

TOWN OF TRUCKEE
California

DRAFT ORDINANCE 2026-09

AN ORDINANCE OF THE TOWN OF TRUCKEE
AMENDING THE TRUCKEE MUNICIPAL CODE, TITLE 18, DEVELOPMENT CODE

WHEREAS, the Town Council adopted the 2019-2027 Housing Element on August 13, 2019 thereby establishing goals, policies, and actions to further State and local housing goals;

WHEREAS, the Town Council adopted the 2040 General Plan on May 9, 2023 thereby establishing the Council's policy on future growth, development, and conservation of natural resources; and

WHEREAS, a number of actions and programs in the General Plan and Housing Element are to be implemented through the Development Code and will require amendments to the Development Code; and

WHEREAS, the Council may initiate amendments to the Development Code, and the Planning Commission is an advisory body to the Council on matters concerning land use regulation and the Development Code; and

WHEREAS, the Development Code is reviewed regularly to ensure consistency with State and federal laws; and

WHEREAS, the Planning Commission reviewed all proposed amendments at its April 21, 2026 public hearing and recommended approval to the Town Council.

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

Section 1.

Enactment. Title 18, Development Code, of the Municipal Code is hereby amended as set forth in Exhibit B, attached hereto and incorporated herein by reference.

Section 2.

Findings. The Council hereby adopts the following findings in support of adoption of this ordinance and the amendments to Title 18, Development Code. The April 21, 2026 Planning Commission staff report and associated meeting minutes are hereby incorporated herein by reference and provide a factual basis for the findings.

a. The proposed amendments directly implement and are internally consistent with the goals, policies, and actions of all elements of the 2040 General Plan.

b. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the Town.

c. With the proposed amendment, adequate and available sites remain to mitigate the loss of any residential density to accommodate the Town of Truckee's fair share regional housing need in compliance with State law (Government Code Section 65863[b]).

d. There is adequate capacity available in the community sewer and water systems to serve the potential development, and the site is physically suitable for the requested zoning designation(s) and anticipated land use development(s). Factors considered to evaluate suitability shall include access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints.

e. The proposed amendments ensure and maintain internal consistency with other applicable provisions of the Development Code, California state law, and federal law.

Section 3.

CEQA Findings. The Council has determined that the proposed Development Code amendments were assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the Town. The amendments are not subject to CEQA because the adoption of this ordinance is not a "project" pursuant to Sections 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations. Moreover, under Section 15061(b)(3) of the State CEQA Guidelines, the amendments are exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

Section 4.

Summary Publication. The Town Clerk is hereby directed to publish this ordinance in accordance with the law.

* * * * *

The foregoing Ordinance was introduced at a special meeting of the Truckee Town Council held on the 9th day of June 2026, and adopted at a regular meeting of the Truckee Town Council on the ____ day of _____, 2026, by Council Member _____, who moved its introduction, which motion was seconded by Council Member _____ was upon roll call carried by the following vote:

AYES:

NOES:

ABSENT:

Anna Klovstad, Mayor

ATTEST:

APPROVED AS TO FORM:

Kelly Carpenter, MMC, Town Clerk

Andrew Morris, Town Attorney

Attachments:

Exhibit A – Title 18, Development Code Amendments (Summary)

Exhibit B – Title 18, Development Code Amendments

ORDINANCE 2026-09

EXHIBIT "A"

Title 18, Development Code Amendments

Title 18. Development Code, of the Truckee Municipal Code is hereby amended as follows:

Amendments to Article II, Section 18.02.030 (Exemptions from Land Use Permit Requirements), Section 18.06.040 (Zoning District Regulations), Section 18.08.030, Table 2-2 (Allowed Uses and Permit Requirements for Residential Zoning Districts), Allowed Uses and Permit Requirements for Downtown Residential Zoning Districts (Section 18.08.030, Table 2-3), Section 18.12.020 (Purposes of Commercial and Manufacturing Zoning Districts), Section 18.12.030, Table 2-7 (Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts), Section 18.12.030, Table 2-8 (Allowed Uses and Permit Requirements for Downtown Commercial and Manufacturing Districts), Section 18.14.030, Table 2-10 (Allowed Uses and Permit Requirements for Mixed Use Districts), Section 18.16.030, Table 2-12 (Allowed Uses and Permit Requirements for Special Purpose Districts), Section 18.20.050 (River Protection Overlay District), Article III, Section 18.30.080 (Maximum Site Disturbance), Section 18.30.120 (Setback Requirements and Exceptions, Table 3-3), Chapter 18.44 (Noise), Section 18.46.040 (Wetlands), Chapter 18.48 (Parking and Loading Standards), Chapter 18.54 (Signs), New Section 18.58.055 (Agricultural Accessory Structures), Section 18.58.060 (Animal Raising and Keeping), Section 18.58.090 (Community Centers, Membership Organizations, and Public Assembly Uses), Section 18.58.140 (Mixed Use Development), Section 18.58.220 (Residential Accessory Uses and Structures); Article IV, Chapter 18.72 (Zoning Clearances), Chapter 18.74 (Development Permits), Minor Use Permits (Section 18.76.020); Article VII, Section 18.212.050 (Eligibility for Bonus, Concessions and/or Incentives); Article VIII, Chapter 18.220 (Definitions/Glossary) are hereby amended as designated in Exhibit "B" attached hereto and incorporated herein.

DRAFT ORDINANCE 2026-09

EXHIBIT “B”

Title 18, Development Code Amendments

Title 18, Development Code, of the Truckee Municipal Code is hereby amended to read as follows (additions are shown by underline type; deletions are shown in ~~striketrough~~ type):

3. **Residential activities, uses and structures.**

- a. **Decks, paths and driveways.** Residential decks, platforms, on-site paths and driveways that are not required to have a Building Permit or Grading Permit by Title 15 (Building and Construction) of the Municipal Code, and are not over 18 inches above natural grade, and not over any basement or story below.
- b. **Fences and walls.** Residential fences and walls on parcels with an established land use are exempt from land use permit requirements as provided by Section 18.30.070 (Fences, Walls and Hedges).
- c. **Multifamily residential repairs and maintenance.** Ordinary repairs and maintenance for residential uses and structures other than single-family uses and structures, if:
 - (1) The work does not result in any change in the approved land use of the site or structure, or the addition to, enlargement, intensification, or expansion of the use or structure;
 - (2) Any exterior repairs employ the same or similar materials and design as the original;
 - (3) Any exterior repairs comply with any previous design approval; and
 - (4) All repairs and maintenance comply with applicable provisions of Chapter 18.130 (Nonconforming Uses, Structures and Parcels).
- d. **Single-family residential repairs and maintenance.** Ordinary repairs and maintenance for single-family residential uses and structures, if:
 - (1) The work does not result in any change in the approved land use of the site or structure;
 - (2) The work does not result in an addition, enlargement or expansion of the structure; and
 - (3) All repairs and maintenance comply with applicable provisions of Chapter 18.130 (Nonconforming Uses, Structures and Parcels).
- e. **Small residential accessory structures.** Portable storage sheds and other small structures in residential zoning districts that are:
 - (1) Exempt from building and grading permit requirements in compliance with Title 15 (Building and Construction) of the Municipal Code; and
 - ~~(2) Less than 120 square feet in roof area; and~~

~~(3)~~(2) In compliance with the setback requirements of Article II (Zoning Districts and Allowable Land Uses), and with any applicable setback requirements in Section 18.58.220 (Residential Accessory Uses and Structures).

- f. **Spas, hot tubs and fish ponds.** Portable spas, hot tubs and fish ponds, etc., that do not exceed 120 square feet in total area, including related equipment; contain more than 2,000 gallons of water; and exceed three feet in depth. These facilities shall comply with the side and rear setback requirements established by Article II (Zoning Districts and Allowable Land Uses) for the applicable zoning district, or Section 18.58.220 (Residential Accessory Uses and Structures), where applicable.
4. **Solar collectors.** The addition of solar collection systems to the roofs of existing structures, provided that the collectors are located in compliance with Section 18.30.140 (Solar Access and Solar Equipment Guidelines) and comply with all applicable development standards of Articles II (Zoning Districts and Allowable Land Uses) and III (Site Planning and General Development Standards).
5. **Street right-of-way.** Street, utility and related operations, activities and facilities within a public street right-of-way in compliance with a capital improvement project, an encroachment permit, or the Public Improvement and Engineering Standards.
6. **Utility infrastructure.** The erection, construction, alteration or maintenance by a public utility or public agency of underground or overhead utilities (i.e., water, gas, electric, telecommunication, supply or disposal systems, including wires, mains, drains, sewers, pipes, conduits, cables, fire-alarm boxes, police call boxes, traffic signals, hydrants, etc.), but not including structures, electrical substations which receive electricity at 100,000 volts or greater, and electrical distribution lines of 100,000 volts or greater, shall be permitted in any zoning district provided the utilities are installed and operated in accordance with the Public Improvement and Engineering Standards. Satellite, cellular telephone, wireless communications and other antennas are subject to Section 18.58.250 (Telecommunications Facilities).

18.02.040 – Temporary Uses

Requirements for establishing a temporary use (e.g., construction yards, seasonal sales lots, special events, temporary office trailers, etc.) are in Chapter 18.80 (Temporary Use Permits).

18.02.050 – Additional Permits or Approvals May be Required

An allowed land use that is exempt from a land use permit, or has been granted a land use permit, may still be required to obtain other issued permits before the use is constructed or otherwise established and put into operation. Nothing in this Chapter shall eliminate the need to obtain any permits or approvals required by:

- A. Other provisions of the Municipal Code, including the following: Building Permits, Grading Permits or other construction permits if they are required by Title 15; any Encroachment Permit required by Title 13; or subdivision approval if required by Article V (Subdivisions);

18.06.040 - Zoning District Regulations

- A. Purpose.** Chapters 18.08 through 18.20 determine which land uses are allowed in each zoning district established by Section 18.06.020 (Zoning Districts Established), what land use permit is required to establish each use, and the basic development standards that apply to allowed land uses in each zoning district.
- B. Determination of allowable land uses and permit requirements.** The uses of land allowed by this Development Code in each zoning district are identified in Chapters 18.08, 18.12, [18.14](#) and 18.16, together with the type of land use permit required for each use.
- 1. Permit requirements.** Tables 2-2, 2-3, ~~2-6, 2-7, 2-8 and 2-9~~, [2-10 and 2-12](#) provide for land uses that are subject to all applicable provisions of this Development Code, and:
- a. Permitted subject to first obtaining:
- (1) A Zoning Clearance (Chapter 18.72) for [the following](#) projects [involving](#):
 - (a) ~~For a~~ non-residential, [multifamily, or mixed-use](#) projects, [involving](#) new structures or additions to existing structures with a total gross floor area of less than 7,500 square feet (less than 5,000 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or
 - (b) ~~For projects of a~~ single-family dwelling, accessory dwelling unit, and/or residential accessory structure, [involving](#) a change in land use, creation of a timeshare, new structures or additions to existing structures with a total gross floor area of less than 7,500 square feet (less than 5,000 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or
 - (c) ~~For a~~ non-residential projects involving a change in land use within an existing permitted structure; or
 - (d) ~~For a~~ multifamily residential projects, [involving](#) a change in land use, new structures or additions to existing structures with 10 or less residential units; and/or
 - (e) ~~For a~~All projects, [involving](#) a change in land use, new structures, additions to existing structures, new improvements or additions to existing improvements with site disturbance (grading, impervious surfaces and/or the removal of natural vegetation) of less than 26,000 square feet. [Disturbance includes graded areas, landscaped areas,](#)

parking and access areas, structures and other portions of the site to be improved.

- (2) A Development Permit (Chapter 18.74) for the following projects, including incremental or phased projects per Section 18.74.020.B, involving:
- (a) ~~For A~~ non-residential, multifamily, or mixed-use projects, involving new structures or additions to existing structures with a total gross floor area of 7,500 square feet or more (5,000 square feet or more in Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or
 - (b) ~~For projects of a~~ single-family dwelling, accessory dwelling unit, and/or residential accessory structure, involving a change in land use, creation of a timeshare, new structures or additions to existing structures with a total gross floor area of more than 5,000 square feet but less than 7,500 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or
 - (c) ~~For A~~ multifamily residential projects, involving a change in land use, new structures or additions to existing structures with eleven or more residential units; and/or
 - (d) ~~For a~~All projects, involving a change in land use, new structures, additions to existing structures, new improvements or additions to existing improvements with site disturbance (grading, impervious surfaces and/or the removal of natural vegetation) of 26,000 square feet or more (excluding single-family dwellings and single-family residential parcels exempt under Section 18.30.080). Disturbance includes graded areas, landscaped areas, parking and access areas, structures and other portions of the site to be improved.

