

**TOWN OF TRUCKEE  
California**

**ORDINANCE 2026-07**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TRUCKEE, AMENDING  
SECTION 5.02.030 OF THE TRUCKEE MUNICIPAL CODE TO ALLOW FOR ISSUANCE OF  
TOWN COUNCIL PRIORITY PROGRAM TRANSIENT OCCUPANCY REGISTRATION  
CERTIFICATES**

**WHEREAS;** the Town Council has previously adopted Chapter 5.02 of the Truckee Municipal Code, establishing a regulatory structure for properties used as short-term rentals; and

**WHEREAS;** the regulatory structure adopted by the Town Council allows for issuance of some transient occupancy registration certificates to developers of workforce housing, in order to help address the shortage of housing available and affordable to the local Truckee workforce; and

**WHEREAS;** in addition to actively supporting the development of workforce housing, the Town Council has adopted other strategic priorities, including to reduce greenhouse gas emissions and become a leader in environmental sustainability, to guide development of policies and programs; and

**WHEREAS;** the Town Council wishes to amend Section 5.02.030 of Chapter 5.02 in order to allow for issuance of transient occupancy registration certificates to support additional Council priority programs;

*The Town Council of the Town of Truckee Does Ordain as Follows:*

**Section 1.**     Findings. The recitals set forth above are incorporated herein.

**Section 2.**     Enactment. Section 5.02.030 of the Town of Truckee Municipal Code is hereby amended as follows:

A. Section 5.02.030(G)(2)(g) is amended to read:

~~Workforce Housing Town Council Priority Program Certificates.~~ Notwithstanding any provision of this chapter to the contrary, the Town Council may authorize withholding a certain number of short-term rental transient occupancy registration certificates from issuance to applicants on the waitlist, and subsequently issuing transient occupancy registration certificates to developers of housing for the Truckee workforce property owners, developers, or agents participating in Town Council priority programs, upon such terms as the Town Council may determine. Among other measures, the Town Council may authorize the issuance of such certificates such that the cap described herein will be exceeded, and/or the issuance of certificates prior to awarding certificates to applicants on the waitlist.

B. Section 5.02.030(G)(3) is amended to read:

Waitlist. The Town will maintain a waitlist for short-term rental transient occupancy registration certificate applications received or in process. The Town will continually maintain the overall cap inventory as registration certificates are not renewed or revoked. The application process will open up to those on the waitlist on a quarterly basis. Applications for certificates from applicants on the waitlist will be processed as registration certificates become available based on the date of receipt of the application, starting with the oldest date, subject to the Town Council's authority to authorize the issuance of certificates in connection with ~~the development of workforce housing~~ Town Council priority programs prior to issuing certificates to applicants on the waitlist.

**Section 3.** CEQA Findings. This ordinance does not qualify as a “project” subject to the California Environmental Quality Act (CEQA) because the ordinance will not result in a direct or reasonable foreseeable indirect physical change in the environment. (State CEQA Guidelines, § 15060(c)(2)-(3), 15378.) Notably, the ordinance maintains a cap on the number of transient occupancy registration certificates issued for short-term rental properties and allows for some transient occupancy registration certificates to be provided to developers of workforce housing or participants in other Town Council priority programs. The ordinance will not result in any construction or any other physical change to the environment. Moreover, the ordinance does not change the land use designation or zoning for any site within the Town’s boundaries. Thus, the ordinance will not result in direct or reasonably foreseeable indirect physical changes in the environment and is not a “project” within the meaning of CEQA.

In the alternative, if the ordinance is a project subject to CEQA, the ordinance is exempt from environmental review for at least two reasons. First, and for the same reasons the ordinance does not qualify as a “project,” the ordinance falls within the “common sense” exemption because “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” (State CEQA Guidelines § 15061(b)(3).) Specifically, and as noted above, the ordinance will not result in any construction or any other physical change to the environment, and it will not change any land use designation or zoning for any site within the Town’s boundaries. There is thus no possibility that the ordinance would have a significant effect on the environment.

Second, the ordinance falls within the Class 1 categorical exemption, which applies to the operation, permitting, and licensing of existing structures where the activity in question results in negligible or no expansion of use. (State CEQA Guidelines, § 15301.) Here, the ordinance relates to transient occupancy registration certificates issued for short-term rental properties for units that have already been constructed in the Town; accordingly, the ordinance relates to the operation, permitting, and licensing of existing structures as short-term rental properties, and the ordinance does not expand the existing use of these properties. The ordinance does not authorize the construction of new uses and does not result in land use or zoning changes, which could alter the density of development on sites where short-term rental uses could occur. To the extent that the ordinance incentivizes construction of workforce housing in other areas of the Town by making available transient occupancy registration certificates to those projects, the incentive would not intensify residential development in the Town. Any new housing projects would be fully evaluated for CEQA compliance and any future transient occupancy registration certificates that are issued would have to the Town’s existing regulations for short-term rental uses. The ordinance is thus categorically exempt from CEQA.

With regard to the Class 1 categorical exemption, none of the exceptions to the Class 1 exemption apply as the ordinance will not result in any physical change to the environment and will not result in any potentially significant impact. (State CEQA Guidelines, § 15300.2.)

Each of the foregoing justifications fully and independently exempts the whole of the action from environmental review under CEQA.

**Section 4. Severability:** If any provision of this ordinance or the application thereof to any person or circumstances is held by a court of competent jurisdiction to be invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

**Section 4. Postings and Publications:** The Town Clerk is hereby directed to publish this ordinance or a summary thereof in accordance with the law.

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The foregoing ordinance was introduced at a regular meeting of the Truckee Town Council held on the \_\_\_ day of \_\_\_\_\_ 202\_, and adopted at a regular meeting of the Truckee Town Council, on the \_\_\_ day of \_\_\_\_; \_\_\_\_\_, moved for the adoption, the motion was seconded by \_\_\_\_\_ and was carried by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
Anna Klovstad, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Kelly Carpenter, Town Clerk

\_\_\_\_\_  
Andy Morris, Town Attorney