lots on either side of the creek, which provide parking capacity for the nearby community building, church, and baseball field.

3.5. Safety

Fatal and injury crash data were collected from the Transportation Injury Mapping System (TIMS) dataset for the 5 years between 2015 and 2019. As shown in Table 3-7 and

Figure 3-10, a total of 34 injury or fatal crashes occurred during this analysis period, including one fatality and seven severe injuries.

Table 3-7
Fatal and Injury Crashes (2015-2019)

Year	Fatal	Severe Injury	Injury (Other)	Injury (Complaint of Pain)	Total
2015				1	**1**
2016		1		1	**2**
2017		2	4	3	**9**
2018		1	2	4	**7**
2019	1	3	6	5	**15**
Total	**1**	**7**	**12**	**14**	**34**

Source: TIMS, 2015-2019.

Figure 3-10 Total Fatal and Injury Crashes (2015-2019)

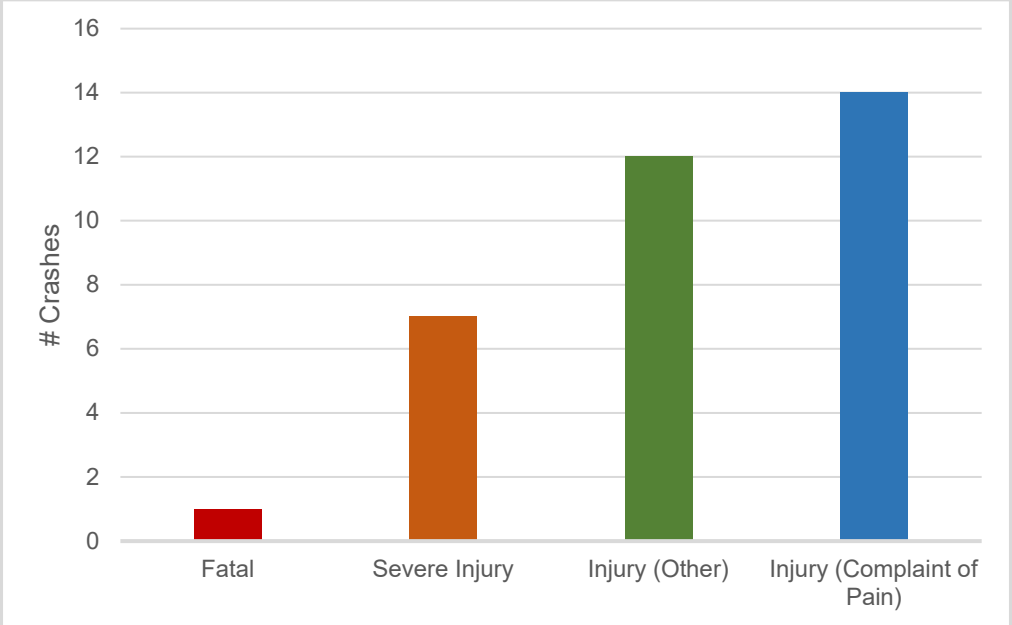


Figure 3-11 shows how total fatal and injury crashes have increased in frequency over the last 11 years (2009-2019). As shown, total fatal and injury crashes decreased between 2009 and 2014 but increased from 2014 to 2019. This trend is consistent with 11 year fatal and injury crash data for all of Amador County (see Figure 3-12).

Figure 3-11 Sutter Creek Fatal and Injury Crash 11-Year Trend (2009-2019)

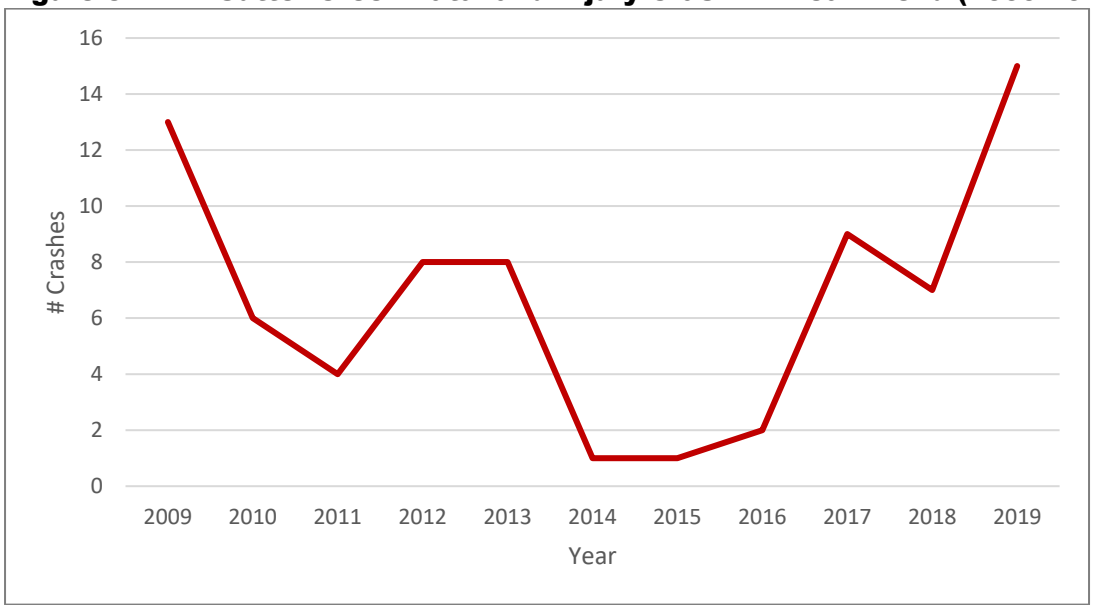


Figure 3-12 Amador County Fatal and Injury Crash 11-Year Trend (2009-2019)

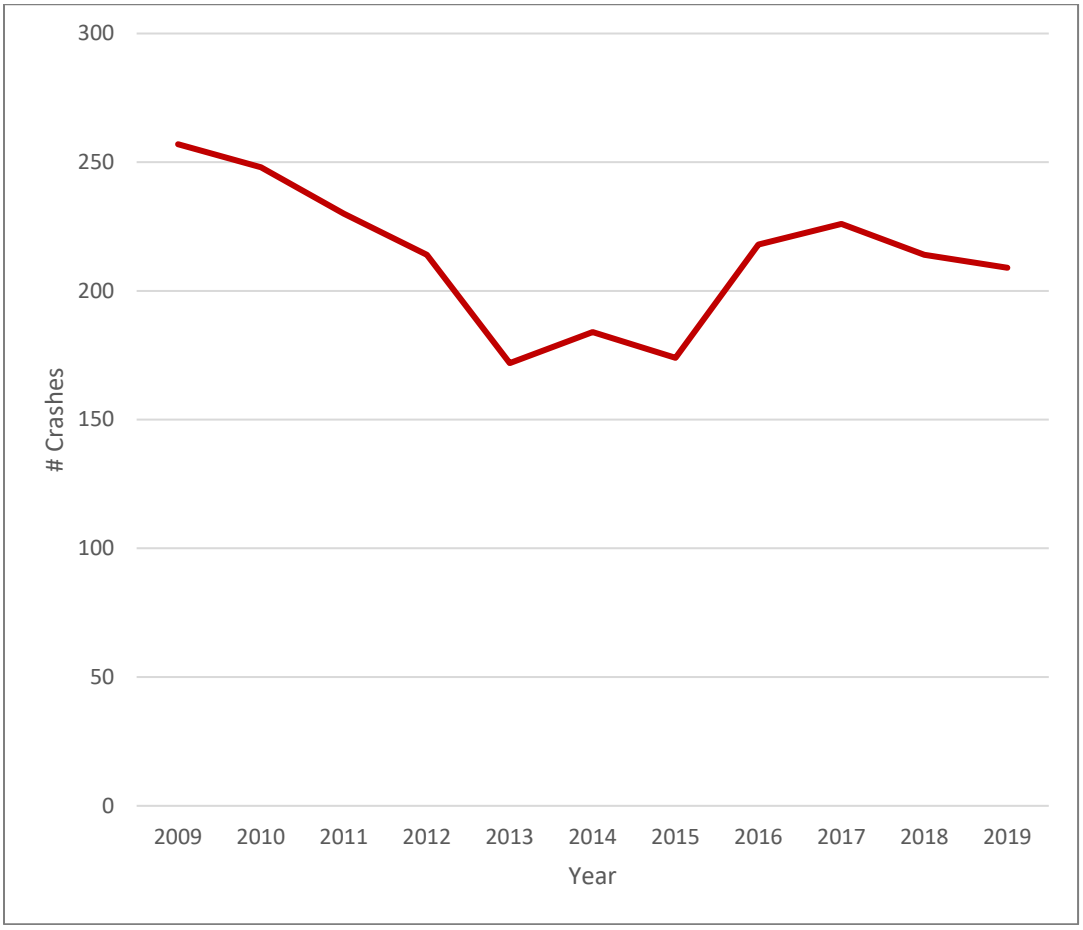
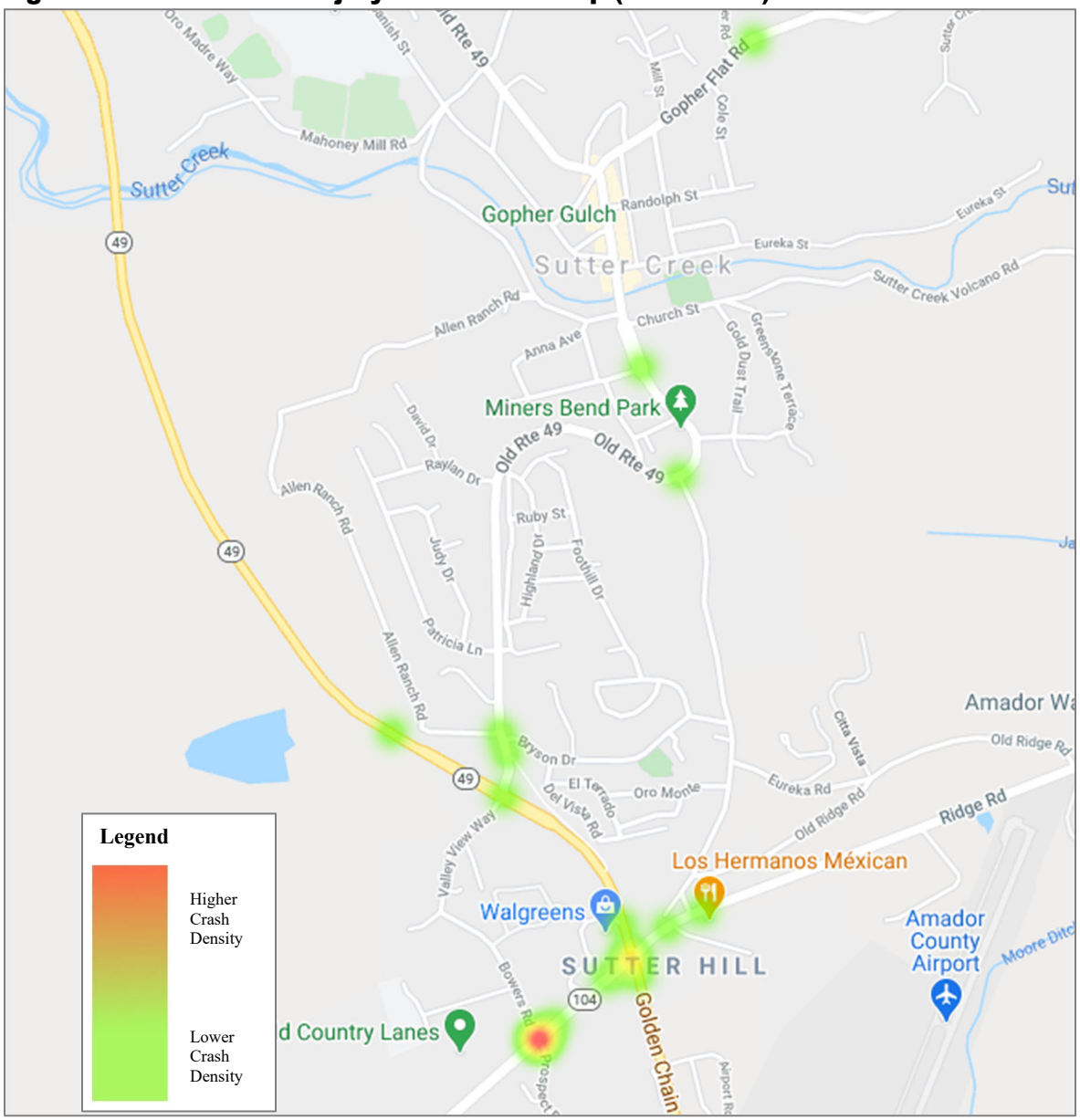


