

Notice of Exemption

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Sutter Creek
18 Main Street
Sutter Creek, CA 95685

County Clerk
County of Amador
810 Court Street
Jackson, CA 95642

Project Title: 6 Main Street, Clark's Corner Investments and Erik Peterson Designs
8430 Deerwood Ct., Fair Oaks, CA 95628 (Kraig Clark and Erik Peterson)

Project Location – Specific: 6 Main Street (APN 018-210-004)

Project Location – City: Sutter Creek

Project Location – County: Amador

Description of Nature, Purpose, and Beneficiaries of Project:

The Project proposes a zoning/general plan designation change from DTC/Downtown Commercial to C-1/Commercial, changing from one commercial zone/designation to another, with the same density limits, to allow for a different proposed commercial use that is locally oriented. The change expands the allowable range of commercial uses which is currently limited entertainment and retail. The location of the 0.33-acre parcel does not receive foot traffic, separated from the remainder of the DTC area by offices and a church. It is more suited to the adjacent Commercial/C-2 zoning. No alteration to the land is proposed as the use operates in an existing commercial building. The land use designations and zoning were addressed in the 2019 CEQA documentation for the General Plan and Zoning Map update and a change from one type of Commercial designation and zone to another at the same density would not result in new impacts not previously disclosed.

Name of Public Agency Approving Project: City of Sutter Creek

Name of Person or Agency Carrying Out Project: City of Sutter Creek

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1);15268);
- Declared Emergency (Sec. 21080(b)(3);15269(a));
- Emergency Project (Sec. 21080(b)(4);15269(b)(c));
- Categorical Exemption. Section 15305, Class 5
- Statutory Exemptions. State code number:

Reasons why project is exempt: In addition to the common sense exemption (15061(b)(3) that can be applied since no environmental effect would occur, the project is also exempt under Section 15305 Class 5 which consists of a Minor Alteration in Land Use Limitation in areas with an average slope less than 20% that do not result in changes in land use or density, not resulting in the creation of any new parcel, and meeting the following conditions:

- a. The project is otherwise consistent with the general plan and zoning, with the exception of modifying the type of commercial designation/zone, which have the same density, setback and area requirements.
- b. The Project does not propose any alteration to the property which has less than 20% slopes that already contains a 3,900 square foot commercial unit.
- c. The Project creates no new parcels and results in no change in density.
- d. Approval of the project would not result in significant or cumulative environmental effects.

Lead Agency Contact Person: Amy Gedney, City Manager

Phone: (209) 267-5647

If filed by applicant:

- 1. Attach certified document of exemption finding.
- 2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Amy Gedney Date: 1/20/22 Title: City Manager

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR:

POSTED: _____