These are shown as "P" uses in the tables;

- b. Allowed subject to the approval of a Minor Use Permit (Chapter 18.76) and shown as "MUP" uses in the tables;
- c. Allowed subject to the approval of a Use Permit (Chapter 18.76) and shown as "UP" uses in the tables.

All uses shall also obtain Building and/or Grading Permits where required by the Municipal Code.

TABLE 2-2 – ALLOWED USES AND PERMIT REQUIREMENTS FOR RESIDENTIAL ZONING DISTRICTS

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	RR	RL	RM	RH	

AGRICULTURE, RESOURCE & OPEN SPACE USES(2)

Agricultural accessory structures	P				18.58.060 <u>055</u>
Agricultural processing uses	UP				
Animal raising and keeping of livestock, other large animals, fowl and other small animals and birds, accessory to a primary residential use	P(2)	-	-	-	18.58.060
Nature reserves	P	P	P	P	
Trails	P	P	P	P	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Community centers	UP	UP	UP	UP	
Equestrian facilities, commercial or public	UP	UP			18.58.060
Membership organization facilities	UP	UP	UP	UP	
Outdoor commercial recreation	UP	UP	UP	UP	
Parks and playgrounds	UP	UP	UP	UP	
Private residential recreational facilities	MUP	MUP	MUP	MUP	
Public Assembly Uses	UP	UP	UP	UP	
Recreational vehicle (RV) parks	UP(3)	UP(3)	UP(3)	UP(3)	18.58.150
Religious retreats and organizational camps	UP				
Schools – Public and private	UP	UP	UP	UP	
Schools – Specialized education and training	UP	UP	UP	UP	
Ski lift facilities and ski runs	UP	UP	UP	UP	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) ~~For residential accessory uses, see Section 18.58.220 (Residential Accessory Uses and Structures) and Section 18.58.060 (Animal Raising and Keeping) may require a Minor Use Permit for certain animals and household pets, the raising and keeping of animals or household pets over a certain number, and/or the raising and keeping of animals on small parcels.~~
- (3) Allowed only as part of a mobile home park in accordance with Section 18.58.150.

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**TABLE 2-2 – ALLOWED USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT				See standards in Section:
	BY DISTRICT				
	RR	RL	RM	RH	
RESIDENTIAL USES(2)					
Accessory dwelling units	P	P	P	P	18.58.025
Animal raising and keeping of household pets and backyard chickens, accessory to a primary residential use	P	P	MUP	MUP	18.58.060
Detached living areas	P	P	P	P	18.58.220
Emergency shelters			UP	UP	
Employee housing	P(3)	P(3)			
Farmworker housing, up to 12 units or 36 beds in group quarters	UP(4)				
Junior Accessory Dwelling Units	P	P			18.58.025.O
Manufactured home	P	P	P(5)	P(5)	18.58.170
Mobile home, tiny home or recreational vehicle as a temporary residence during construction	P	P	P	P	18.58.160
Mobile home parks	UP	UP	UP	UP	18.25
Multifamily dwellings, 2 to 10 units			P	P	18.25
Multifamily dwellings, 11 and more units			DP	DP	18.25
Multifamily dwellings, individual ownership, 10 or less units		UP	P	P	18.25
Multifamily dwellings, individual ownership, 11 or more units		UP	DP	DP	18.25
Residential care facilities, 1 to 6 clients	P	P	P	P	
Residential care facilities, 7 to 12 clients	UP	UP	UP	UP	
Rooming and boarding houses			UP	UP	
Senior citizen congregate care/congregate care housing			UP	UP	18.58.240
Single-family dwellings	P	P	P (6)	P (6)	18.25
Supportive housing	P(3)	P(3)	P(3)	P(3)	18.58.255
Transitional housing	P(3)	P(3)	P(3)	P(3)	
RETAIL TRADE USES					
Accessory retail uses			UP	UP	18.58.030

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
UP	Conditional use, Minor Use Permit approval required.	18.74
MUP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.76
	Use not allowed. See 18.03.020.E regarding uses not listed.	18.80

Notes:

- Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- [For residential accessory uses, see Section 18.58.220 \(Residential Accessory Uses and Structures\), Section 18.58.120 \(Home Occupations\) and Section 18.58.060 \(Animal Raising and Keeping\)](#) ~~may require a Minor Use Permit for certain animals and household pets, the raising and keeping of animals or household pets over a certain number, and/or raising and keeping of animals on small parcels.~~
- Employee, supportive, and transitional housing are subject to the same regulations that apply to other residential uses of the same type in that zone.
- Farmworker housing is subject to the same regulations that apply to other agricultural uses in the same zone.
- Manufactured homes within the multifamily residential zone shall meet the requirements of the “Dwelling, Multifamily definition.
- Small lot single-family subdivisions that comply with all requirements of Gov. Code, § 66499.40 are permitted in zoning districts that allow multifamily residential uses.

**TABLE 2-2 – ALLOWED USES AND PERMIT REQUIREMENTS
FOR RESIDENTIAL ZONING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	RR	RL	RM	RH	

SERVICE USES

Bed and breakfast inns	MUP	MUP	MUP	MUP	18.58.070
Bikeshares			P	P	18.58.072
Cemeteries and columbariums	UP				
Child day care centers	UP	UP	UP	UP	18.58.080
Child day care, large family day care homes	P	P	P	P	18.58.080
Public buildings and structures	UP	UP	UP	UP	
Public safety and utility facilities	UP	UP	UP	UP	
Snow removal business	UP				
Snow removal business with seasonal contractors yard	UP				
Storage, accessory to multifamily residential project	UP	UP	UP	UP	

TEMPORARY USES

Commercial filming	TUP	TUP	TUP	TUP	
Off-site contractor’s construction yard	TUP	TUP	TUP	TUP	18.62
Model homes	MUP	MUP	MUP	MUP	
Offices, temporary	TUP	TUP	TUP	TUP	
Offices, temporary real estate	MUP	MUP	MUP	MUP	
Temporary work trailers	TUP	TUP	TUP	TUP	

TRANSPORTATION, INFRASTRUCTURE & COMMUNICATIONS USES

Electric utility facilities	UP	UP	UP	UP	18.58.114
Pipelines	UP	UP	UP	UP	
Railroad and railroad-related operations (32)					
Utility lines	P	P	P	P	
Wireless Communication Facility (43)	P				18.58.270

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) ~~Section 18.58.060 (Animal Raising and Keeping) may require a Minor Use Permit for certain animals, or the raising and keeping of animals over a certain number.~~
- (32) Railroad and railroad-related operations, activities, and facilities within the Union Pacific Railroad right-of-way and operating properties are not subject to the land use permit and development standards of the Development Code.
- (43) Permit requirements vary by type of facility. See Section 18.58.270 (Wireless Communications Facilities).

TABLE 2-3 ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN RESIDENTIAL ZONING DISTRICTS

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT			See standards in Section:
	DRL	DRM	DRH	
AGRICULTURE, RESOURCE & OPEN SPACE USES				
Nature reserves	P	P	P	
Trails	P	P	P	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES				
Community centers		UP	UP	
Membership organization facilities		UP	UP	
Parks and playgrounds	UP	UP	UP	
Private residential recreational and community facilities	MUP	MUP	MUP	
Public Assembly Uses	UP	UP	UP	18.58.090
Schools – Public and private	UP	UP	UP	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 5,000 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

(1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).

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**TABLE 2-3 ALLOWED USES AND PERMIT REQUIREMENTS
FOR DOWNTOWN RESIDENTIAL ZONING DISTRICTS (Continued)**

LAND USE (1)(5)	PERMIT REQUIREMENT BY DISTRICT			See standards in Section:
	DRL	DRM	DRH	
RESIDENTIAL USES				
Accessory dwelling units	P	P	P	18.58.025
Animal raising and keeping of household pets and backyard chickens, accessory to a primary residential use	P	P	MUP	18.58.060
Detached living areas	P	P	P	18.58.220
Emergency shelters			UP	
Employee housing	P(2)			
Junior Accessory Dwelling Units	P			18.58.025.O
Live/work units	MUP	UP	UP	18.58.130
Manufactured Home	P	P(3)	P(3)	18.58.170
Mobile home, tiny home or recreational vehicle as a temporary residence during construction	P	P	P	18.58.160
Mobile home parks	UP	UP	UP	18.58.150
Multifamily dwellings, 10 or less units	UP	P	P	18.25
Multifamily dwellings, 11 and more units	UP	DP	DP	18.25
Multifamily dwellings, individual ownership, 10 or less units	UP	P	P	18.25
Multifamily dwellings, individual ownership, 11 or more units	UP	DP	DP	18.25
Residential care facilities, 1 to 6 clients	P	P	P	
Residential care facilities, 7 to 12 clients	UP	UP	UP	
Rooming and boarding houses			UP	
Senior citizen congregate care/congregate care housing		UP	UP	18.58.240
Single-family dwellings (4)	P(2)	P(2)		18.25
Supportive housing	P(2)	P(2)	P(2)	18.58.255
Transitional housing	P(2)	P(2)	P(2)	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 5,000 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Employee, supportive, and transitional housing are subject to the same regulations that apply to other residential uses of the same type in that zone.
- (3) Manufactured homes within the multifamily residential zone shall meet the requirements of the “Dwelling, Multifamily definition and the standards of other multifamily residential dwellings of the same type in the same zone.
- (4) Small lot single-family subdivisions that comply with all requirements of Gov. Code, § 66499.40 are permitted in zoning districts that allow multifamily residential uses.
- (5) [For residential accessory uses, see Section 18.58.220 \(Residential Accessory Uses and Structures\) , Section 18.58.120 \(Home Occupations\) and Section 18.58.060 \(Animal Raising and Keeping\).](#)

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**TABLE 2-3 ALLOWED USES AND PERMIT REQUIREMENTS
FOR DOWNTOWN RESIDENTIAL ZONING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT			See standards in Section:
	DRL	DRM	DRH	

SERVICE USES

Bed and breakfast inns	MUP	MUP	MUP	18.58.070
Bikeshares	P	P	P	18.58.072
Child day care centers	UP	UP	UP	18.58.080
Child day care, large family day care homes	P	P	P	18.58.080
Public buildings and structures	UP	UP	UP	
Public safety and utility facilities	UP	UP	UP	
Spring water pumping		UP	UP	
Storage, accessory to multifamily residential project	UP	UP	UP	
Studios for art, dance, music, photography, etc., secondary to primary residential use		UP	UP	

TEMPORARY USES

Commercial filming	TUP	TUP	TUP	
Model homes	MUP	MUP	MUP	
Off-site contractor’s construction yard	TUP	TUP	TUP	18.62
Offices, temporary real estate	MUP	MUP	MUP	
Temporary work trailers			TUP	

TRANSPORTATION, INFRASTRUCTURE & COMMUNICATIONS USES

Electric utility facilities	UP	UP	UP	18.58.114
Pipelines	UP	UP	UP	
Railroad and railroad-related operations (2)				
Utility lines	P	P	P	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 5,000 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).

CHAPTER 18.12 - COMMERCIAL AND MANUFACTURING ZONING DISTRICTS

Sections:

- 18.12.010 - Purpose of Chapter
- 18.12.020 - Purposes of Commercial and Manufacturing Districts
- 18.12.030 - Commercial and Manufacturing District Land Uses and Permit Requirements
- 18.12.040 - Commercial and Manufacturing District General Development Standards
- 18.12.050 - Floor Area Ratio Criteria
- 18.12.060 - Mixed Use Component
- 10.12.070 - Downtown Commercial District Development Standards
- 18.12.080 - Commercial and Manufacturing District Performance Standards
- 18.12.090 - Retail Trade Uses

18.12.010 - Purpose of Chapter

This Chapter provides regulations applicable to existing development and new land uses in the commercial and industrial zoning districts established by Section 18.06.020 (Zoning Districts Established).

18.12.020 - Purposes of Commercial and Manufacturing Districts

The purposes of the individual commercial and manufacturing/industrial zoning districts and the manner in which they are applied are as follows.