Figure 3-13 presents a location heat map of these crashes. Table 3-8 and Table 3-9 present more information about the location and severity of these crashes that occur at either intersections or along roadway segments. As shown, a significant majority of these crashes occur along Ridge Road, with 9 of these crashes occurring at the intersection of Ridge Road and Bowers Road/Prospect Drive.

Of the total fatal and injury crashes, 3 crashes involved a pedestrian or bicyclist as follows:

- Pedestrian Crash at Main Street/Eureka Street resulting in an Injury (Complaint of Pain)
- Pedestrian Crash at Ridge Road/Bowers Road resulting in an Injury (Complaint of Pain)
- Bicycle Crash on SR 49 north of Bryson Drive resulting in an Injury (Other)

Figure 3-13 Fatal and Injury Crash Heat Map (2015-2019)



Source: TIMS, 2015-2019.

Table 3-8 Fatal and Injury Crashes – Intersection Locations (2015-2019)				
Intersection (Primary Road / Secondary Road)	**Severe Injury**	**Injury (Other)**	**Injury (Complaint of Pain)**	**Total**
Boston Aly				
Randolph St			1	**1**
Main St				
Eureka St			1	**1**
Nickerson St			1	**1**
Old Hwy 49				
Sutter Hill Rd			1	**1**
Ridge Rd				
Bowers Rd/Prospect Dr	2	3	4	**9**
Sutter Hill Rd		1		**1**
SR 49				
Miners Bend Park			1	**1**
Old Hwy 49		1		**1**
Ridge Rd	1	1	1	**3**
Sutter-Ione Rd		1		**1**
Total	**3**	**7**	**10**	**20**

Table 3-9 Fatal and Injury Crashes – Roadway Locations (2015-2019)						
Roadway	**Location**	**Fatal**	**Severe Injury**	**Injury (Other)**	**Injury (Complaint of Pain)**	**Total**
Gopher Flat Rd						
	e/o Werner Rd	1				**1**
Old Hwy 49						
	e/o RT 49		1			**1**
Ridge Rd						
	e/o Power Pole 262			1		**1**
	e/o Prospect Dr			1		**1**
	e/o Sutter Hill Rd		1			**1**
	w/o Bowers Rd		1			**1**
	w/o State Route 49		1		1	**2**
	near Prospect Drive*				1	**1**
	near State Route 49*				1	**1**
SR 49						
	n/o Bryson Dr			1		**1**
	n/o Ridge Rd				1	**1**
	s/o Ridge Rd			1		**1**
	near Valley View Wy*			1		**1**
Total		**1**	**4**	**5**	**4**	**14**

**Exact location unknown*

3.6. Active Transportation

The current bicycle and trail network within the City of Sutter Creek is limited to a Class I trail that runs for approximately 0.2 miles along the east side of SR 49 just south of Main Street. Bicycle parking is provided via a bike rack located at the Sutter Hill Transit Center. Sidewalk coverage is primarily provided along roadways in the city center area between Nickerson Street and Gopher Flat Road, on roadways immediately adjacent to Amador High School, local streets connecting to Gopher Flat Road in the northeast corner of the city, and newly constructed roadways in the southwest corner of the city (Valley View Way, Bowers Road, and portions of Prospect Drive). The existing multimodal network is presented on Figure 3-16

Safe, convenient, and continuous access needs to be provided along major routes throughout the City for active transportation modes. As part of this Circulation Element update, roadway facilities will be identified where it is possible to modify the existing cross-section and increase the active transportation components for pedestrians and bicyclists.

3.6.1. Existing Multimodal Activity

Data on existing multimodal activity was gathered utilizing Strava's "The Global Heatmap" (Source: strava.com/heatmap). The heatmap displays bicycle and pedestrian (running/walking) activity generated from Strava users aggregated over the previous two years. While this data is limited to users of the Strava application, it is useful to determine areas with the potential for increases in multimodal activity. Figure 3-14 and Figure 3-15 present existing bicycle and pedestrian (running/walking) activity, respectively. The darker and thicker lines represent higher activity. Bicycle activity is higher on state highway and arterials, while pedestrian activity is higher in the downtown area and near the high school.

Figure 3-14 Bicycle Activity

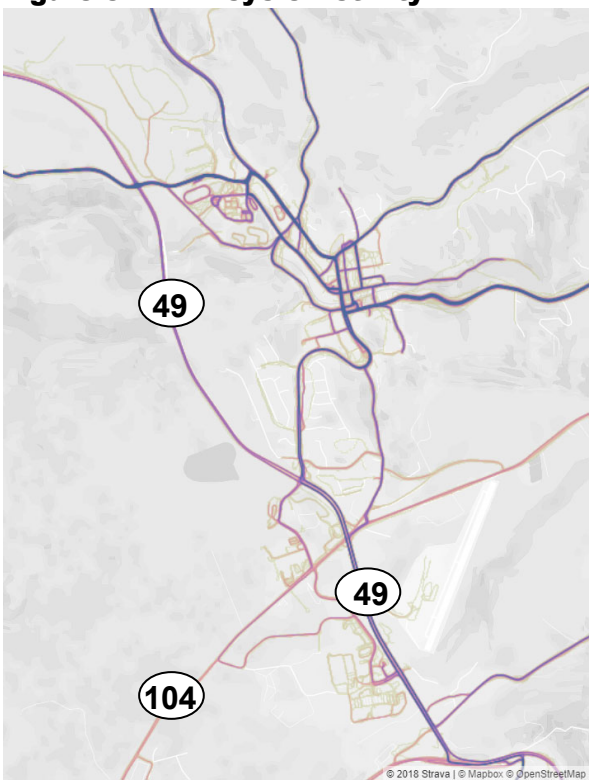
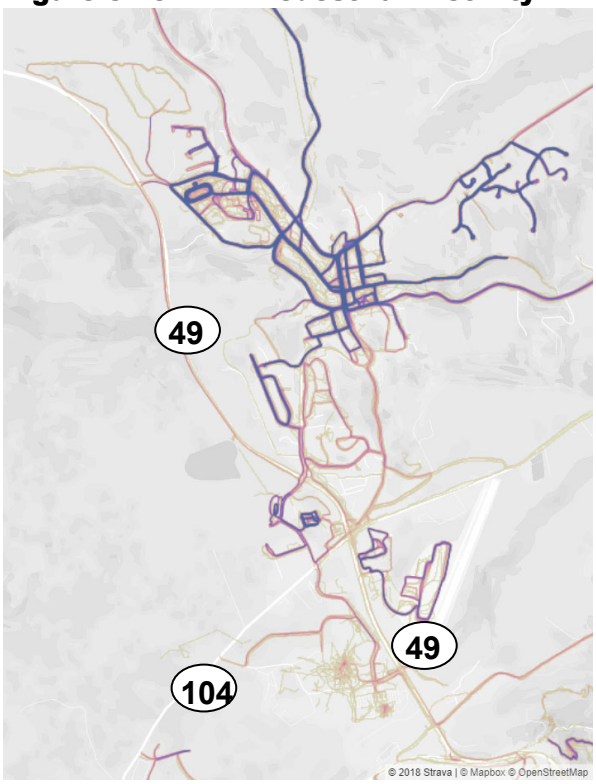
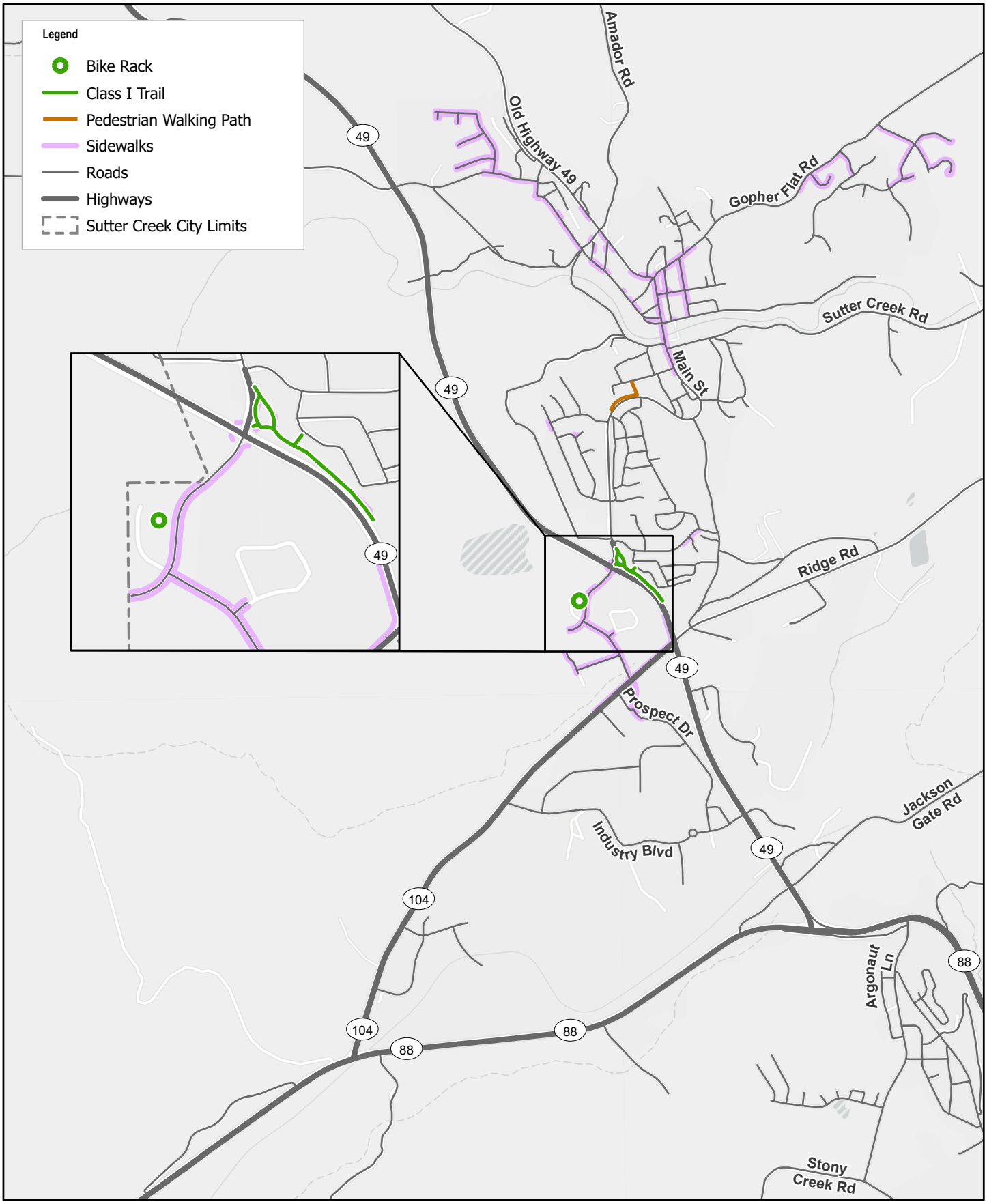


Figure 3-15 Pedestrian Activity





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Miles

Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

N

GHD

City of Sutter Creek
Circulation Element Update
Setting Report

Multimodal Network

Project No. **11218455**
Revision No. **5**
Date **11/16/2020**

FIGURE 3.16

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Print date: 19 Nov 2020 - 09:29

Data source: Light Gray Base: Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Created by: zporteous

3.6.2. Multimodal Facilities

The most common bicycle facilities implemented within cities are Class I bike paths, Class II bike lanes, and Class III bike routes. In addition, Class IV separated bikeways are increasingly implemented in cities throughout California as a way to improve multimodal mobility while addressing primary contributing factors to bicyclist safety and comfort level along major roadways. These facilities types are described in detail below.

Class I Bike Path. Class I facilities are multi-use facilities that provide a completely separated right-of-way for the exclusive use of bicycles and pedestrians with cross flows of motorized traffic minimized. Class I bikeways must be compliant with provisions of the Americans with Disabilities Act (ADA). These bikeways are intended to provide superior safety, connectivity, and recreational opportunities as compared to facilities that share right-of-way with motor vehicles.

Class II Bike Lane. Class II facilities provide a striped and signed lane for one-way bicycle travel on each side of a street or highway within the paved area of a roadway. The minimum width for bike lanes ranges between four and six feet depending upon the edge of roadway conditions (curb and gutter). Bike lanes are demarcated by a six-inch white stripe, signage and pavement legends. Buffered Class II Bike Lanes provide additional stripped buffers between the bike lane and the travel lane, with a width between two to three feet.

Class III Bike Route. Class III facilities provide signs for shared use with motor vehicles within the same travel lane on a street or highway. Bike routes may be enhanced with warning or guide signs and shared lane marking pavement stencils. While Class III routes do not provide measures of separation, they have an important function in providing continuity to the bikeway network. By law, bicycles are allowed on all roadways in California except on freeways when a suitable alternate route exists. However, Class III bikeways serve to identify roads that are more suitable for bicycles.

Class IV Separated Bikeways. Known as separated bikeways or cycle tracks, Class IV bikeways provide a separate travel way that is designated exclusively for bicycle travel adjacent to the roadway and are protected from vehicular traffic by physical separation. The separation may include, but is not limited to, grade separation, planters, flexible posts, inflexible posts, physical barriers, or on-street parking.

The above definitions are consistent with the California Highway Design Manual (HDM, July 2020). It is emphasized that the designation of bikeways as Class I, II, III, and IV should not be construed as a hierarchy of bikeways; that one is better than the other. Each class of bikeway has its appropriate application.

In addition, the American Association of State Highway and Transportation Officials “Guide for the Development of Bicycle Facilities” (2012) and National Association of City Transportation Officials “Urban Bikeway Design Guide” are used as resources to identify the following bicycle facilities.

Additional bicycle facility types that aim to improve bicyclist safety through improved visibility, traffic calming, and physical separation include the following:

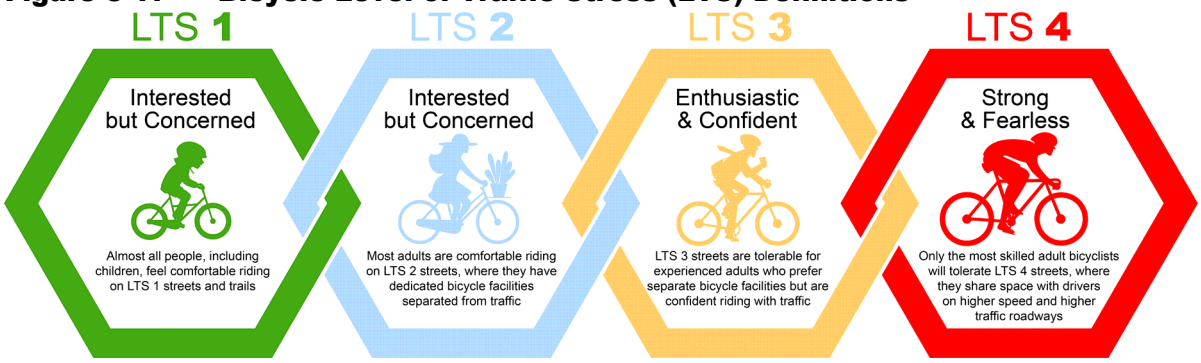
- Bicycle Boulevard: Streets that prioritized bicycle safety and optimize travel for bicycles.
- Buffered Bike Lanes: Conventional Class II bike lanes paired with a designated buffer space separating the bicycle lane from the adjacent motor vehicle travel lane and/or parking lane.
- Green Colored Bike Facilities: May be installed within bicycle lanes or the extension of the bicycle lane through an intersection or a conflict area as a supplement to bike lane markings.
- Bike Box: Designated area for bicyclists to queue in front of automobiles at signalized intersections.

3.6.3. Bicycle Level of Traffic Stress

Bicycle operations are quantified through a determination of "Level of Traffic Stress" (LTS). LTS must be calculated for roadway segments and intersections using the methods documented in the paper, *Low Stress Bicycling and Network Connectivity*, Mineta Transportation Institute, Report 11-19, May 2012. Bicycle LTS quantifies the stress level of a given roadway segment by considering a variety of criteria, including street width (number of lanes), speed limit or prevailing speed, presence and width of bike lanes, and the presence and width of parking lanes. Bicycle LTS is a suitability rating system of the safety, comfort, and convenience of transportation facilities from the perspective of the user. Moreover, the methodology allows planning practitioners to assess gaps in connectivity that may discourage active users from traversing roadways.