- A. **CN (Neighborhood Commercial) District.** The CN zoning district is applied to areas appropriate for retail sales, offices and services serving the daily needs of nearby residents. ~~This district may also accommodate mixed-use developments with residential and commercial uses.~~ Onsite multifamily residential units are allowed when required to address a project's workforce housing requirements pursuant to Development Code Chapter 18.216. The development standards and permit requirements of the CN district are intended to create a pedestrian-oriented environment. The maximum floor area ratio is 0.25. The CN zoning district is consistent with the Public (Hospital/Office) and Tahoe Donner Plan Area land use classifications of the General Plan.
- B. **CG (General Commercial) District.** The CG zoning district is applied to areas appropriate for a wide range of commercial uses including retail trade and service uses such as restaurant, office and personal service uses. The construction of onsite multifamily residential units is allowed when required to address a project's workforce housing requirements pursuant to Development Code Chapter 18.216. The maximum floor area ratio is 0.25. The CG zoning district is consistent with the Commercial and Public (Hospital/Office) land use classifications of the General Plan and the Downtown Commercial land use classification of the Downtown Truckee Plan.
- C. **CS (Service Commercial) District.** The CS zoning district is applied to areas appropriate for more intensive commercial activities than are allowed in other commercial zoning districts. The maximum floor area ratio in the CS zoning district is 0.25. The CS zoning

Commercial and Manufacturing Districts

18.12

district is consistent with the Commercial and Industrial land use classifications of the General Plan.

- D. M (Manufacturing/Industrial) District.** The M zoning district is applied to areas appropriate for manufacturing/industrial uses including manufacturing, processing, warehousing and distributions. This designation also allows supporting commercial uses, work/live opportunities, and workforce housing. The maximum floor area ratio in the M zoning district is 0.25. The maximum density for residential development is four dwelling units per acre. The M zoning district is consistent with the Industrial land use classification of the General Plan.
- E. BI (Business Innovation) District.** The BI zoning district is applied to areas appropriate for flex industrial uses and a range of customer-serving industrial and service commercial uses. This designation also allows work/live opportunities and workforce housing. The maximum floor area ratio in the BI zoning district is 0.40. The maximum density for residential development is 12 dwelling units per acre. The BI zoning district is consistent with the Business Innovation land use classification of the General Plan.
- F. DC (Downtown Commercial) District.** The DC zoning district is applied to areas in the Downtown Study Area appropriate for a wide range of commercial uses in or near the Downtown Core, including retail sales, restaurants and offices. In general, most non-retail related uses are prohibited in ground floor spaces in the Downtown commercial core within this district. There is no maximum floor area ratio. [The maximum density for residential development is four dwelling units per acre.](#) The DC zoning district is consistent with the Downtown Commercial land use classification of the Downtown Truckee Plan.
- G. DM (Downtown Manufacturing) District.** The DM zoning district is applied to areas in the Downtown area appropriate for manufacturing/industrial uses. The floor area ratio in the DM zoning district is 0.25. The maximum density for residential development is four dwelling units per acre. The DM zoning district is consistent with the Industrial land use classification of the General Plan.

18.12.030 - Commercial and Manufacturing District Land Uses and Permit Requirements

- A. General land use permit requirements.** Tables 2-~~6-7~~ and 2-~~7-8~~ identify the uses of land allowed by this Development Code in the commercial and manufacturing/industrial zoning districts, and the land use permit required to establish each use, in compliance with Section 18.06.040 (Zoning District Regulations).

Note: Where the last column in the tables (“See Standards in Section”) includes a section number, the regulations in the referenced section apply to the use; however, provisions in other sections of this Development Code may also apply.

- B. Activities within railroad rights-of-way.** Railroad and railroad-related operations, activities and facilities within the Union Pacific railroad right-of-way and operating properties are not subject to the requirements of this Development Code.
- C. Mobile Home Park Conversion.** Any affordable units lost in the CG zoning district through conversion of a mobile home park to non-affordable housing or another use that would remove affordable manufactured housing units shall be replaced at a one-for-one

TABLE 2-7 - ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL AND MANUFACTURING DISTRICTS

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CS	M	BI	
AGRICULTURE, RESOURCE & OPEN SPACE USES						
Mining and quarrying				UP		
Nature reserves	P	P	P	P	P	
Trails	P	P	P	P	P	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Use on a site adjacent to a residential zoning district shall comply with the special setback, screening and landscaping standards in Section 18.30.110(E) (Screening between neighborhood commercial and residential land uses) and section 18.40.040(E) (Landscaping requirements between neighborhood commercial and residential land uses).

TABLE 2-7 - ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CS	M	BI	
MANUFACTURING, INDUSTRIAL & PROCESSING USES						
Aggregate processing and batch plants				UP		
Beverage production and food production		UP	UP	P	P	
Chemical products				UP		
Clothing products				P	MUP	
Concrete, gypsum, and plaster products				UP		
Electrical and electronic equipment, instruments				P	MUP	
Food and beverage distribution		UP	UP	P	P	
Furniture and fixtures manufacturing			UP	P	P	
Glass products				P	P	
Handcraft industries, small-scale manufacturing				P	P	
Laundries and dry cleaning plants				P		
Lumber and wood products				P		18.58.200
Machinery manufacturing				P		
Makerspace, Manufacturing				P		18.58.135
Metal fabrication, machine and welding shops				P		
Motor vehicles and transportation equipment				UP		
Paper products				UP		
Paving and roofing materials				UP		
Pharmaceuticals				P		
Plastics and rubber products				UP		
Printing and publishing		P	P	P	P	
Recycling – Composting				UP		18.58.210
Recycling - Large collection facility				P	MUP	18.58.210
Recycling - Reverse vending machines	P	P	P	P	P	18.58.210
Recycling - Scrap and dismantling yards				UP		18.58.210
Recycling - Small collection facility		MUP	MUP	P	MUP	18.58.210
Stone and cut stone products				P	UP	
Structural clay and pottery products				P	UP	
Textile and leather products				P	UP	
Warehousing, wholesaling and distribution				P	P	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- Use on a site adjacent to a residential zoning district shall comply with the special setback, screening and landscaping standards in Section 18.30.110(B) (Screening between neighborhood commercial and residential land uses) and Section 18.40.040(E) (Landscaping requirements between neighborhood commercial and residential land uses).

TABLE 2-7 - ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CS	M	BI	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES						
Community centers	P	P	UP			
Docks and piers, commercial	MUP	MUP				
Health/fitness facilities	UP	P	P		P	
Ice skating rinks		P	P		P	
Indoor recreation centers		P	P		P	
Libraries and museums	P	P			P	
Marina	UP	UP				
Membership organization facilities	MUP	P			P	
Outdoor commercial recreation	MUP	P			P	
Parks and playgrounds	UP	UP	UP	UP	UP	
Public Assembly Uses	UP	UP	UP	UP	UP	18.58.090
Recreational vehicle (RV) parks						
Schools - Public and private	UP	P			UP	
Schools - Specialized education and training		P	UP	UP	UP	
Studios for art, dance, music, photography, etc.	P	P	P	P	P	
Theaters and event spaces	UP	UP				
RESIDENTIAL USES						
Accessory dwelling units	P(4)	P(4)	P	P	P	18.58.025
Caretaker housing				MUP		
Emergency shelters	UP	P	P			
Multifamily dwellings, in commercial/industrial project				P		18.25, 18.58.140
Senior citizen congregate care/congregate care housing	UP					18.58.240
Single-family dwelling(64)(75)						18.25
Supportive housing	P(3)	P(3)	P(3)	P(3)		18.58.255
Transitional housing	P(3)	P(3)	P(3)	P(3)		
Transitional Living Center	UP	UP	UP			
Workforce housing required pursuant to Chapter 18.216	P	P	P	P	P	18.216

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Use on a site adjacent to a residential zoning district shall comply with the special setback, screening and landscaping standards in Section 18.30.110(E) (Screening between neighborhood commercial and residential lands uses) and Section 18.40.040(E) (Landscaping requirements between neighborhood commercial and residential land uses).
- (3) Supportive and transitional housing are subject to the same regulations that apply to other residential uses of the same type in that zone.
- ~~(4) Accessory Dwelling Units associated with multifamily residential project.~~
- ~~(5) Standalone residential uses shall be subject to the development standards of the RM zoning district and Chapter 18.25 (Objective Design Standards)~~
- (6)(4) Time-share uses are allowed within existing legal nonconforming single-family residences in the CG and CN zoning districts.
- (7)(5) Small lot single-family subdivisions that comply with all requirements of Gov. Code, § 66499.40 are permitted in zoning districts that allow multifamily residential uses.

**TABLE 2-7 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CS	M	BI	
RETAIL TRADE USES (3)						
Accessory retail uses	P	P	P	P	P	18.58.030
Adult entertainment businesses				UP		18.58.050
Alcoholic beverage sales, other than beer and wine	MUP	MUP	MUP		MUP	
Auto, mobile home and vehicle sales		UP	UP			
Auto parts sales	P	P	P		P	
Bars and drinking establishments	UP	UP				
Breweries		UP (4)	UP (4)	MUP (5)	UP (5)	
Building material sales			UP	P	P	18.58.200
Cannabis delivery services		UP	UP	UP	UP	18.58.075
Convenience stores	MUP	MUP			MUP	
Furniture, furnishings and equipment stores	P	P	P		P	
Grocery stores	P	P				
Outdoor dining and seating areas	P	P	P		P	18.58.190
Outdoor sales and displays of merchandise, large	MUP	MUP	MUP	P	MUP	18.58.190
Outdoor sales and displays of merchandise, small and medium	P	P	P	P	P	18.58.190
Outdoor storage of merchandise	MUP	MUP	MUP	P	MUP	18.58.190
Plant nurseries and garden supply sales		MUP	MUP		MUP	18.58.190
Restaurants, fast food	P	P	P		P	
Restaurants, table service	P	P			P	
Retail stores, general merchandise	P	P	P		P	
Second hand stores		P	P		P	
Warehouse retail stores			P	P	P	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Use on a site adjacent to a residential zoning district shall comply with the special setback, screening and landscaping standards in Section 18.30.110(E) (Screening between neighborhood commercial and residential land uses) and Section 18.40.040(E) (Landscaping requirements between neighborhood commercial and residential land uses).
- (3) Retail trade businesses shall comply with the floor space standards in Section 18.12.090 (Retail Trade Uses).
- (4) Breweries located the CG and CS zoning districts must dedicate at least half of the floor area to commercial uses.
- (5) Breweries located in the BI and M zoning districts must dedicate at least half of the floor area to production uses.

TABLE 2-7 – ALLOWED USES AND PERMIT REQUIREMENTS FOR COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CS	M	BI	
SERVICE USES						
Automated teller machines (ATMs)	P	P			P	
Banks and financial services	P	P			P	
Bed and breakfast inns	MUP	P				18.58.070
Bikeshares	P	P	P	P	P	18.58.072
Business support services		P	P		P	
Car wash	UP	UP	UP			
Card lock fueling facilities			UP	P		
Child day care centers	P	P		UP	UP	18.58.080
Child day care, large family day care homes	P					18.58.080
Construction contractor's yard			UP	P		
Hotels and motels	UP	P	UP			
Laundromat	P	P	P	P	P	
Makerspace, Craft	P	P	P		P	18.58.135
Medical services - Clinics and laboratories	P	P			P	
Medical services - Extended care	UP	P				
Medical services - Hospitals	UP(5)	P(5)				
Medical services – Hospital emergency facilities	P	P				
Mortuaries		P				
Offices, accessory to primary use	P	P	P	P	P	
Offices, business and professional	P	P	P		P	
Outdoor storage and work areas			UP	P	UP	
Personal services	P	P	P		P	
Public buildings and structures	UP(4)	UP(4)	UP (4)	UP(4)	UP	
Public safety and utility facilities	UP	UP	UP	UP	UP	
Repair/maintenance - Consumer products	P	P	P		P	
Repair/maintenance - Vehicle		UP	P	P	P	
Research and development (R&D)	P	P	P	P	P	
Service stations						
Snow removal business	UP	UP	UP	P		
Storage, personal storage facilities (mini-storage)						
Veterinary clinics, animal hospitals, and kennels; boarding	UP	P		P	P	
Visitor center	P	P				
Work/live units	MUP	MUP	MUP	MUP	MUP	18.58.130

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

Commercial and Manufacturing Districts

18.12

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Use on a site adjacent to a residential zoning district shall comply with the special setback, screening and landscaping Section 18.40.040(E) (Landscaping requirements between neighborhood commercial and residential land uses).
- (3) Use allowed only appurtenant to service station.
- (4) Permitted if the public agency use (e.g. office, outdoor storage, etc.) is permitted in zoning district; UP otherwise.
- (5) Use allowed only within the Public Hospital/Office General Plan land use designation.