Bicycle LTS scores roadway facilities into one of four classifications or ratings for measuring the effects of traffic-based stress on bicycle riders, with 1 being the lowest stress or most comfortable, and 4 being the highest stress or least comfortable. Generally, an LTS score of 1 indicates the facility provides a traffic stress tolerable by most children and less experienced riders, such as multi-use paths that are separated from motorized traffic. An LTS score of 4 indicates a stress level tolerable by only the most experienced cyclists who are comfortable with high-volume and high-speed, mixed traffic environments. LTS 3 and 4 represent high stress conditions for bicyclists and reflect the need for visibility and safety improvements. Figure 3-17 below presents the four scoring classifications, and subsequent tables show the criteria associated with determining the LTS score.

Figure 3-17 Bicycle Level of Traffic Stress (LTS) Definitions



The Bicycle LTS methodology is comprised of three scoring categories: roadway segments, intersection approaches where right turn lanes exist, and unsignalized intersection crossings. The Bicycle LTS scoring criteria for intersection approaches where right turn lanes exist, for roadway segments with mixed traffic, and for roadway segments where bike lanes exist are provided in the tables below.

Table 3-10 LTS Criteria for Intersection Approaches with Right Turn Lanes				
Right-turn Lane Configuration	Right-turn lane length (ft)	Bike Lane Approach Alignment[2]	Vehicle Turning Speed (mph)[3]	LTS Score
With Pocket Bike Lane				
Single	≤ 150	Straight	≤ 15	LTS 2
Single	>150	Straight	≤ 20	LTS 3
Single	Any	Left	≤ 15	LTS 3
Single[1] or Dual Exclusive/ Shared	Any	Any	Any	LTS 4
Without a Pocket Bike Lane				
Single	≤ 75		≤ 15	(no effect on LTS)
Single	75-150		≤ 15	LTS 3
Otherwise				LTS 4

[1] Any other single right turn lane configuration not shown above.

[2] The right turn criteria are based on whether the bike lane stays straight or shifts to the left.

[3] This is vehicle speed at the corner, not the speed crossing the bike lane. Corner radius can also be used as a proxy for turning speeds.

[4] There is no effect on LTS if the bikeway is physically separated from traffic, as on a shared-use path.

Table 3-11 LTS Criteria for Mixed Traffic			
	Street Width		
Speed Limit	2-3 lanes	4-5 lanes	6+ lanes
Up to 25 mph	LTS 1 or 2[1]	LTS 3	LTS 4
30 mph	LTS 2 or 3[1]	LTS 4	LTS 4
35+ mph	LTS 4	LTS 4	LTS 4

[1]Use lower value for streets without marked centerlines or classified as residential and with fewer than 3 lanes; use higher value otherwise.

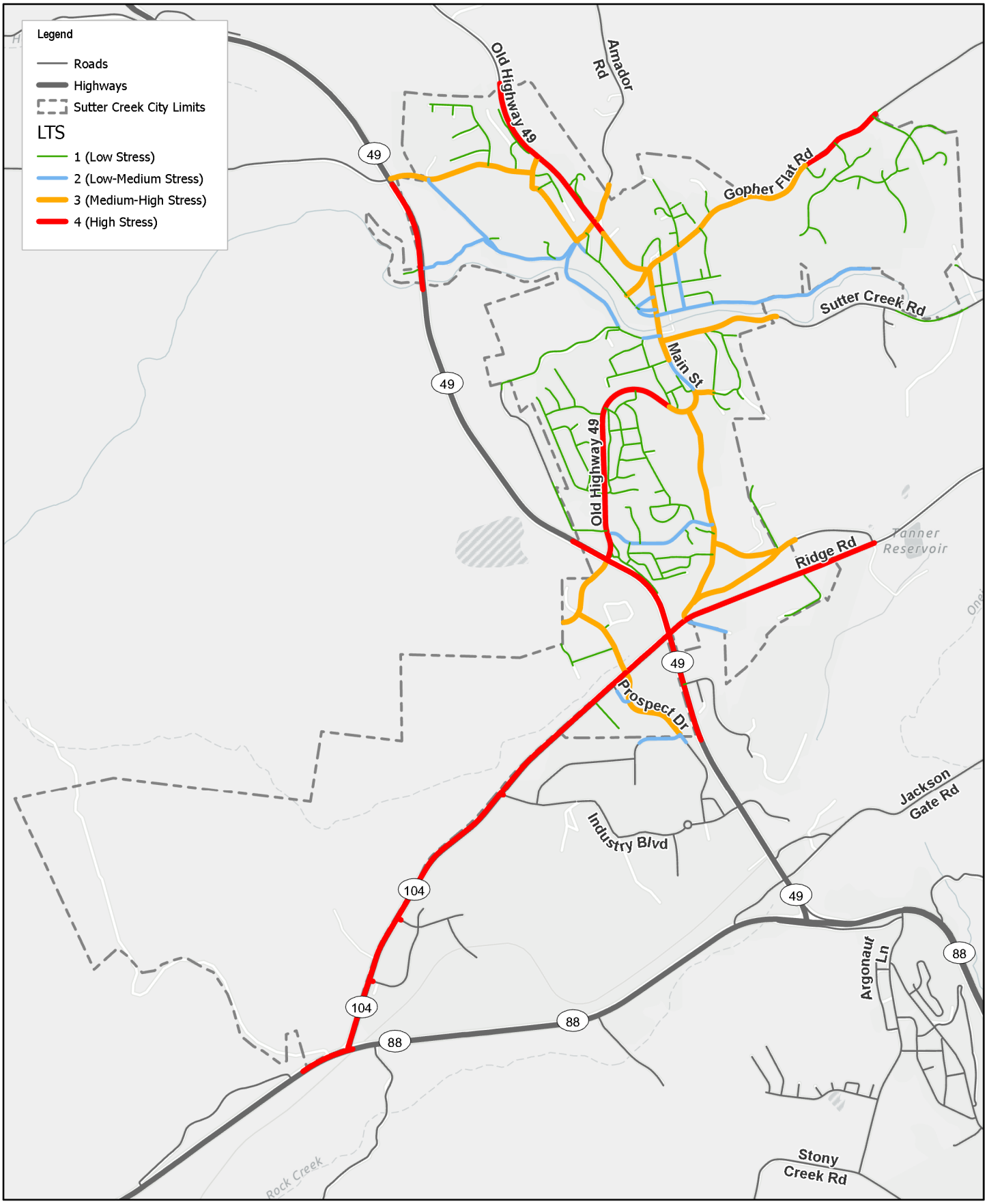
Table 3-12 LTS Criteria for Bike Lanes				
	LTS Score			
Lane Factor	LTS 1	LTS 2	LTS 3	LTS 4
Alongside a Parking Lane				
Street width (through lanes per direction)	1	(no effect)	2 or more	(no effect)
Sum of bike lane and parking lane width (includes marked buffer and paved gutter)	15 ft. or more	14 or 14.5 ft.[2]	13.5 ft. or less	(no effect)
Speed limit or prevailing speed	25 mph or less	30 mph	35 mph	40 mph or more
Bike lane blockage (typically applies in commercial areas)	rare	(no effect)	frequent	(no effect)
Not Alongside a Parking Lane				
Street width (through lanes per direction)	1	2, if directions are separated by a raised median	more than 2, or 2 without a separating median	(no effect)
Bike Lane Width (includes marked buffer and paved gutter)	6 ft. or more	5.5 ft. or less	(no effect)	(no effect)
Speed limit or prevailing speed	30 mph or less	(no effect)	35 mph	40 mph or more
Bike lane blockage (typically applies in commercial areas)	rare	(no effect)	frequent	(no effect)

Note: [1] (no effect) = factor does not trigger an increase to this level of traffic stress.

[2] If speed limit < 25 mph or Class = residential, then any width is acceptable for LTS 2.

LTS Results

Due to the lack of on-street bicycle facilities, the City of Sutter Creek roadway network was evaluated using the criteria presented in Table 3-11 for Mixed Traffic travel. In addition, due to the lack of pocket bike lanes at intersections, and intersection approaches with right-turn pockets less than 150 feet, all intersection approaches throughout the city are considered high-stress (LTS 3 or 4). Bicycle level of traffic stress (LTS) results are presented in Figure 3-18. As shown, the majority of segments along major roads within the City of Sutter Creek can be considered high stress (LTS 3 or 4). The high stress nature of roadway segments within the City are primarily due to roadway speed limits of 35 miles per hour or greater (see Figure 3-4). In addition, rolling terrain, such as along Main Street, Hanford Street, Sutter Ione Road, and Sutter Hill Road, is considered a barrier to mobility and resulted in an increase in LTS scores by 1.



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Miles

Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

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GHD

City of Sutter Creek
Circulation Element Update
Setting Report

Project No. **11218455**
Revision No. 1
Date **10/30/2020**

Bicycle Level of Traffic Stress (LTS)

FIGURE 3.18

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Data source: Light Gray Base: Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA
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3.7. Public Transportation & Aviation

Existing transit services are provided by Amador Transit. The Sutter Hill Transit Center is the primary transit center for the county, and is located in the City of Sutter Creek at the intersection of Valley View Way and Bowers Road. The City of Sutter Creek is served by the following routes:

Route 1 (Sacramento) runs from the Sutter Hill Transit Center along SR 49 and SR 16 to downtown Sacramento.

Route 2 (Upcountry) runs from the Sutter Hill Transit Center east along SR 88 to Amador Station.

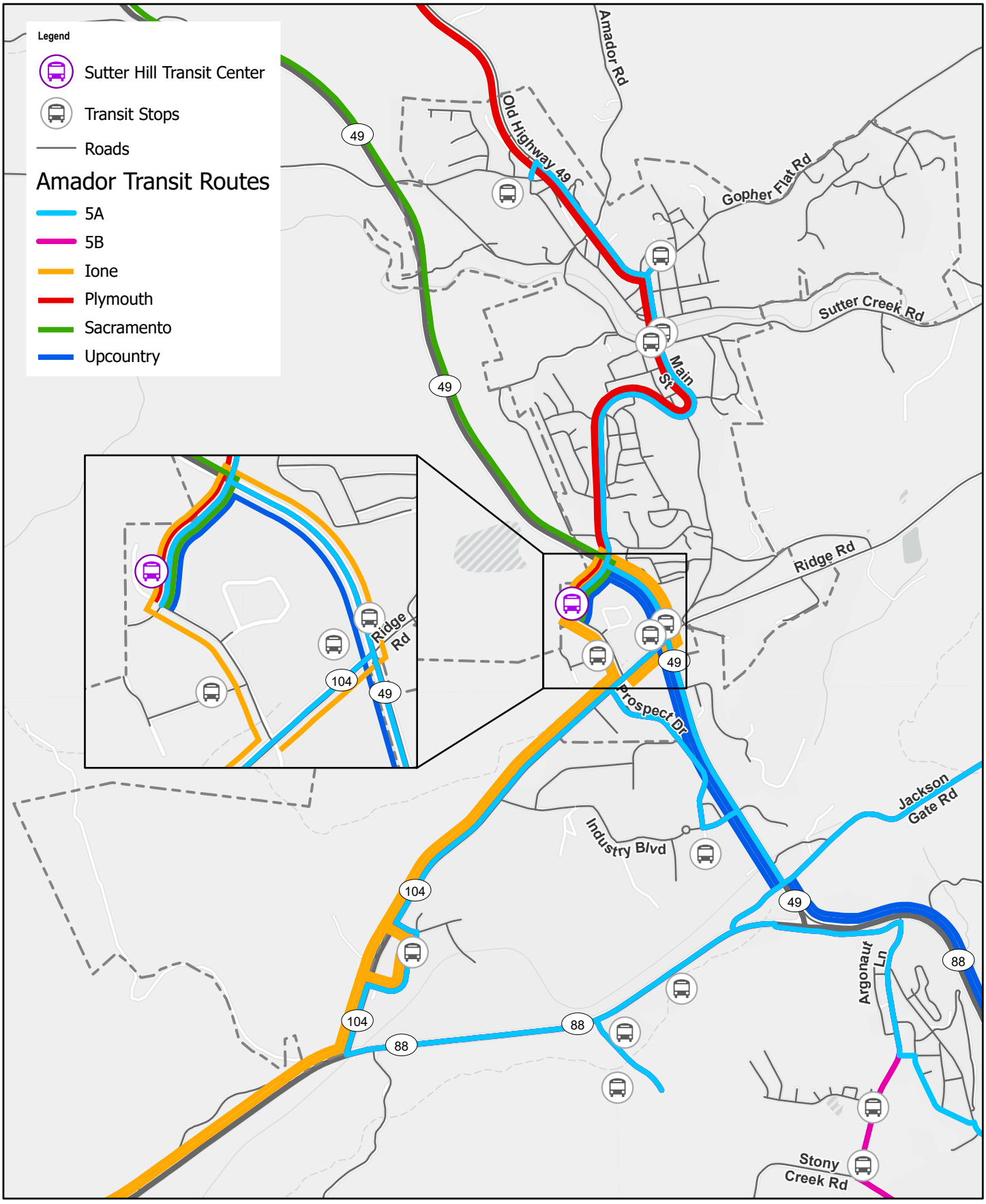
Route 3 (Plymouth) runs from the Sutter Hill Transit Center along Main Street then along SR 49 to Plymouth City Park. This route is currently canceled due to public health issues concerning COVID-19.

Route 5 (Sutter Creek-Jackson Shuttle A and B) provides connection between Amador High School, the Sutter Hill Transit Center, Martell CDP, and the City of Jackson. Routes 5A and 5B provide service to public destinations (including the courthouse), grocery stores, pharmacies, and residential areas primarily along Main Street, SR 104, SR 88, and SR 49 in the City of Sutter Creek.

Route 7 (Ione) runs from the Sutter Hill Transit Center west along SR 104 and SR 88 to the City of Ione.

The Sutter Creek General Plan assumes that the City's transit needs will continue to be met by ARTS over the 20-year planning period. Recommendations for transit in the Sutter Creek area are included in the Circulation Element's listed goals, policies and objectives. Policies and standards concerning the bus stops and transit considerations to be provided by large new developments are also included in the Land Use Element. Future (2040) Conditions Bicycle Level of Traffic Stress presents the existing transit services provided within the City of Sutter Creek.

The Westover Field Amador County Airport is a public use airport, located just outside the city limits of Sutter Creek and accessed via Airport Road just south of the SR 49 intersection with Ridge Road. The airport has two asphalt runways and accommodates mostly single engine airplanes. The airport accommodates an average of 68 aircraft operations per day, which are evenly split between transient general aviation uses and local general aviation uses. Military and air taxi uses are accommodated as well but they are infrequent, accounting for less than one percent of aircraft operations.



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Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

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City of Sutter Creek
Circulation Element Update
Existing Conditions Background Report

Project No. 11218455
Revision No. 2
Date 10/30/2020

Existing Transit Service

FIGURE 3.19

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Print date: 19 Nov 2020 - 09:34

Data source: Light Gray Base: Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Created by: zporteous

3.8. Needs Assessment

The information presented in this Setting document provides a baseline to assess the City's existing and future circulation needs related to roadway capacity, safety, and mobility, and was used to identify improvement locations and types to be included in the City's preferred circulation plan. No roadway operational deficiencies were identified under existing (2019) or future (2040) conditions. However, under existing conditions, there are significant multimodal facility gaps and high bicycle level of traffic stress conditions.

The City's Circulation Element presents circulation projects as well as objectives, policies, and implementation measures that aim to address existing and future needs and focus on improving mobility for users of all types and ages. Projects that had previously been identified in the ACTC Amador Countywide Pedestrian and Bicycle Plan (2017) or the ACTC Amador County RTP (2020) were evaluated for inclusion within this Circulation Element update. In addition, public input gathered via the project online interactive map and during virtual public meetings was used to further identify and prioritize transportation projects related to facilities and accessibility, traffic calming, parking, and roadway and intersection improvements. Overall, projects were recommended to provide safe and accessible transportation facilities with a focus on providing continuous multimodal routes to ensure access to priority locations within the City – including schools, the Main Street downtown area, residential neighborhoods, and the Amador County Transit Center, among others.

Due to the focus on providing safe, accessible, and continuous multimodal facilities throughout the City, policies were recommended to guide project development based on "Complete Streets" design principles. The following text is included in Policy C-1.3.2:

> *When constructing or modifying transportation facilities, strive to incorporate "Complete Streets" design to provide for the movement of vehicles, commercial trucks, alternative and low energy vehicles, transit, bicyclists, and pedestrians in a manner that is appropriate for the road classification and adjacent land use.*
>
> *"Complete Streets" improvements should aim to ensure the safety, comfort, and connectivity of all users through the balanced provision of adequate multimodal facilities and traffic calming measures with roadway maintenance and rehabilitation efforts. Improvements include roadway with curb, gutter, and sidewalks where not currently provided. Where feasible, shoulders should be widened to accommodate buffered Class II Bicycle Lanes. In areas where road widening and/or sidewalks are not feasible, or per City preference, an adjacent Class I Shared-Use Path may be provided to accommodate both pedestrian and bicyclist travel.*

Due to the unique challenges facing the Main Street downtown area, policies were recommended to guide future study of circulation needs for the downtown area. Specifically, the Circulation Element recommends the development of a comprehensive parking and circulation strategy for streets included in the Downtown Circulation Study Area (Spanish Street, Hayden Alley, Fiefield Street, Keyes Street, and Boston Alley) and the Eureka Shared Street Study Area (Eureka Street between Main Street to Broadway).

Transportation improvement project types included in this Circulation Element update are summarized below. The full list of the City's circulation improvement projects and corresponding objective, policy, and/or implementation measure is provided in Table 3-14. In addition, Table 3-14 identifies if the project was previously identified in a regional planning effort (RTP or multimodal plan) or was developed in response to public comment. The project identification numbers (IDs) correspond to the City's 2021 Circulation Element circulation diagram.

Transportation Improvement Project Types:

- Complete Street Improvements
  - Buffered Class II Bicycle Lanes
  - Class I Shared-Use Paths
  - Walking Paths
  - Sidewalk Gap Fill
  - High Visibility Pedestrian Crossings
- Circulation and Parking
  - Downtown Parking
  - Wayfinding
- Capacity, Operations, and Maintenance
  - Pavement Rehabilitation
  - Shoulder Widening
  - Intersection Improvements

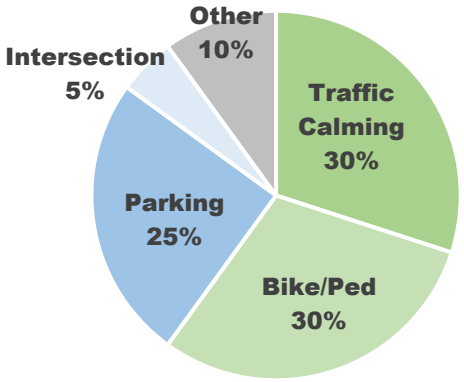
3.8.1 Public Input

Between APRIL 27 and December 22, 2020, forty-five public comments were left via the online interactive map (https://suttercreek.mysocialpinpoint.com/). Individuals were able to place comments in locations specific to their concern. Highlights of these public comments are summarized below and a breakdown of comments by type are presented in Figure 3-20. The full list of public comments via the online interactive map is provided in Table 3-15.