**TABLE 2-7 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CS	M	BI	

TEMPORARY USES

Commercial filming	TUP	TUP	TUP	TUP	TUP	18.62
Off-site contractor's construction yard	TUP	TUP	TUP	TUP	TUP	18.62
Offices, temporary	TUP	TUP	TUP	TUP	TUP	18.62
On-site material processing		TUP	TUP	TUP	TUP	18.62
On-site soil remediation activities	TUP	TUP	TUP	TUP	TUP	18.62
Outdoor retail sales, temporary	TUP	TUP	TUP	TUP	TUP	18.62
Seasonal sales lot	TUP	TUP	TUP	TUP	TUP	18.62
Temporary events, non-profit organization	TUP	TUP	TUP	TUP	TUP	18.62
Temporary work trailers	TUP	TUP	TUP	TUP	TUP	18.62

TRANSPORTATION, INFRASTRUCTURE & COMMUNICATIONS USES

Broadcasting studios		P	P		P	
Commercial parking and vehicle storage			UP	UP		
Electrical utility facilities	UP	UP	UP	UP	UP	18.58.114
Pipelines	UP	UP	UP	UP	UP	
Railroad and railroad-related operations (3)						
Tow yard			UP	P		18.58.200
Transit stations and terminals		UP	UP		UP	
Transit stops shelters	P	P	P	P	P	
Truck stops				UP		
Utility lines	P	P	P	P	P	
Vehicle and freight terminals				UP	UP	
Wireless Communication Facility (4)	P	P	P	P	P	18.58.270

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 7,500 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Use on a site adjacent to a residential zoning district shall comply with the special setback, screening and landscaping standards in Section 18.30.110(E) (Screening between neighborhood commercial and residential land uses and Section 18.40.040(E) (Landscaping requirements between neighborhood commercial and residential land uses).
- (3) Railroad and railroad-related operations, activities and facilities within the Union Pacific Railroad right-of-way and operating properties are not subject to the land use permit and development standards of the Development Code.
- (4) Permit requirements vary by type of facility. See Section 18.58.270 (Wireless Communications Facilities).

TABLE 2-8 ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT		See standards in Section:
	DC	DM	
AGRICULTURE, RESOURCE & OPEN SPACE USES			
Nature reserves	P (2)	P	
Trails	P (2)	P	
MANUFACTURING, INDUSTRIAL & PROCESSING USES			
Beverage production and food production	UP (2)	UP	
Chemical products		UP	
Clothing products		P	
Concrete, gypsum and plaster products		UP	
Electrical and electronic equipment, instruments		P	
Food and beverage distribution	UP (2)	UP	
Furniture and fixtures manufacturing		P	
Glass products	UP (2)	P	
Handcraft industries, small-scale manufacturing	UP (2)	P	
Laundries and dry cleaning plants		P	
Lumber and wood products		P	18.58.200
Machinery manufacturing		P	
Makerspace, Manufacturing	UP (2)	P	18.58.135
Metal fabrication, machine and welding shops		P	
Motor vehicles and transportation equipment		P	
Paper products		P	
Paving and roofing materials		UP	
Pharmaceuticals		P	
Plastics and rubber products		UP	
Printing and publishing	P (2)	P	
Recycling - Composting		P	18.58.210
Recycling - Large collection facility		P	18.58.210
Recycling - Reverse vending machines	P (2)	P	18.58.210
Recycling - Small collection facility	MUP (2)	P	18.58.210
Stone and cut stone products		P	
Structural clay and pottery products	P (2)	P	
Textile and leather products		P	
Warehousing, wholesaling and distribution		P	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 75,000 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) These uses are prohibited on ground floor spaces in the Downtown commercial core. See Section 18.20.070.

**TABLE 2-8 – ALLOWED USES AND PERMIT REQUIREMENTS
FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT		See standards in Section:
	DC	DM	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Community centers	P (2)		
Health/fitness facilities	P (2)		
Ice skating rinks	P (2)	P	
Indoor recreation centers	P (2)		
Libraries and museums	P (2)		
Membership organization facilities	P (2)		
Outdoor commercial recreation	P (2)		18.58.090
Parks and playgrounds	UP (2)	UP	
Public Assembly Uses	UP (2)	UP	18.58.090
Schools – Public and private	P (2)		
Schools – Specialized education and training	P (2)		
Studios for art, dance, music, photography, etc.	P (2)	P (2)	
Theaters and event spaces	P		

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 5,000 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
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TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) These uses are prohibited on ground floor spaces in the Downtown commercial core. See Section 18.20.070.

Table continues on next page.

TABLE 2-8 - ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT		See standards in Section:
	DC	DM	
RESIDENTIAL USES(5)			
Accessory dwelling units	P (4)	P	18.58.025
Animal raising and keeping of household pets and backyard chickens, accessory to a primary residential use			18.58.060
Caretaker housing		MUP	
Detached living areas	-	-	18.58.220
Emergency shelters/transitional living centers	UP		
Emergency shelters, accessory to a church/place of worship			
Employee housing			
Junior Accessory Dwelling Units			
Live/work units			18.58.130
Manufactured home			18.58.170
Multifamily dwellings, 2 to 10 units			18.25
Multifamily dwellings, 11 and more units			18.25
Multifamily dwellings, individual ownership, 2 to 10 units			18.25
Multifamily dwellings, individual ownership, 11 or more units			18.25
Multifamily dwellings, in commercial/industrial project	P (4)	P	18.25, 18.58.140
Residential care homes, 7 to 12 clients			
Senior citizen congregate care/congregate care housing			18.58.240
Single-family dwellings(3)			18.25
Single-room occupancy (SRO) housing			
Supportive housing	P (2)	P (2)	18.58.255
Transitional housing	P(2)	P(2)	
Workforce housing required pursuant to Chapter 18.216	P (4)	P	18.216

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 5,00 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Employee, supportive, and transitional housing are subject to the same regulations that apply to other residential uses of the same type in that zone.
- (3) Small lot single-family subdivisions that comply with all requirements of Gov. Code, § 66499.40 are permitted in zoning districts that allow multifamily residential uses.
- (4) These uses are prohibited on ground floor spaces in the Downtown commercial core. See Section 18.20.070.
- (5) [For residential accessory uses, see Section 18.58.220 \(Residential Accessory Uses and Structures\), Section 18.58.120 \(Home Occupations\) and Section 18.58.060 \(Animal Raising and Keeping\).](#)

TABLE 2-8 - ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT		See standards in Section:
	DC	DM	
RETAIL TRADE USES (2)			
Accessory retail uses	P	P	18.58.030
Adult entertainment businesses		UP	18.58.050
Alcoholic beverage sales, other than beer and wine	MUP	MUP	
Auto parts sales	P		
Bars and drinking establishments	P		
Building material sales		P	18.58.200
Cannabis delivery services		UP	18.58.075
Convenience stores	P		
Furniture, furnishings and equipment stores	P		
Grocery stores	P		
Outdoor dining and seating areas	P		18.58.190
Outdoor sales and displays of merchandise, large	MUP	MUP	18.58.190
Outdoor sales and displays of merchandise, small and medium	P	P	18.58.190
Outdoor storage of merchandise	MUP	MUP	18.58.190
Plant nurseries and garden supply sales	MUP	MUP	18.58.190
Restaurants, fast food	P		
Restaurants, table service	P		
Retail stores, general merchandise	P		
Second hand stores	P		
Warehouse retail stores		P	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 5,00 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Retail trade businesses shall comply with the floor space standards in Section 18.12.090 (Retail Trade uses).

Table continues on next page.

**TABLE 2-8 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT		See standards in Section:
	DC	DM	
SERVICE USES			
Automated teller machines (ATMs)	P		
Banks and financial services	P (3)		
Bed and breakfast inns	P (3)		18.58.070
Bikeshares	P	P	18.58.072
Business support services	P (3)		
Car wash		UP	
Card lock fueling facilities		UP	
Child day care centers	P		18.58.080
Child day care, large family day care homes			18.58.080
Construction contractor's yard		UP	
Hotels and motels	P (3)		
Laundromats	P	P	
Makerspace, Craft	P (3)		18.58.135
Medical services - Clinics and labs	P (3)		
Medical services - Extended care	P (3)		
Mortuaries	UP (3)		
Offices, accessory to primary use	P (3)	P	
Offices, business and professional	P (3)		
Outdoor storage and work areas		MUP	18.58.200
Personal services	P (3)		
Public buildings and structures	UP(2)	UP(2)	
Public safety and utility facilities	UP	UP	
Repair/maintenance – Consumer products	P (3)	P	
Repair/maintenance – Vehicle		P	
Research and development (R&D)	P (3)	P	
Residential care facilities	P (3)		
Service stations			
Snow removal business		UP	
Storage, personal storage facilities (mini-storage)			
Veterinary clinics, animal hospitals, and kennels, boarding	P (3)	P	
Visitor center	P		
Work/live units	MUP (3)	MUP	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 5,00 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Permitted if the public agency use (e.g. office, outdoor storage, etc.) is permitted in zoning district; UP otherwise.

Commercial and Manufacturing Districts

18.12

- (3) These uses are prohibited on ground floor spaces in the Downtown commercial core. See Section 18.20.070.

TABLE 2-8 - ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT		See standards in Section:
	DC	DM	

TEMPORARY USES

Commercial filming	TUP	TUP	18.62
Off-site contractor's construction yard	TUP (4)	TUP	18.62
Offices, temporary	TUP	TUP	18.62
On-site material processing	TUP	TUP	18.62
On-site soil remediation activities	TUP (4)	TUP	18.62
Outdoor retail sales, temporary	TUP	TUP	18.62
Seasonal sales lot	TUP (4)	TUP	18.62
Temporary events, non-profit organization	TUP	TUP	18.62
Temporary work trailers	TUP (4)	TUP	18.62

TRANSPORTATION, INFRASTRUCTURE & COMMUNICATIONS USES

Broadcasting studios	P (4)		
Commercial Parking and vehicle storage	UP (4)	UP	
Electrical utility facilities	UP (4)	UP	18.58.114
Pipelines	UP	UP	
Railroad and railroad-related operations (2)			
Tow yard		UP	18.58.200
Transit stations and terminals	P		
Transit stop shelters	P	P	
Utility lines	P	P	
Vehicle and freight terminals		UP	
Wireless Communications Facilities (3)	P	P	18.58.270

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 5,000 sq. ft. of floor area, less than 26,000 sq. ft. of site disturbance, and multifamily residential projects with 10 or less units; Development Permit required for permitted projects with 5,00 sq. ft. or more of floor area, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Railroad and railroad-related operations, activities, and facilities within the Union Pacific Railroad right-of-way and operating properties are not subject to the land use permit and development standards of the Development Code.
- (3) Permit requirements vary by type of facility. See Section 18.58.270 (Wireless Communications Facilities).
- (4) These uses are prohibited on ground floor spaces in the Downtown commercial core. See Section 18.20.070.

Commercial and Manufacturing Districts

18.12

Spring Street to the Railyard boundary, including Commercial Row), but are allowed in second and third floor spaces. These limitations are further outlined under Section 18.20.070 (Commercial Core Overlay District.)

18.12.060 - Commercial and Manufacturing Zoning District Performance Standards

All land uses proposed in the Commercial and Manufacturing zoning districts shall be operated and maintained so as to not be injurious to public health, safety or welfare, and shall comply with the following standards.

- A. **Air emissions.** No approved land use shall generate or cause any visible dust, gasses or smoke to be emitted into the atmosphere, except in accordance with the air quality regulations of the Northern Sierra Air Quality Management District and the California Air Resources Board or for the operation of motor vehicles on the site.
- B. **Glare and heat.** No direct or sky-reflected glare or heat, whether from floodlights or from high temperature processes (including combustion or welding or otherwise), shall be visible or felt at the property line.
- C. **Ground vibration.** No approved land use shall generate ground vibration perceptible without instruments at any point along or outside of the property line of the use, except for motor vehicle operations.
- D. **Odor.** No approved land use shall generate or emit any obnoxious odor or fumes perceptible at the property line.
- E. **Sewer requirement.** No land use shall be approved with on-site sewage disposal. Connection to sewer shall be required. Any new land use established on a site must provide access to onsite restrooms that are connected to the sewer system. Uses that utilize a septic system, portable toilets or offsite restrooms for a permanent land use shall be prohibited.
 - 1. **Exceptions.** Portable toilets (e.g., port-a-potties) may be used on a temporary basis during construction only when the site has an active building permit.

18.12.070 - Retail Trade Uses

A single retail trade use as listed in Tables [2-6-7](#) and [2-7-8](#) shall not exceed 20,000 square feet of gross floor space. For the purpose of calculating the maximum square footage, the gross floor area of adjacent stores shall be aggregated in cases where the stores (1) are engaged in the selling of similar or related goods, wares or merchandise and operate under common ownership or management; (2) share checkstands, a warehouse, or a distribution facility; or (3) otherwise operate as associated, integrated or co-operative business enterprises. This restriction on the maximum gross floor space of a retail trade use shall not be adjusted or modified by the approval of a planned development, specific plan or master plan.