Public Comment Highlights:

- Bicycle/Pedestrian (Bike/Ped)
  - Bike Lanes & Sidewalk Infill
    - Gopher Flat Road
    - Sutter Hill Road
    - Main Street
  - Safe Pedestrian Crossings
    - Hanford Street @ Amelia Street
    - Main Street between SR 49 and Downtown
- Traffic Calming
  - Hanford Street
  - Gopher Flat Road
- Parking
  - Downtown Area (Spanish Street and Eureka Street)
- Intersection Improvements
  - SR 104 @ Bowers Road / Prospect Drive
- Other (New roadways, pavement rehab, ped access/restrictions)

Figure 3-20 Public Comments by Type



3.8.2 Future (2040) Conditions Bicycle Level of Traffic Stress

The primary goal of the multimodal facility improvements recommended within the Circulation Element update was to provide a network of continuous or connected low stress routes within the City. While certain limitations (i.e. right-of-way and construction challenges) prevent full reconstruction of some existing roadways, the City has prioritized providing alternative routes between major destinations within the City, along with strategically placed high-visibility roadway crossings to ensure that residents and visitors can comfortably travel between significant destinations within the city.

Future (2040) bicycle LTS was evaluated to present the anticipated increase in bicyclist comfort level resulting from the abovementioned transportation improvements (see Figure 3-21). The primary contributing factors to the anticipated increase in bicyclist comfort level on City roadways are physically separated paths (Class I) and bikeways (Class IV), buffered facilities (Class II bike lanes), and visibility improvements at intersections and crossings. Due to the additional separation from vehicles, Buffered Class II Bicycle Lanes are recommended on the majority of the City's arterials (Main Street and Hanford Street) and major collectors (Sutter Ione Road and Gopher Flat Road). Table 3-16 presents the bicycle LTS criteria for buffered bicycle lanes as provided by Oregon Department of Transportation (ODOT, 2020).

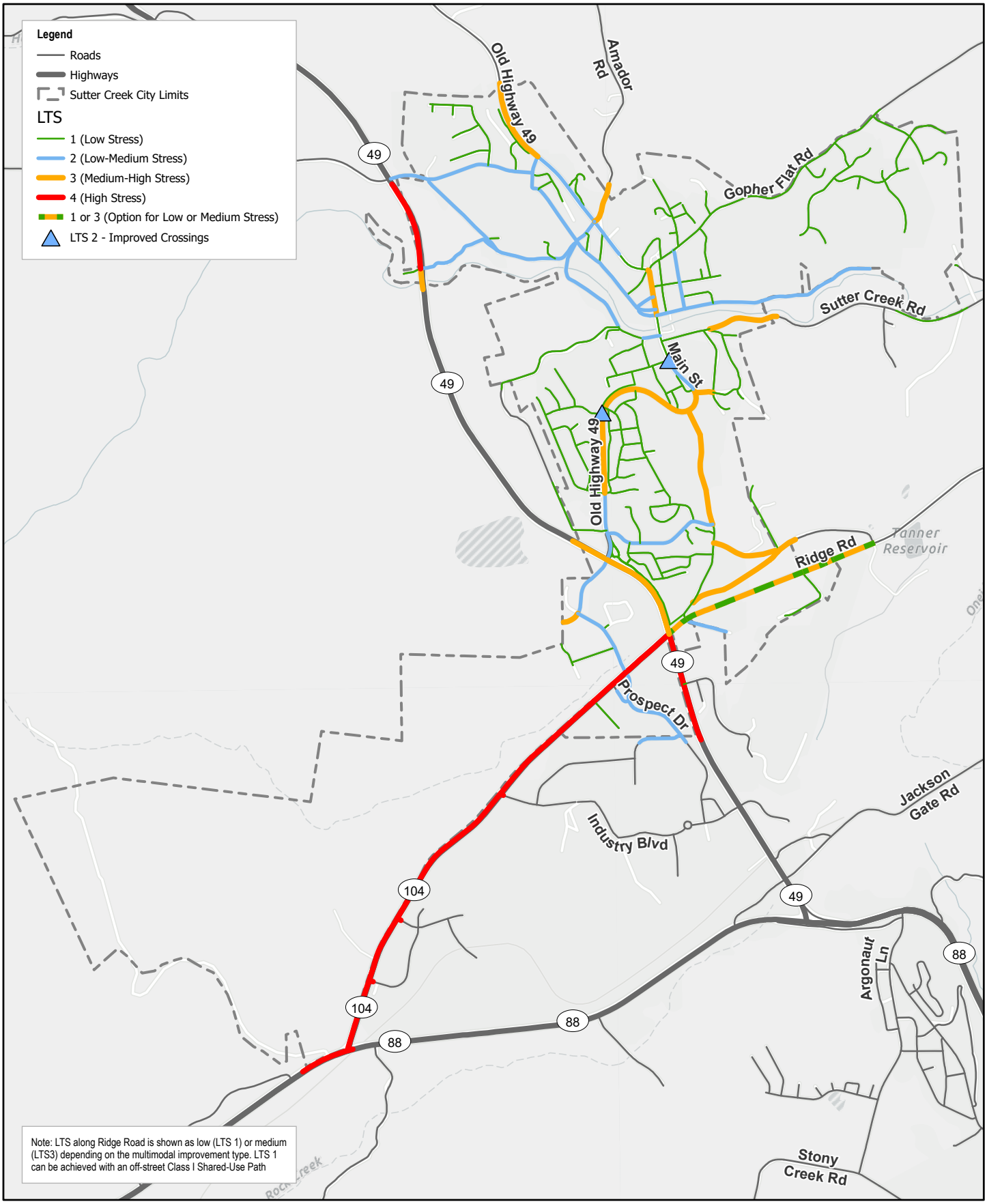
Due to right-of-way and potential construction challenges, Class II Bicycle Lanes are not identified as improvements to the entirety of Main Street (i.e. between Patricia Lane/Lorinda Drive and Nickerson Street). However, recommendations for bicycle routing along Lorinda Drive coupled with high visibility crossings along Main Street at Patricia Lane/Lorinda Drive and Raylan Drive/ Highland Drive, connecting to the proposed Class I Shared-Use Path which replaced the existing walking trail between Main Street and Nickerson Street, provide a continuous bicycle path from SR 49 to the Downtown area.

Figure 3-21 presents the future (2040) bicycle LTS with recommended circulation improvements.

Table 3-16
ODOT LTS Criteria

Prevailing or Posted Speed	1 lane per direction			≥ 2 lanes per direction	
	≥ 15' bike lane + parking	14' - 14.5' bike lane + parking	≤ 13' bike lane + parking or Frequent blockage[1]	≥ 15' bike lane + parking	≤ 14.5' bike lane + parking or Frequent blockage[1]
≤ 25 mph	1	2	3	2	3
30 mph	1	2	3	2	3
35 mph	2	3	3	3	3
≥ 40 mph	2	4	4	3	4

[1] Typically occurs in urban areas (i.e. delivery trucks, parking maneuvers, stopped buses)



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Miles

Map Projection: Lambert Conformal Conic
Horizontal Datum: North American 1983
Grid: NAD 1983 StatePlane California II FIPS 0402 Feet

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GHD

City of Sutter Creek
Circulation Element Update
Setting Report

Improved Bicycle Level of Traffic Stress (LTS)

Project No. **11218455**
Revision No. 1
Date **10/30/2020**

FIGURE 3.21

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Data source: Light Gray Base: Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA
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Table 3-14
Circulation Element Improvements

Project ID	Location	Description	Corresponding Objective/Policy	Needs Assessment
MM - 1	Gopher Flat Road: Main Street to Golden Hills Drive	Complete Street Study Area: Improve roadway with curb, gutter, and sidewalk where not currently provided, and widen shoulders to accommodate buffered Class II Bicycle Lanes, and/or provide a Class I Shared-Use Path for bicyclist and pedestrian travel.	Policy C-1.3.2, Implementation Measure C-1.3.2.1	Public Comment; ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 2	Hanford Street: Spanish Street to Main Street	Complete Street Study Area: Improve roadway with curb, gutter, and sidewalk where not currently provided, and widen shoulders to accommodate buffered Class II Bicycle Lanes.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	
MM - 3	Church Street: Main Street to Greenstone Terrace	Improve roadway with curb, gutter, and sidewalk where not currently provided, and widen shoulders to accommodate buffered Class II Bicycle Lanes.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 4	Broad Street: Gopher Flat Road to Eureka Street	Upgrade existing sidewalk and provide continuous pedestrian paths for school students. Implement traffic calming measures.	Policy C-1.3.3, Implementation Measure C-1.3.3.1	
MM - 5	Hanford Street at Amelia Street	High visibility pedestrian crossing	Policy C-1.10.3, Implementation Measure C-1.10.3.2	
MM - 6	Spanish Street: Hanford Street to Main Street	Provide continuous pedestrian paths for elementary and high school students on Spanish Street. Improve with curb, gutter, and sidewalks where not now provided, and widen shoulders to accommodate Class II Bicycle Lanes.	Policy C-1.3.3, Implementation Measure C-1.3.3.1	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 7	Main Street: State Route 49 to Patricia Lane/Lorinda Drive	Complete Street Study Area: Improve roadway with curb, gutter, and sidewalk where not currently provided, and widen shoulders to accommodate buffered Class II Bicycle Lanes, and/or provide a Class I Shared-Use Path for bicyclist and pedestrian travel.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	Public Comment; ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 8	Lorinda Drive: Main Street/Patricia Lane to Main Street/Highland Drive	Designate as a Class III Bicycle Route and pedestrian route to encourage paths of travel off of Main Street. Implement traffic calming measures.	Policy C-1.10.10, Implementation Measure C-1.10.10.1	
MM - 9	Main Street: Highland Drive to Hanford Street	Designate as a Class III Bicycle Route between Highland Drive and Nickerson Street, and between Church Street and Hanford Street. Accommodate Class II Bicycle Lanes adjacent to parking lanes from Nickerson Street to Badger Street and provide pedestrian crossing along Main Street at Nickerson Street. Implement traffic calming measures.	Policy C-1.3.3, Implementation Measure C-1.3.2.4; Policy C-1.10.10, Implementation Measure C-1.10.10.1	
MM - 10	Main Street at Highland Drive/ Raylan Drive	Construct a high visibility pedestrian crossing.	Policy C-1.10.3, Implementation Measure C-1.10.3.1	Public Comment
MM - 11	Main Street at Lorinda Drive/Patricia Lane	Construct a high visibility pedestrian crossing.	Policy C-1.10.3, Implementation Measure C-1.10.3.1	
MM - 12	Main Street at Miner's Bend, near Sutter Hill Road/Greenstone Terrace	Construct a high visibility pedestrian crossing.	Policy C-1.10.3, Implementation Measure C-1.10.3.1	
MM - 13	Main Street: Sutter Hill Road to Greenstone Terrace	Improve shoulder and provide a walking path to connect to walking path along Sutter Hill Road. Provide safe connections to pedestrian crossing at Miner's Bend.	Policy C-1.10.11, Implementation Measure C-1.10.11.1	

Project ID	Location	Description	Corresponding Objective/Policy	Needs Assessment
MM - 14	Trail between Main Street and Nickerson Street	Pave/improve existing pedestrian path to provide Class I Shared-Use Path	Policy C-1.10.1, Implementation Measure C-1.10.1.1	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 15	Nickerson Street	Designate as a Class III Bicycle Route. Implement traffic calming measures.	Policy C-1.10.10, Implementation Measure C-1.10.10.1	
MM - 16	Sutter Hill Road: Bryson Drive to Main Street	Improve shoulder and provide a walking path to connect to walking path along Main Street near Miner's Bend.	Policy C-1.10.11, Implementation Measure C-1.10.11.1	Public Comment; ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 17	Ridge Road: State Route 49 to Old Ridge Road	Improve roadway with curb, gutter, and sidewalk where not currently provided, and widen shoulders to accommodate buffered Class II Bicycle Lanes, and/or provide a Class I Shared-Use Path for bicyclist and pedestrian travel.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	ACTC Amador County RTP, 2020
MM - 18	Ridge Road: Sutter Hill Road to State Route 49	Provide sidewalk gap infill and continue Class I Shared-Use Path extension (MM - 20).	Policy C-1.10.11, Implementation Measure C-1.10.11.4	
MM - 19	Sutter Hill Road: Ridge Road to Bryson Drive	Improve roadway with curb, gutter, and sidewalk where not currently provided, and widen shoulders to accommodate buffered Class II Bicycle Lanes.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 20	State Route 49: Main Street/Valley View Way to City Limit	Complete Street Study Area: Improve roadway with curb, gutter, and sidewalk where not currently provided, and widen shoulders to accommodate buffered Class II Bicycle Lanes, and/or extend existing Class I Shared-Use Path for bicyclist and pedestrian travel to Ridge Road.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 21	Bryson Drive	Designate as a Class III Bicycle Route. Implement traffic calming measures.	Policy C-1.10.10, Implementation Measure C-1.10.10.1	
MM - 22	Valley View Way: State Route 49 to Bowers Road	Stripe Class II Bicycle Lanes or Buffered Bicycle Lanes.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	
MM - 23	Bowers Road	Stripe Class II Bicycle Lanes or Buffered Bicycle Lanes.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 24	Prospect Drive: State Route 104 to City Limit	Stripe Class II Bicycle Lanes or Buffered Bicycle Lanes.	Policy C-1.3.2, Implementation Measure C-1.3.2.4	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 25	Adjacent to Raylan Drive, David Drive, and Allen Ranch Road	Provide walking path	Policy C-1.10.11, Implementation Measure C-1.10.11.2	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017
MM - 26	East of Downtown, connecting Sutter Crest and Golden Hills neighborhoods to Randolph Street and Eureka Street	Provide walking path	Policy C-1.10.11, Implementation Measure C-1.10.11.3	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017

Project ID	Location	Description	Corresponding Objective/Policy	Needs Assessment
MM - 27	Sutter Ione Road: Spanish Street to SR 49	Class II Bike Lanes; Sidewalk between Spanish Street and Oro Madre Way		
INT - 1	Main Street at Gopher Flat Road	Intersection multimodal and safety improvements.	Policy C-1.4.2, Implementation Measure C-1.4.2.1	Public Comment
INT - 2	Sutter Ione Road at Spanish Street	Intersection multimodal and safety improvements	Policy C-1.4.2, Implementation Measure C-1.4.2.1	
INT - 3	Sutter Ione Road at Oro Madre Way	Intersection multimodal and safety improvements	Policy C-1.4.2, Implementation Measure C-1.4.2.1	Public Comment
INT - 4	Main Street/Valley View Way at State Route 49	Intersection multimodal and safety improvements	Policy C-1.4.2, Implementation Measure C-1.4.2.1	
INT - 5	Sutter Hill Road at Eureka Road	Intersection Improvements	Policy C-1.4.1, Implementation Measure C-1.4.1.1	ACTC Amador County RTP, 2020
INT - 6	Eureka Road at Old Ridge Road	Intersection Improvements	Policy C-1.4.1, Implementation Measure C-1.4.1.1	Public Comment; ACTC Amador County RTP, 2020
INT - 7	Spanish Street at North Amelia Street	Realign intersection and provide multimodal and safety improvements.	Policy C-1.3.2, Implementation Measure C-1.3.2.3 / Policy C-1.4.2	
INT - 8	Ridge Road at Old Ridge Road	Intersection Improvements	Policy C-1.4.1, Implementation Measure C-1.4.1.1	ACTC Amador County RTP, 2020
INT - 9	State Route 104 at Bowers Drive/Prospect Drive	Intersection Improvements	Policy C-1.4.1, Implementation Measure C-1.4.1.1	Public Comment; ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017; ACTC Amador County RTP, 2020
RD - 1	Oro Madre Way: Sutter Ione Road to Oak Court	Pavement rehabilitation	Policy C-1.13.1, Implementation Measure C-1.13.1.1	Public Comment; City of Sutter Creek Pavement Management Program Update Report, 2015
RD - 2	Easterly Bypass Collector Road: Golden Hills Drive to Sutter Creek Road	Construct a new minor collector road in conformance with City's adopted improvement standards and policies.	Policy C-1.1.1, Implementation Measure C-1.1.1.1	Public Comment
Policy - 1	Eureka Street: Main Street to Broadway	Eureka Shared Street Study Area: Develop a comprehensive parking and circulation strategy, including multimodal connectivity, access to parking, and truck delivery/unloading.	Policy C-1.11.2, Implementation Measure C-1.11.2.2	Public Comment
Policy - 2	Spanish Street, Hayden Alley, Fiefield Street, Keyes Street, and Boston Alley	Downtown Circulation Study Area: Develop a comprehensive parking and circulation strategy, including access to parking, wayfinding, multimodal connectivity, and flexible street use (e.g., one-way street conversions or street closures).	Policy C-1.11.2, Implementation Measure C-1.11.2.1	ACTC Amador Countywide Pedestrian and Bicycle Plan, 2017