TABLE 2-10 ALLOWED USES AND PERMIT REQUIREMENTS FOR MIXED USE DISTRICTS

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	CMU	DMU	NMU-C	NMU-R	

AGRICULTURE, RESOURCE & OPEN SPACE USES

Nature reserves		P (2)			
Trails		P (2)			

MANUFACTURING, INDUSTRIAL & PROCESSING USES

Beverage production and food production	UP	UP (2)			
Food and beverage distribution		UP (2)			
Handcraft industries, small-scale manufacturing		UP (2)			
Makerspace, Manufacturing		UP (2)			18.58.135
Printing and publishing	P	P (2)	P	P	
Recycling - Reverse vending machines	P	P (2)			18.58.210
Recycling – Small collection facility		MUP (2)			
Structural clay and pottery products		P (2)			

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,000 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) These uses are prohibited on ground floor spaces along Commercial Row and in the Downtown commercial core. See Section 18.20.070.

TABLE 2-10 – ALLOWED USES AND PERMIT REQUIREMENTS FOR MIXED USE DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	CMU	DMU	NMU-C	NMU-R	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES					
Community centers	P	P (2)	P	P	
Docks and piers, commercial			MUP	MUP	
Health/fitness facilities	P	P (2)	UP	UP	
Ice skating rinks	P		P	P	
Indoor recreation centers	P		P	P	
Libraries and museums	P	P (2)	P	P	
Marina			UP	UP	
Membership organization facilities	UP	P (2)	UP	UP	
Outdoor commercial recreation	MUP	UP (2)	MUP	MUP	18.58.090
Parks and playgrounds	UP	UP (2)	UP	UP	
Public assembly uses	UP	UP (2)	UP	UP	18.58.090
Schools – Public and private	UP	UP (2)	MUP	MUP	
Schools – Specialized education and training	MUP	UP (2)	MUP	MUP	
Studios for art, dance, music, photography, etc.	P	P (2)	P	P	
Theaters and event spaces	UP	UP	UP	UP	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,000 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units..	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) These uses are prohibited on ground floor spaces along Commercial Row and in the Downtown commercial core. See Section 18.20.070.

Table continues on next page.

**TABLE 2-10 – ALLOWED USES AND PERMIT REQUIREMENTS
FOR MIXED USE DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	CMU	DMU	NMU-C	NMU-R	
RESIDENTIAL USES(4)					
Accessory dwelling units	P	P (2)(3)	P	P	18.58.025
Animal raising and keeping of household pets and backyard chickens, accessory to a primary residential use	P (4)	P (4)	P (4)	P (4)	18.58.060
Caretaker housing	MUP	MUP (3)	MUP	MUP	
Detached living areas		P (3)			
Emergency shelters/transitional living centers	UP				
Emergency shelters, accessory to a church/place of worship		MUP (3)			
Employee housing		P (5)			
Junior Accessory Dwelling Units		P		P	18.58.025.O
Live/work units	MUP	MUP (3)	MUP	MUP	18.58.130
Manufactured home		P (2)(3)(6)			18.58.170
Multifamily dwellings, 2 to 10 units		P (2)(3)		P (8)	18.25
Multifamily dwellings, 11 and more units		DP (2)(3)		DP (8)	18.25
Multifamily dwellings, individual ownership, 2 to 10 units		P (2)(3)		P (8)	18.25
Multifamily dwellings, individual ownership, 11 or more units		DP (2)(3)		DP (8)	18.25
Multifamily dwellings, in a mixed-use project	P	P (3)	P	P	18.25, 18.58.140
Residential care homes, 7 to 12 clients	UP	UP (3)			
Senior citizen congregate care/congregate care housing	UP	UP (3)	UP	UP	18.58.240
Single-family dwellings (7)		P (2)(3)		P (9)	18.25
Single-room occupancy (SRO) housing	UP	UP (3)	UP	UP	
Supportive housing	P (5)	P (5)	P (5)	P (5)	18.58.255
Transitional housing	P (5)	P (5)	P (5)	P (5)	
Workforce housing required pursuant to Chapter 18.216	P	P	P	P	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,000 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- Stand-alone residential projects must comply with residential development standards of DRM zoning district.
- These uses are prohibited on ground floor spaces along Commercial Row and in the Downtown commercial core. See Section 18.20.070.
- ~~For residential accessory uses, see Section 18.58.220 (Residential Accessory Uses and Structures), Section 18.58.120 (Home Occupations) and Section 18.58.060 (Animal Raising and Keeping) may require a Minor Use Permit for certain animals and household pets, or the raising and keeping of animals or household pets over a certain number, and/or the raising and keeping of animals on small parcels.~~
- Employee, supportive, and transitional housing are subject to the same regulations that apply to other residential uses of the same type in that zone.

Mixed Use Zoning Districts

18.14

- (6) Excludes sites listed on the National Register of Historic Places.
- (7) Small lot single-family subdivisions that comply with all requirements of Gov. Code, § 66499.40 are permitted in zoning districts that allow multifamily. These uses are prohibited on ground floor spaces along Commercial Row and in the Downtown commercial core. See Section 18.20.070.
- (8) Stand-alone residential projects must comply with residential development standards of RM zoning district.
- (9) Stand-alone residential projects must comply with residential development standards of RL zoning district.

Table continues on next page.

TABLE 2-10 – ALLOWED USES AND PERMIT REQUIREMENTS FOR MIXED USE DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	CMU	DMU	NMU-C	NMU-R	
RETAIL USES					
Accessory retail uses	P	P	P	P	18.58.030
Alcoholic beverage sales, other than beer and wine	MUP	MUP	MUP	MUP	
Auto parts sales	P	P	P	P	
Bars and drinking establishments	UP	UP	UP	UP	
Convenience stores	MUP	P	MUP	MUP	
Furniture, furnishings and equipment stores	P	P	P	P	
Grocery stores	P	P	P	P	
Outdoor dining and seating areas	P	P	P	P	18.58.190
Outdoor sales and displays of merchandise, large	MUP	MUP	MUP	MUP	18.58.190
Outdoor sales and displays of merchandise, small and medium	P	P	P	P	18.58.190
Outdoor storage of merchandise	MUP	MUP	MUP	MUP	18.58.190
Plant nurseries and garden supply sales	MUP	MUP			18.58.190
Restaurants, fast food	P	P	P	P	
Restaurants, table service	P	P	P	P	
Retail stores, general merchandise	P	P	P	P	
Secondhand stores	P	P	P	P	

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,00 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Retail trade businesses shall comply with the floor space standards in Section 18.12.090 (Retail Trade uses)

Table continues on next page.

**TABLE 2-10 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR MIXED USE DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	CMU	DMU	NMU-C	NMU-R	
SERVICE USES					
Automated teller machines (ATMs)	P	P	P	P	
Banks and financial services	P	P (3)	P	P	
Bed and breakfast inns		MUP (3)	MUP	MUP	18.58.070
Bikeshares	P	P	P	P	18.58.072
Business support services	P	P (3)			
Child day care centers	P		P	P	18.58.080
Child day care, large family day care homes	P	UP (3)	P	P	18.58.080
Hotels and motels	P	UP (3)			
Laundromats	P		P	P	
Makerspace, Craft	P	P (3)	P	P	18.58.135
Medical services - Clinics and labs	P	P (3)	P	P	
Medical services - Extended care	P	UP (3)	UP	UP	
Mortuaries	UP	UP (3)			
Office Support Service	P	P	P	P	
Offices, accessory to primary use	P	P (3)	P	P	
Offices, business and professional	P	P (3)	P	P	
Personal services	P	P (3)	P	P	
Public buildings and structures	UP (2)	UP (2)	UP (2)	UP (2)	
Public safety and utility facilities	UP	UP	UP	UP	
Repair/maintenance – Consumer products	P	P (3)	P	P	
Repair/maintenance – Vehicle	UP				
Research and development (R&D)	P	P (3)	MUP	MUP	
Residential care facilities	P	UP (3)			
Snow removal business	UP		UP	UP	
Veterinary clinics, animal hospitals, <u>and</u> kennels, boarding	MUP	UP (3)	MUP	MUP	
Visitor center	P	P			
Work/live units	MUP	MUP (3)	MUP	MUP	18.58.130

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and more than 5,00 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- Permitted if the public agency use (e.g. office, outdoor storage) is permitted in zoning district; UP otherwise
- These uses are prohibited on ground floor spaces along Commercial Row and in the Downtown commercial core. See Section 18.20.070.

Table continues on next page.

**TABLE 2-10 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR MIXED USE DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	CMU	DMU	NMU-C	NMU-R	

TEMPORARY USES

Commercial filming	TUP	TUP	TUP	TUP	18.62
Off-site contractor's construction yard	TUP	TUP (3)	TUP	TUP	18.62
Offices, temporary	TUP	TUP	TUP	TUP	18.62
On-site soil remediation activities	TUP (3)	TUP (3)	TUP	TUP	18.62
Outdoor retail sales, temporary	TUP	TUP	TUP	TUP	18.62
Seasonal sales lot	TUP (3)	TUP (3)	TUP	TUP	18.62
Temporary events, non-profit organization	TUP	TUP	TUP	TUP	18.62
Temporary work trailers	TUP (3)	TUP (3)	TUP	TUP	18.62

TRANSPORTATION, INFRASTRUCTURE & COMMUNICATIONS USES

Broadcasting studios	P	P (3)			
Commercial Parking and vehicle storage		UP (3)			
Electrical utility facilities	UP	UP (3)	UP	UP	18.58.114
Pipelines	UP	UP			
Railroad and railroad-related operations (2)					
Transit stations and terminals	UP	P			
Transit stop shelters	P	P	P	P	
Utility lines	P	P	P	P	
Wireless Communications Facilities (4)	P	P			18.58.270

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,00 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Railroad and railroad-related operations, activities, and facilities within the Union Pacific Railroad right-of-way and operating properties are not subject to the land use permit and development standards of the Development Code.
- (3) These uses are prohibited on ground floor spaces along Commercial Row and in the Downtown commercial core. See Section 18.20.070
- (4) Permit requirements vary by type of facility. See Section 18.58.270 (Wireless Communications Facilities).

TABLE 2-12 - ALLOWED USES AND PERMIT REQUIREMENTS FOR SPECIAL PURPOSE DISTRICTS

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	OS	RC	REC	PF	RTC	

AGRICULTURE, RESOURCE & OPEN SPACE USES(2)

Agricultural accessory structures	P	MUP				18.58.060
Agricultural processing uses		UP				
Animal raising and keeping of livestock, other large animals, fowl and other small animals and birds; accessory to a primary use		P (2)	P (2)	-	-	18.58.060
Crop production	P	P				
Fisheries and game reserves	P	P	P	P (4)		
Mining and quarrying		UP		UP (4)		
Nature reserves	P	P	P	P (4)		
Trailhead and recreational area parking (3)			P	P (4)		
Trails	P	P	P	P (4)		

MANUFACTURING & PROCESSING USES

Recycling - Composting				UP (4)		18.58.210
Recycling - Large collection facility				UP (4)		18.58.210
Recycling - Reverse vending machines				UP (4)		18.58.210
Recycling - Small collection facility				UP (4)		18.58.210

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,00 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
DP	Development Permit required for 7,500 sq. ft. or more of floor area outside of the Downtown zoning districts, 5,000 sq. ft. or more of floor area inside the Downtown zoning districts, and projects within both areas causing 26,000 sq. ft. or more of site disturbance.	18.74
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) ~~For residential accessory uses, see Section 18.58.060 (Animal Raising and Keeping) may require a Minor Use Permit for certain animals and household pets, the raising and keeping of animals or household pets over a certain number, and/or the raising and keeping of animals on small parcels.~~
- (3) Zoning Clearance required when operated by a public agency; otherwise, Use Permit required.
- (4) These uses are prohibited on ground floor spaces in the Downtown commercial core. See Section 18.20.070

Continues on next page.