Table 3-15
Public Comment Summary

ID	Date / Time	Comment Type	Comment	Location*
1	11/27/2020 11:51	Traffic	Traffic is still traveling in excess of the 35 MPH speed limit, endangering pedestrians and sometimes making it dangerous for traffic merging from side streets. This used to be a 25 MPH zone and would benefit from reverting back to it.	Old Hwy 49 near Amelia St
2	11/23/2020 10:00	Pedestrian	Provide a sidewalk on west side of old highway 49 from Gopher Flat Rd to the turn onto Spanish Street. It is currently dangerous to walk along the roadway as it is unprotected from traffic for the most part, uneven or non-existent.	Old Highway 49 from Spanish St to Downtown
3	11/23/2020 10:35	Traffic	Interconnection of Sutter Creek Road and Gopher Flat Road	Between Sutter Creek Rd and Gopher Flat Rd
4	11/23/2020 10:36	Parking	Narrowing of Spanish street with utility pole causes a bottle neck.	Spanish St
5	11/23/2020 10:39	Traffic	High vehicle accident location, maybe traffic lights needed.	SR 104/Bowers Dr/Prospect Dr
6	11/23/2020 10:42	Parking	limited access sometimes	Old Highway 49 from Spanish St to Downtown
7	11/23/2020 10:46	Traffic	Stop Signs?	Old Ridge Rd/Eureka Rd
8	11/23/2020 10:46	Parking	Sometimes limited access depending on size and location of vehicle	Old Hwy 49, between SR 49 and Downtown
9	11/23/2020 10:44	Traffic	Limited access at times private vs public ownership	Old Hwy 49, between SR 49 and Downtown
10	11/23/2020 10:41	Traffic	Secondary access for area	Sutter Ione Rd/Oro Madre Way - secondary access for residences on California Dr
11	11/23/2020 10:40	Parking	Limited access or turnarounds available	Karsan Drive
12	11/23/2020 14:47	Traffic	Cars/delivery services/emergency services/etc going to either of the 2 houses at the end of Pleasant Drive get to the barricade only to find there is no turnaround. Backing uphill on the curve is not feasible. Vehicles have been seen going around the barricade onto Old 49. There needs to be a turnaround!!!	Old Hwy 49/Highland Dr/Raylan Dr
13	11/23/2020 14:42	Pedestrian	Many people wish to walk this section of Old 49 to/from downtown Sutter Creek. There is a footpath along part of the road. Many don't know about it and for those who do, crossing Old 49 to get to it is very hazardous! A clearly marked footpath along the entire section (from the light at Old and New 49 to downtown SC) would be appropriate!	Old Hwy 49, between SR 49 and Downtown
14	11/27/2020 19:49	Pedestrian	I live at 110 Gopher Flat Road. I would like to see a sidewalk along Gopher Flat for the safety of the pedestrians. Also, I would like to see the water drainage in front of my house and along Gopher Flat improved. Thank you	Gopher Flat Rd
15	11/23/2020 17:49	Traffic	Sorry - the link isn't at right spot - should be at the intersection of Gopher Flat, Main, Hanford and Hayden Alley.	Gopher Flat Road, Main Street/Hanford Street, Hayden Alley
16	11/23/2020 17:48	Traffic	A crosswalk and stop sign at this intersection would be great and safe. Slow down traffic coming onto Main Street, provide better view for cars turning out from Gopher Flat and Hayden, and just safer for pedestrians crossing the street.	Old Hwy 49/Gopher Flat Rd (Note: Comment incorrectly placed at Old Hwy 49/Amelia St/Amador Rd)
17	11/23/2020 18:16	Traffic	Serious problem with speeding and people crossing the street. Patrol would be greatly appreciated by gopher flat intersection. Not many doing 15 and a lot of folks almost getting hit by speeding cars.	Old Hwy 49/Gopher Flat Rd
18	11/27/2020 19:45	Traffic	I live at 110 Gopher Flat Road. The traffic coming into Sutter Creek goes really fast. The street curves there and it is hard to see going out of my driveway. I have to direct traffic for anyone who backs out of my driveway. There was an accident where someone ran into the tree across from my driveway. I would like to see another stop sign further up the street to slow the traffic coming into town. Thank you.	Gopher Flat Rd
19	11/23/2020 19:38	Pedestrian	Many students and tourists walk along old Hwy 49 heading south from the schools and the hotel (was Days Inn) and cars drive quite fast as they head north out of town. There could be clearer pedestrian sidewalks or paths along this portion of the road. And a slower speed limit until cars reach the edge of town heading toward Amador City.	Old Highway 49 from Spanish St to Downtown
20	11/23/2020 21:27	Traffic	I absolutely agree. Need serious traffic engineering.	Old Hwy 49/Gopher Flat Rd
21	11/23/2020 8:22	Pedestrian	Develop (& maintain) a pathway from the east & west side of old Hwy. 49 down to town. The east side path can also be used for visitors to take walking tours of the Eureka Mine.	Sutter Hill Rd
22	11/25/2020 10:22	Traffic	Would like to add that the Red Zones should be enforced at all hours, not just day time.	Karsan Drive
23	11/25/2020 10:47	Pedestrian	I walk my dog along old Hwy 49 early in the morning. I often see a few drivers traveling 50 to 60 miles per hour. Other drivers are also over the limit.	Unsure (not appearing on map)
24	11/25/2020 11:09	Traffic	Did not realize the bar on the right enlarged the map. Have the symbol on the wrong side of Main Street. Should be on the East Side near Boston Alley.	Karsan Drive

ID	Date / Time	Comment Type	Comment	Location*
25	11/25/2020 10:09	Traffic	Eureka Street has a Red Zone that needs to be enforced. Wrong way parking should not be allowed. Trucks need to unload however, many make it dangerous to get around with the possibility of being hit by people turning onto Eureka from Main at a high speed.	Eureka St
26	11/25/2020 13:55	Traffic	The traffic along Gopher Flat Rd is too fast. It could use a couple of speed bumps on the 100 block or as it gets closer to Mill Street.	Gopher Flat Rd
27	11/23/2020 9:46	Pedestrian	This section of Gopher Flat Road is known as Dead Woman's Curve for a reason - there is no sidewalk for pedestrians after the 100 block. I live in the Sutter Crest Estates neighborhood and enjoy walking into town but a lack of sidewalk on either side, heavy equipment traffic, and traffic speeds of >40 mph make it very risky. There are no speed restriction signs posted. It is only a matter of time before a serious accident occurs.	Gopher Flat Rd
28	11/27/2020 7:26	Traffic	I have seen many drives slow down (California stop) only for the stop signs at the intersection of Broad and Gopher Flat Road. I have seen a few fly though the intersection.	Gopher Flat Rd/Broad St (not appearing on map)
29	12/3/2020 15:08	Transit	Road has not been repaved in over 8 years. It's full of pot holes and has several patch jobs that have broken down.	Oro Madre Way
30	12/22/2020 10:24	Parking	Not enough room for cars to park, try to turn onto Main and have someone from Main try to turn onto Badger. Red zone needs to be extended at least one more car length down Badger.	Near Badger Street/Main Street
31	12/15/2020 15:00	Traffic	There are a lot of shrubs that obscure drivers' ability to see when exiting/entering the Health and Human Services building/business park. Depending on the profile of your vehicle, the weather/windshield glare, how fast oncoming traffic may be-the amount of risk is elevated due to the size or height of the shrubs.	Ridge Rd n/o SR 88
32	12/14/2020 20:15	Pedestrian	The proposed pedestrian path along Allen Ranch Rd. is not viable given that this remains private property. Use by non-property owners would technically be trespassing and as one of the property owners, I will not accept liability associated with this proposal. The path down Old Hwy 49 (a public venue) should be improved to accommodate any pedestrian needs for the neighborhoods this would propose to serve.	Allen Ranch Rd
33	12/14/2020 19:01	Pedestrian	This is a private road, Anyone who accesses this road other than residents or invited guests by those who live on Allen Ranch Road are trespassing. This road is not maintained by the City of Sutter Creek nor does the city accept public liability. The property owners along this road will not accept this road to be used as a local road nor a local access point for pedestrians and bicyclists. This road is clearly marked with no trespassing and private road signs.	Allen Ranch Rd
34	12/15/2020 9:20	Parking	Non-residents should not be accessing a road that is posted as "Not a Through Street" therefore a turnaround should not be necessary.	Karsan Drive
35	12/15/2020 9:24	Pedestrian	Agree; existing footpaths on city property should be clearly marked and maintained for public safety.	Old Hwy 49, between SR 49 and Downtown
36	12/15/2020 9:14	Pedestrian	The is a private road intended for Allen Ranch property owners use. As a property owner, I do not want this road used for a public walking path and or bicycle path. This road is unpaved with a gravel top. There are existing public access points not on private property for walking and or bicyclists that are maintained by the city, these paths should be improved for public use. There isn't a need to attempt to leverage private property for that purpose.	Allen Ranch Rd
37	12/15/2020 14:44	Traffic	Vehicles start their race up the road after they pull away from the last stop sign near downtown at Broad St. They pull away and go as fast as they can up the road. The speed limit is 25. Drivers exceed that by the time they approach Cole St.	Gopher Flat Rd
38	12/15/2020 14:51	Traffic	People don't drive slowly, perhaps another stop sign or two on Badger?	Badger St
39	12/15/2020 14:47	Traffic	Traffic has increased, drivers constantly exceed the speed limit. When drivers are coming into town, towards Cole St then downtown, they accelerate and go as fast as they can until they have to stop and often they blow the stop sign at Broad if it is before 7 a.m. Drivers going upcountry towards Shakeridge also use the opportunity to go as fast as they can. There are barely any shoulders or sidewalks up the entire residential stretch which makes the road seem even more like a highway.	Gopher Flat Rd
40	12/15/2020 14:49	Pedestrian	There are no sidewalks and barely any roadway shoulders and drivers use the stretch of road like a racetrack. Kids getting off the school bus have no safe areas to walk in front of several houses and there are fences not lawn for them to dodge cars. Also for those of us walking for exercise or sightseeing, there are very damaged sidewalks on a few stretches of the road between Main st and somewhere around Manor.	Gopher Flat Rd

ID	Date / Time	Comment Type	Comment	Location*
41	12/15/2020 14:50	Traffic	Drivers go too fast. They have injured or killed several pets and animals in the few years I have lived here. There is nowhere to go if you are run off the road no matter if you are a driver, walker, or animal.	Gopher Flat Rd
42	12/20/2020 13:46	Pedestrian	Allen Ranch Road off of Badger is a private road maintained solely by the homeowners. We request the City of Sutter Creek cease encouraging the trespass on our road by showing a pedestrian path and designate the road as 'PRIVATE ROAD' on all maps commissioned with taxpayers funds.	Allen Ranch Rd
43	12/14/2020 20:54	Pedestrian	As a resident living on Allen Ranch Rd, I am very concerned with a proposed walking path between David Drive and Badger Street because the private road between these two locations is not open to the public and use by anyone other than the residents/guests of Allen Ranch road would present a liability to us, not the city.	Allen Ranch Rd
44	12/22/2020 10:20	Parking	People parking on both sides of the street barely leave enough room for one car to drive down Badger, traffic coming in opposite directions leads to chaos.	East side of Badger St north of Allen Ranch Rd
45	12/22/2020 12:03	Pedestrian	No shoulder and no other walking route to town from neighborhood.	Gopher Flat Rd

**Location manually notated based on comment location on the map and/or comment description*