TABLE 2-12 - ALLOWED USES AND PERMIT REQUIREMENTS FOR SPECIAL PURPOSE DISTRICTS (Continued)

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	OS	RC	REC	PF	RTC	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES						
Campgrounds			UP			
Community centers			UP	UP (4)		
Docks and piers, commercial		MUP	MUP	P (2)		
Equestrian facilities, commercial or public			UP			18.58.060
Golf courses and country clubs		UP	UP	UP (2)		
Golf driving range			UP			
Health/fitness facilities			UP			
Hunting and fishing clubs	MUP	MUP	UP			
Ice skating rinks			UP	P		
Libraries and museums				P (3) (4)		
Marina		MUP	UP	P (2)		
Outdoor commercial recreation			UP	P (2) (4)		
Parks and playgrounds	MUP		P	P (2) (4)		
Private residential recreational facilities			UP			
Public Assembly Uses		UP	UP	UP (4)		18.58.090
Recreational vehicle (RV) parks			UP			
Religious retreats and organizational camps			UP			
Schools - Public and private				P (2) (4)		
Schools - Specialized education and training				P (2) (4)		
Seasonal park caretaker				P		
Ski lift facilities and ski runs			UP			
Sport facilities/outdoor entertainment				P (2)		
Theaters and event spaces				P (2)		

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,00 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Use must be operated by a public agency.
- (3) Use must be operated by a public agency or nonprofit approved by the Town that operates similar to a public agency.
- (4) These uses are prohibited on ground floor spaces in the Downtown commercial core. See Section 18.20.070.

Continues on next page.

**TABLE 2-12 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR SPECIAL PURPOSE DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	OS	RC	REC	PF	RTC	
RESIDENTIAL USES (32)						
Accessory dwelling units		P	P			18.58.025
Animal raising and keeping of household pets and backyard chickens, accessory to a primary residential use	-	P (2)	P (2)	-	-	18.58.060
Caretaker housing			P			
Detached living areas	-	MUP	P	-	-	18.58.220
Employee housing		MUP (4)	P (4)			
Farmworker housing, up to 12 units or 36 beds in group quarters	P (5)	P (5)				
Junior Accessory Dwelling Units		P	P			18.58.025.O
Manufactured home		MUP	P			18.58.170
Mobile home as temporary construction residence		P	P			
Residential care homes, 7 to 12		UP				
Single-family dwellings		MUP	P			18.25
Student and employee housing				P (6)		
Supportive housing		MUP (4)	P (4)			18.58.255
Transitional housing		MUP (4)	P (4)			
Workforce housing required pursuant to Chapter 18.216				P(6)		18.216

RETAIL TRADE USES

Accessory retail uses			MUP			18.58.030
Alcoholic beverage sales, other than beer and wine			MUP			
Bars and drinking establishments			MUP			
Convenience stores			MUP			
Restaurants, table service			UP			

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,00 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- ~~For residential accessory uses, see Section 18.58.220 (Residential Accessory Uses and Structures), Section 18.58.120 (Home Occupations) and Section 18.58.060 (Animal Raising and Keeping) may require a Minor Use Permit for certain animals and household pets, the raising and keeping of animals or household pets over a certain number, and/or the raising and keeping of animals on small parcels.~~
- Retail trade businesses shall comply with the floor space standards in Section 18.12.090 (retail trade Uses).
- Employee, supportive, and transitional housing are subject to the same regulations that apply to other residential uses of the same type in that zone.
- Farmworker housing is subject to the same regulations that apply to other agricultural uses in the same zone.
- Residential projects must comply with the residential development standards of the RM zoning district.

**TABLE 2-12 - ALLOWED USES AND PERMIT REQUIREMENTS
FOR SPECIAL PURPOSE DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	OS	RC	REC	PF	RTC	

SERVICE USES

Bed and breakfast inns		UP	UP			18.58.070
Bikeshares	P	P	P	P	P	18.58.072
Cemeteries and columbariums				UP (2)		
Child day care centers				P		18.58.080
Child day care, large family day care homes		MUP				18.58.080
Hotels and motels			UP			
Medical services - Clinics and labs				P (2) (5)		
Medical services - Extended care				P (2) (5)		
Medical services - Hospitals				P (2) (5)		
Offices, accessory to primary use			P	P (2) (5)		
Public buildings and structures				P		
Public safety and utility facilities		MUP (3)	MUP	P		
Residential care facilities				P (2) (5)		

TEMPORARY USES

Commercial filming	TUP	TUP	TUP	P		18.62
Temporary events, public property				P		18.62

TRANSPORTATION, INFRASTRUCTURE & COMMUNICATIONS USES

Bikeshare Maintenance and Storage Yards				P		
Commercial parking and vehicle storage				P (5)		
Electrical utility facilities	UP	UP	UP	UP (5)	UP (5)	18.58.114
Heliport				UP (5)		
Pipelines	UP	UP	UP	UP	UP	
Railroad and railroad related operations (3)					P	
Utility lines	MUP	P	P	P	P	
Wireless Communications Facilities (4)			P	P	P	18.58.270

KEY TO PERMIT REQUIREMENTS

Symbol	Permit Requirement	Procedure is in Section:
P	Permitted use, Zoning Clearance required for projects with less than 7,500 sq. ft. of floor area outside of the Downtown zoning districts and less than 5,000 sq. ft. of floor area within the Downtown zoning districts, less than 26,000 sq. ft. of site disturbance, and multifamily projects with 10 or less units; Development Permit required for permitted projects with more than 7,500 sq. ft. or floor area outside of the Downtown zoning districts and more than 5,00 sq. ft. of floor area within the Downtown zoning districts, 26,000 sq. ft. or more of site disturbance, and/or 11 or more multifamily residential units.	18.72
MUP	Conditional use, Minor Use Permit approval required.	18.76
UP	Conditional use, Use Permit approval required.	18.76
TUP	Temporary use, Temporary Use Permit approval required.	18.80
	Use not allowed. See 18.03.020.E regarding uses not listed.	

Notes:

- (1) Definitions of the listed land uses are in Chapter 18.220 (Definitions, Glossary).
- (2) Use must be operated by a public agency.
- (3) Railroad and railroad-related operations, activities, and facilities within the Union Pacific Railroad right-of-way and operating properties are not subject to the land use permit and development standards of the Development Code.

Code violation can be resolved as a result of informal notice, which saves time, money and resources for all persons involved.

18.20.050 - River Protection (-RP) Overlay District

- A. Purpose.** The -RP overlay district is intended for those areas [on Sheet 26 of the zoning maps of the Downtown Study Area](#) adjacent to the Truckee River where sensitivity and special attention is required in project design, including but not limited to setbacks from the Truckee River, additional landscaping and screening to protect views from the river corridor, building designs compatible with the river's natural environment, preservation of public access to the river corridor, and protection of natural environmental features such as riparian vegetation, wetlands and wildlife habitat.
- B. Applicability.** The -RP overlay district may be combined with any Downtown residential, commercial, manufacturing/industrial or special purpose zoning district established by Section 18.06.020 (Zoning Districts Established).
- C. Allowed land uses and permit requirements.** Any land use normally allowed as a permitted or conditional use in the primary zoning district by this Article may be allowed within the -RP overlay district subject to approval of a use permit by the Planning Commission in accordance with Chapter 18.76 (Use Permits and Minor Use Permits).
- D. Development standards.** Proposed development and new land uses within the -RP overlay district shall comply with the development standards of the primary zoning district, all other applicable provisions of this Development Code, and the following requirements:
- 1. Setback requirements.** Proposed development shall be set back from the Truckee River 100 year flood plain based on the unique topographic features of each site within the RP overlay zone. Specific setbacks shall be established through the project approval process, and shall be determined based on the following criteria:
 - a. Along East River Street, the setback shall be the minimum horizontal distance from the edge of the 100-year floodplain which is one foot above the base flood elevation. The setback shall be measured from the natural elevation of the property. The setback line may not be modified by raising the property above the base flood elevation through the use of fill or other similar materials. See Figure 3-18.
 - ~~b. Within the Truckee River Master Plan area, the setback shall extend from the boundary of the 100-year floodplain up to the top of the defined bench, which is located approximately 140 feet from the northerly property boundary at its easterly end, tapering out to 300 feet from the northerly property line at the property's westerly end. The setback on the Truckee River Department of Fish and Game parcel (1998 APN 19 30 05) shall be similar to the parcel described above, and based on the unique characteristics and limited development potential of the subject parcel.~~
 - ~~e.b.~~ On parcels located between the Truckee River and West River Street, the setback shall be 75 feet from the boundary of the 100-year floodplain.

Where only a portion of a parcel is affected by the district boundaries, the provisions of this district shall be applicable only if the district boundaries bisect any portion of any structure.

- C. Allowed land uses.** Any land use normally allowed as a permitted use in the primary zoning district by Tables 2-2, 2-3, ~~2-6, 2-7~~, 2-9-8, 2-10 and 2-12 (Allowable Land Uses and Permit Requirements) may be allowed within the -SA overlay zoning district. Land uses identified by Tables 2-2, 2-3, ~~2-6, 2-7~~, 2-9-8, 2-10 and 2-12 as conditional uses shall be prohibited within the -SA overlay district.
- D. Permit requirements.** Development and new land uses within the -SA overlay district shall obtain the land use permit required by this Article for the primary zoning district.
- E. Development standards.** Proposed development and new land uses within the -SA overlay zoning district shall comply with the development standards of the primary zoning district, all other applicable provisions of this Development Code, any conditions of approval providing measures to preserve and protect existing resources, and the following requirements:
- 1. Structural engineer certification.** Within the High Hazard Zone, new construction designed for human occupancy, and remodels, additions and repairs over a five-year period exceeding 50 percent of the appraised market value of the building, shall be certified by a qualified, licensed structural engineer and avalanche expert approved by the Town as to the following:
 - a. That anticipated snow avalanche hazards have been determined by a recognized avalanche expert;
 - b. That the proposed structure will be safely constructed under the anticipated hazards and that the structure complies with anticipated loads and conditions; and
 - c. That the structure, device or earthwork will not threaten to or deflect avalanches toward property of others, or otherwise threaten to increase the danger to persons or property.
 - 2. Acknowledgment of danger by land owner.** Within the High Hazard Zone, applications for new construction designed for human occupancy, and remodels, additions and repairs over a five-year period exceeding 50 percent of the appraised market value of the building, shall include a written statement signed by the property owner, acknowledging that the property owner understands and agrees that:
 - a. The avalanche forces described in the study required by this Section are to be considered the minimum possible, and the owner understands and agrees that avalanches may occur with forces greater than those described in the study; and
 - b. The Town does not represent, guarantee or warranty the ultimate safety of any construction, use or occupancy of structures constructed to the standards recommended by the engineer and/or required by the Town.

D. Maximum site disturbance for single-family residential uses.

1. For parcels that are 1.5 acres or greater but less than five acres with or proposed to be developed with single-family residential dwellings, the maximum allowed site disturbance [for single-family residential uses](#) shall be 40% or 1.5 acres, whichever is greater.
2. For parcels that are five acres or greater, with or proposed to be developed with single-family residential dwellings, the maximum allowed site disturbance [for single-family residential uses](#) shall be 30%.
3. For purposes of this standard, disturbance for septic systems shall be exempt from the site disturbance calculation if the area is revegetated with unirrigated septic-appropriate native landscaping.
4. No maximum site disturbance standard is required for single-family residential uses on parcels smaller than 1.5 acres; development standards related to site coverage, setbacks, snow storage areas, etc. apply.
- ±5. Projects that comply with this requirement but may exceed the 26,000 s.f. of site disturbance are exempt from the Development Permit process (Chapter 18.74) for the purposes of site disturbance. The project shall be subject to Chapter 18.72 (Zoning Clearance) and any other applicable land use entitlement processes.

18.30.090 - Height Measurement and Height Limit Exceptions

All structures shall comply with the following standards relating to height, except for fences and walls, which are instead subject to the provisions of Section 18.30.070 (Fences, Walls and Hedges).

- A. Maximum height of structures.** The height of structures shall not exceed the standard established by the applicable zoning district in Article II (Zoning Districts and Allowable Land Uses).

5. **Residential accessory uses and structures.** Residential accessory uses and structures shall be provided setbacks in compliance with Table 3-3 (Required Setbacks - Accessory Uses and Structures).

**TABLE 3-3
REQUIRED SETBACKS - RESIDENTIAL ACCESSORY USES AND STRUCTURES**

Accessory Use/Structure	Type of Setback (1)	Required Setback (2)
Air conditioning equipment, generators	Sides, rear	As required for main structure.
Pool and spa equipment	Sides, rear	5 feet
Garage	Front, street-side	See Section 18.30.120.F.3.
Gazebo, greenhouse, patio cover	Front, street-side	15 feet
	Rear	15 feet for single-family dwelling, 10 feet for multifamily dwellings
	Interior (3)	6 feet
Propane tank	Front, street-side	As required for main structure.
	Sides, rear	5 feet (4)
Stationary barbecue, fire pit	Sides, rear	5 feet
Swimming pool, spa, fishpond	Street-side	As required for main structure.
	Sides, rear	5 feet
Wireless Communications Facilities	Front, side, rear	See Section 18.58.270
Other structures greater than 120 square feet and/or greater than 10 feet in height, and all habitable structures	Front, street-side, sides, rear	As required for main structure.
Non-habitable structures less than 120 square feet or less and greater than 6 feet but 10 feet or less than 10 feet in height	Front, street-side	As required for main structure.
	Sides, rear	5 feet, including eaves/overhangs
Structures-Non-habitable structures 120 square feet or less than 120 square feet and 6 feet or less in height and not covered elsewhere in this section	Front, street-side, sides, rear	0 feet

Notes:

- (1) When a setback is not specified, the setback shall be as required for the main structure. Where a parcel is situated so that the front, side or rear property lines are not readily determinable, required setbacks shall be established by the Director.
- (2) A structure, projection or equipment shall not be placed or occur beyond the property lines of the subject parcel.
- (3) Chapter 18.220 (Definitions, Glossary) for the definition of interior setback.
- (4) Propane tanks must comply with the side, rear and interior setback requirements of the Town Building Code and the Truckee Fire Protection District. Underground propane tanks are prohibited.

18.44.030 - Noise Measurement Criteria

- A. Exterior noise.** Exterior noise levels may be measured at any point on the affected church, commercial property, hospital, public library, residential property or school.
- B. Noise measurement equipment.** Any noise measurement made in compliance with this Section shall be made with a sound level meter using the 'A' weighted scale at slow meter response. Fast meter response shall be used only for an impulsive noise. Calibration of the measurement equipment, utilizing an acoustic calibrator, shall be performed immediately before the recording of any noise data.

18.44.040 - Exterior Noise and Vibration Standards

It shall be unlawful for any person, at any location within the Town, to create any noise or to allow the creation of any noise on property leased, occupied, owned or otherwise controlled by the person which does not comply with the provisions of this Section, unless the provisions of either Sections 18.44.050 (Residential Interior Noise Standards) or 18.44.070 (Exceptions), below, have been met.

- A. Exterior levels.** Exterior noise levels, when measured at any receiving church, commercial, hospital, public library, residential or school property, do not conform to the provisions of this Section when they exceed the noise level standards established by Table 3-6.
- B. Ambient noise level adjustment.** In the event the measured ambient noise level exceeds the applicable noise level standard in any category above, the applicable standards shall be adjusted to equal the ambient noise level. For example, if the applicable noise level standard is 60 dB(A) and the ambient noise level is 63 dB(A), the applicable noise level standard would be adjusted to 63 dB(A). In these cases, a use would not exceed the applicable noise level standard if it did not increase the ambient noise level by more than 3.0 dB(A) when the ambient noise level is between 60 and 65 dB(A) or by more than 1.5 dB(A) when the ambient noise level is greater than 65 dB(A).
- C. Simple tone noises.** Each of the noise level standards specified above shall be reduced by five dB(A) for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.
- D. Intruding noise source.** If the intruding noise source is continuous and cannot reasonably be discontinued or stopped for a time period to allow measurement of the ambient noise level, the noise level measured while the source is in operation shall be compared directly to the applicable noise level standards in Table 3-6.
- E. Equipment noise.** The noise level standard applicable to the emission of sound from regulators, transformers and associated equipment in electrical substations shall be 60 dB(A).

**TABLE 3-6
NOISE STANDARD BY RECEIVING LAND USE**

Noise Level Standards, dB(A)		
Cumulative number of minutes in any hour	Day - 7:00 a.m. to 10:00 p.m.	Night - 10:00 p.m. to 7:00 a.m.
Hospital, Library, Religious Institution, Residential, or School Uses		
30 (1)	55	50
15	60	55
5	65	60
1	70	65
0	75	70
Commercial Uses		
30	65	60
15	70	65
5	75	70
1	80	75
0	85	80

Notes:

- (1) For example, this means the measured noise level may not exceed 55 dB(A) for more than 30 minutes out of any one hour time period.

F. Commercial/Industrial exterior noise standard. Whenever a new office, commercial, hotel/motel or light industrial use is proposed on a parcel where the existing ambient noise levels may exceed 70 dB(A) CNEL, the land use permit application shall include an acoustical analysis of the effect of noise sources on the use. The acoustical analysis shall identify appropriate mitigation measures that reduce noise levels to acceptable levels. These mitigation measures shall be incorporated into the design, construction and operation of the use. Office, commercial, hotel/motel and light industrial uses that cannot mitigate noise levels to “Normally Acceptable” levels as defined in General Plan Figure N-3 (Noise Compatibility Guidelines) shall not be approved.

G. Public/Institutional exterior noise standard. Whenever a hospital, library, school, congregate care, or similar public or institutional use is proposed on a parcel where the existing ambient noise levels may exceed 65 dB(A) CNEL, the land use permit application shall include an acoustical analysis of the effect of noise sources on the use. The acoustical analysis shall identify appropriate mitigation measures that reduce noise levels to acceptable levels. These mitigation measures shall be incorporated into the design construction and operation of the use. Public and institutional uses that cannot mitigate noise levels to “Normally Acceptable” levels as defined in General Plan Figure N-3 (Noise Compatibility Guidelines) shall not be approved.

H. Sensitive land uses. Whenever a use is proposed on a parcel where the expected noise levels generated by the use, when measured at any receiving church, hospital, public library, residential or school property may exceed the noise level standards established by Table 3-6, the land use permit application shall include an acoustical analysis of the effect of the noise generated by the use on the sensitive land use property. An acoustical analysis shall also be required when a commercial or industrial loading dock or area is located within 300 feet of a sensitive use. The acoustical analysis shall identify appropriate mitigation measures that reduce exterior noise levels to acceptable levels established by Table 3-6. These mitigation measures shall be incorporated into the design, construction and operation of the use.

I. Vibration-sensitive land uses. Any new vibration-sensitive land uses (defined as any church, hospital, hotel, public library, residence, school institution, doctors office, and offices and manufacturing uses that have vibration-sensitive equipment) which are requesting approval of a land use permit and are sited within 200 feet of the centerline of the Union Pacific Railroad tracks shall be required to submit vibration assessment. The vibration assessment shall be prepared consistent with Federal Transit Administration vibration standards and shall include all feasible measures to reduce potential impacts from groundborne vibration. Where all feasible measures identified in the vibration assessment would not reduce groundborne vibration levels below the maximum-acceptable vibration criteria set forth by the Federal Transit Administration, all vibration-sensitive land uses and buildings shall be sited at least 200 feet from the centerline of the Union Pacific Railroad tracks.

IJ. Mitigation. Reasonable noise mitigation measures including building setbacks, alternative site design techniques and alternative building orientation layouts shall be employed in lieu of sound walls, perimeter and/or barrier fencing, or earthen berms to mitigate noise impacts. Installation of sound walls is prohibited. Sound walls may only be used if the review authority finds that there are no other reasonable mitigation measures available and that the height, location, aesthetics and screening of the sound wall comply with all other applicable sections of this Development Code.

18.44.050 - Residential Interior Noise Standards

Single-family and multifamily residential development shall be designed and constructed to comply with the interior noise standards of this Section.

- A. Interior noise standard.** Whenever a new single-family or multifamily dwelling unit is proposed on a parcel where the existing exterior ambient noise level may exceed 60 dB(A) CNEL, the land use permit application shall include an acoustical analysis showing the dwelling unit has been designed to limit intruding noise to an interior CNEL of 45 dB, in compliance with California Code of Regulations Title 24, Part 2.
- B. Residential development affected by aircraft noise.** Land use permit applications for residential structures proposed within the Airport 55 dB CNEL contour shall comply with the provisions of Section 18.64.060 (Airport Noise Zones).
- C. Noise mitigation measures.** Whenever interior noise levels may exceed 45 dB CNEL, residential developments shall incorporate the following noise mitigation measures, where appropriate:
1. Increase the distance between the noise source and the receiver;

natural and undisturbed state and shall be maintained in a manner which minimizes the danger of fire hazards. A minimum 10-foot setback from a delineated wetland shall be required for all improvements, including grading, structures, cantilevered features, footings.

C. Disturbance and restoration of wetlands. Development projects resulting in the disturbance of wetlands shall require the approval of a ~~Minor~~ Use Permit in compliance with Chapter 18.76 (Use Permits and Minor Use Permits). The review authority may approve a ~~minor~~-use permit for disturbance of wetlands only if all of the following findings can be made:

1. The wetlands and/or the wetland setback area cannot be avoided and there are no feasible alternatives or mitigation to disturbance of the wetlands;
2. Any wetlands removed or destroyed as part of the project are mitigated by the restoration or creation of wetland habitat at a rate of 1.5 to 1 (1.5 units of restored habitat for each unit of habitat removed or destroyed);
3. The disturbance and/or removal of the wetlands and/or the wetland setback area complies with all applicable Federal and State regulations; and
4. The project is not requesting a Streamlined Residential Review (Chapter 18.79).

18.46.050 - Open Space Standards

A. Minimum open space requirements.

1. **Low Density Residential Zones:** All new residential subdivisions within the low density residential zoning districts (i.e., RR, RL and DRL) shall provide permanent open space. The minimum amount of open space required within the property shall be either:
 - a. The sum of all areas listed in Section 18.46.010 and all those OS zoned portions of the property; or
 - b. As shown in Table 3-7 below, whichever is greater. Portions of the property zoned OS and areas listed in Section 18.46.010 above shall be credited toward the minimum open space area requirement.
 - c. Within proposed single-family lot boundaries, setback areas shall not count toward the minimum open space area requirement.

1. The Director may approve the temporary reduction of parking or loading spaces in conjunction with a seasonal or intermittent use for not more than 90 days in any calendar year.
 2. All parking facilities including, but not limited to, curbs, directional markings, accessible symbols, landscaping, pavement, signs, striping and wheel stops, and other facilities, shall be permanently maintained by the property owner/tenant in good repair, free of litter and debris, potholes, obstructions and stored material.
- B. Parking and loading to be unrestricted.** Owners, lessees, tenants or persons having control of the operation of a premises for which parking or loading spaces are required by this Chapter shall not prevent, prohibit or restrict authorized persons from using these spaces without prior approval of the Director.
- C. Vehicles for sale.** Vehicles, trailers or other personal property shall not be parked upon a public or private street, parking lot, or public or private property for the purpose of displaying the vehicle, trailer or other personal property for sale, hire or rental, unless the property is appropriately zoned and the vendor is licensed to transact business at that location.
- D. Company-owned vehicle parking in residential zones.** The parking of company vehicles is allowed in any residential zoning district in compliance with the following standards:
1. No more than one company-owned vehicle in excess of 10,000 lbs gross vehicle weight shall be permitted to be stored or parked on a residentially zoned parcel where it is visible from the street or adjacent streets.
 2. No more than one piece of company-owned heavy equipment/construction equipment up to 30 feet in length per parcel where it is visible from the street or adjacent properties.
 3. No more than one tow truck up to 30 feet in length per parcel.
 4. The number of parking spaces required by this Chapter does not include spaces required for the parking of company-owned vehicles in excess of 10,000 lbs gross vehicle weight or 30 feet in length. One additional parking space shall be provided for each additional vehicle or equipment referenced in Section 18.48.030.D.1, 2, and 3 above. (i.e., for a single-family dwelling two spaces would need to be provided for the residence and one additional space would need to be provided for a company-owned vehicle in excess of 10,000 lbs gross vehicle weight or 30 feet in length for a total of three on-site parking spaces).
- E. Parking Management Plan.** For projects with multifamily residential dwellings, a Parking Management Plan for management of onsite parking shall be submitted for consideration by the review authority. The plan shall include assigned parking spaces, a designated management contact for parking issues, acknowledgement that on-street parking is not allowed from November 1 to April 30 each year, and acknowledgement that offsite parking passes are not guaranteed in the Downtown area.

**TABLE 3-8
PARKING REQUIREMENTS BY LAND USE (Continued)**

Land Use Type: Residential Uses	Vehicle Spaces Required
Accessory dwelling units	1 space, in addition to that required for the single-family dwelling, unless exempt under Section 18.58.025.
Group quarters (Including boarding houses, rooming houses, dormitories, and organizational houses such as residential care homes)	1 space per each bed, plus 1 space per each 8 beds for guest parking, 1 space per each employee on largest shift.
Mobile homes (in M.H. parks)	2 spaces per each mobile home (tandem parking allowed in an attached carport), plus 1 guest parking space for each 4 units.
Multifamily dwelling, including condominiums, townhouses, townhomes and other attached dwellings.	Studio and 1 bedroom units - 1.5 spaces per each unit with 1 space per unit in a fully enclosed garage. Spaces not required to be in garage for affordable housing units.
	2 bedrooms or more - 2 spaces per each unit, with 1 space per unit in a fully enclosed garage. Spaces not required to be in garage for affordable housing units.
	Guest parking - 25% of total required spaces.
Mixed-use developments	Determined by Use Permit.
Senior citizen congregate care/Congregate care housing	0.5 space per each residential unit, plus 1 space per each 4 units for guests and employees.
Single-family dwelling	2 spaces.

**TABLE 3-8
PARKING REQUIREMENTS BY LAND USE (Continued)**

Land Use Type: Service Uses	Vehicle Spaces Required
Banks and Financial Institutions	1 space per each 300 sq. ft. of gross floor area
Bed and Breakfast Inns	1 space per each guest room, in addition to the required parking for the residential use.
Copy and reproduction	1 space per each 400 sq. ft. of gross floor area.
Depots: bus, freight, or rail	Determined by Use Permit
Construction/heavy equipment rental	1 per each 300 sq. ft. of gross floor area, plus 1 space per each 1,000 sq. ft. of outdoor display, sales, storage, and work area.
Hotels and motels	1 space per each guest room, plus 1 space per each 2 employees on largest shift, plus required spaces for accessory uses.
Kennels and animal boarding	1 space per each 500 sq. ft. of gross floor area, plus 1 space for each 800 sq. ft. of boarding area
Medical services	
Clinics, laboratories, medical/ dental offices	1 space per each 200 sq. ft. of gross floor area.
Extended care (elderly, skilled nursing facilities and residential care homes)	1 space per each 3 beds the facility is licensed to accommodate
Hospitals	1 space per each patient bed the facility is licensed to accommodate, plus 1 space per each 400 sq. ft. of office area, plus required spaces for ancillary uses as determined by the Director.
Medical/dental labs	1 space per each 300 sq. ft. of gross floor area.
Offices, business and professional	1 space per each 250 sq. ft. of gross floor area for the first 5,000 sq. ft. and 1 space per each 300 sq. ft. thereafter.
Pet grooming	1 space per each 400 sq. ft. of gross floor area.
Personal services	
Barber/beauty shops (and other personal services, tattoo studios, massage therapy)	1 space per each 250 sq. ft. of gross floor area.
Public buildings and structures	Determined by Use Permit

**TABLE 3-8
PARKING REQUIREMENTS BY LAND USE (Continued)**

Land Use Type: Service Uses (Continued)	Vehicle Spaces Required
Dry cleaning pick-up facilities	1 space per each 400 sq. ft. of activity area (office, reception area, counter area), plus 1 space per each 1,000 sq. ft. of storage or work area.
Laundromats	1 space per each 250 sq. ft. of gross floor area.
Repair/maintenance – consumer products	1 space per each 250 sq. ft. of gross floor area
Repair/maintenance– vehicles Repair garage Self-service vehicle washing Full-service vehicle washing	4 spaces per service bay, plus adequate queuing lanes for each bay, plus 1 space for each 2 employees on the largest shift. 2.5 spaces per washing stall, for queuing and drying. 10 spaces, plus 10 spaces per wash lane for drying area, plus queuing area for 5 vehicles ahead of each lane.
Service stations	1 space per each 180 sq. ft. of gross floor area, plus 3 spaces per each service bay.
Storage, personal storage facilities (mini-storage)	2 spaces for manager office.
Veterinary clinics animal hospitals, kennels, boarding	1 space per each 250 sq. ft. of gross floor area, plus 1 space per each 800 sq. ft. of boarding area.

18.48.050 - Adjustments to Off-Street Parking Requirements

A. Shared parking reduction. Where two or more non-residential uses are developed as a recognized shopping or professional center and two or more uses have distinct and differing peak traffic usage periods (for example, a theater and a bank) or share customers (for example, a restaurant and retail store), a reduction in the required number of parking spaces may be approved, provided that the most remote space is located within 500 feet of the use it is intended to serve (as measured along the most direct pedestrian path). The amount of reduction may be up to 25 percent of the total parking spaces required for the uses. A parking study analyzing peak hour parking demands for the uses may be required.

~~Mixed use projects that include residential uses may be eligible for parking space reduction incentives in compliance with Section 18.58.140 (Mixed Use Development).~~

B. Compact car spaces. Compact car spaces may be provided for up to 25 percent of the total number of required spaces. Compact car spaces shall be a minimum of eight feet by 14 feet in size and shall be clearly marked “Compact Only” in letters not less than 12 inches high and seven inches wide.

- B. The Sign Design Guidelines (Chapter 18.56) shall be used during review of the project land use permit application to ensure that signs are well designed, compatible with the existing and future land uses and signs in the vicinity, and do not detract from the overall visual quality of the Town.
- C. Permanent signs that are part of a project that requires discretionary land use permits within the Historic Preservation (-HP) overlay district shall be subject to Historic Design Review and the recommendations made to the review authority in accordance with Chapter 18.77.
- D. Standalone permanent signs within the Historic Preservation (-HP) overlay district that do not require additional discretionary land use permits shall not be subject to Historic Design Review but shall comply with the standards of this Chapter and the standards of Chapter 18.77 (Historic Design Review).
- E. Definitions and graphics for sign types and other terms used in this Chapter are found in Chapter 18.220 (Definitions, Glossary).

18.54.030 - Sign Plan Review Requirements

- A. **Sign Plan review required.** To ensure compliance with the requirements of this Chapter, Sign Plan review and approval shall be required before any permanent sign is erected, moved, altered or reconstructed. Sign Plan review shall be initiated when a completed application is submitted to the Department. Approval of a Sign Plan shall be required for all new projects. For multiple tenant sites/centers, the applicant may choose to request approval of a Comprehensive Sign Program (Section 18.54.040) instead of a Sign Plan. For all projects that require a discretionary land use permit, submittal and review of a Sign Plan application concurrent with the primary land use application is encouraged to ensure thoughtful incorporation of sign design and sign locations in the overall design. If a discretionary permit is not required, the Sign Plan application shall be reviewed and approved prior to Zoning Clearance issuance. For projects that require an administrative/ministerial land use permit, the Sign Plan application may be submitted and approved in conjunction with the building permit, and Sign Plan fees shall be waived.
- B. **Approval of Sign Plan.** The review authority shall approve a Sign Plan application, with or without conditions, only if all of the following findings are made:
 1. The proposed sign is for a use that is allowed by Article II (Zoning Districts) and complies with all applicable provisions of this Chapter, the Development Code, the Municipal Code, the Public Improvements and Engineering Standards, any applicable Specific Plan or Master Plan, and any applicable Comprehensive Sign Program; and
 2. The proposed sign is consistent with the design guidelines and historic design guidelines (for signs in the -HP district), achieves the overall design objectives of the guidelines, and would not impair the design and architectural integrity and character of the surrounding neighborhood.
 3. **Deviations.** The review authority will approve deviations to the sign standards of this Chapter, including sign area, number of signs, location, height, and/or material, only if all of the following findings below are made in addition to the two findings above:

~~a. The Sign Plan application is for a single sign or single business. (For multiple business sites/centers, refer to Section 18.54.040 for Comprehensive Sign Program Requirements);~~

~~ba.~~ The requested deviation is based on site-specific conditions or design features, including business entry location, site visibility, architectural style, building mass and/or historic resource compatibility, that are unique to the applicable property;

~~eb.~~ The requested deviation is the minimum necessary to create a superior Sign Plan with the highest quality signs that are well-integrated with the overall building/project and are compatible with existing and future land uses in the vicinity; and

~~ec.~~ If the property is located within the Historic Preservation (-HP) overlay district, deviations to the sign standards of this Chapter shall be subject to Historic Design Review in accordance with Chapter 18.77.

C. Sign Plan time limits and extensions. Unless conditions of approval establish a different time limit, a Sign Plan not exercised within one year of the date of approval shall be deemed expired. The review authority may grant one-time extension of up to one year from the original expiration date if the findings in Section 18.54.030.B can still be made. A Sign Plan reviewed and approved concurrently with a discretionary land use application shall be valid until expiration of the discretionary land use permit.

D. Exemptions from Sign Plan review. Sign Plan review shall not be required for the following signs. Exempt signs shall not be included in the determination of the total allowable number of signs or total allowable sign area for a site. Any deviations from the limitations specified herein shall require Sign Plan review and approval.

1. Permanent signs.

a. Official traffic or government signs or legal notices; public utility, public service or railroad signs that aid in safety; and off-site hospital directional signs;

b. Signs on licensed commercial vehicles, including trailers and food trucks; provided, however, that vehicles/trailers shall not be used as parked/stationary outdoor display signs;

c. Bench and other signs located at Town public transit locations and approved by the Public Works Director; and

d. Signs that are consistent with a previously approved Comprehensive Sign Program in accordance with Section 18.54.040.B.4, and Signs that are not visible from any angle to motorists or pedestrians on any public highway, street, alley or sidewalk, private or public parking lot, or public pedestrian plaza, or from any residential property. The applicant shall provide adequate documentation to the satisfaction of the Director to demonstrate the lack of visibility prior to sign installation.

8. Signs for recipients of the annual *Sierra Sun* “Best of” banners. A banner is allowed at a business that is a recipient of an annual *Sierra Sun* “Best of” award from the current or previous year, in compliance with the following requirements:

a. Maximum size: 25 square feet.

b. Maximum height: Located below the eave or 20 feet from the sidewalk surface, whichever is less.

c. Location requirements: Must be affixed to a wall or window of the business.

d. Number of signs: One maximum.

e. Time limits: Maximum of 90 days per calendar year.

18.54.060 - Prohibited Signs

The following signs are inconsistent with the purposes and standards of this Chapter and are, therefore, prohibited:

- A. A sign not in compliance with the provisions of this Chapter;
- B. A sign that is in the public right-of-way including signs mounted or placed on or in street trees, roundabouts, traffic control devices and/or utility poles, that is not in compliance with the provisions of this Chapter;
- C. Abandoned signs and sign structures (see also Section 18.54.100 (Nonconforming or Abandoned Signs) and signs that are determined by the Director to be deteriorating from inadequate maintenance, evidenced by faded or otherwise unreadable copy, peeling paint, missing parts or other similar conditions;
- D. Animated, moving, flashing, blinking, reflecting, revolving or other similar signs, except barber poles;
- E. Banners, streamers and pennants, except as specifically allowed by the provisions of Section 18.54.050 (Temporary Sign Permit Requirements);
- F. Billboard signs;
- G. Bench signs, except as provided in Section 18.54.030.D (Exemptions from Sign Plan Review);
- H. Cabinet signs that are made of or partly made of plastic, vinyl, fake glass, or other synthetic material, except minor use of synthetic material for lettering to protect internal wiring, and may be internally illuminated;
- I. Changeable copy signs, except as approved for service stations by the review authority, and except for black background chalkboard signs using erasable chalk;

2. **Hours of operation.** The adult entertainment establishment shall not operate or be open between the hours of 2:00 a.m. and 7:00 a.m.
 3. **Security guard(s).**
 - a. At least one security guard shall be on duty outside the premises, patrolling the grounds and parking areas, at all times while the establishment is open. If the occupancy limit of the premises is greater than 50 persons, a second security guard shall be on duty inside the premises.
 - b. The security guard(s) shall be charged with preventing violations of law and enforcing compliance by patrons with the requirements of this Section, and notifying the Police Department and Code Enforcement Director of any violations of law observed.
 - c. Security guards, required by this Section, shall be uniformed so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard in compliance with local and/or State law.
 - d. Security guards, required by this Section, shall not act as a doorperson, ticket seller, ticket taker or admittance person while acting as a security guard in compliance with this Section.
- E. Minors and intoxicated persons excluded.** It shall be a misdemeanor for any person under the age of 18 years, or obviously intoxicated person, to enter or remain on the premises of an adult entertainment establishment at any time. A sign giving notice of this provision shall be prominently posted at each entrance to the premises of the adult entertainment establishment.

18.58.055 - Agricultural Accessory Structures

This Section provides standards for agricultural accessory structures allowed in the zoning district applicable to a parcel (see Section 18.08.030, Residential Zoning District Land Uses and Permit Requirements and Section 18.16.030, Special Purpose District Land Uses and Permit Requirements). An agricultural accessory structure is an uninhabited structure for the storage of farm animals, implements, supplies or products, that contains no residential use and is not open to the public. Includes barns, grain elevators, silos and other similar structures, but not commercial greenhouses or structures for agricultural processing activities; coops, corrals, pens and stables; and wind machines for water pumping or other conversion of wind energy to mechanical or thermal power.

A. General requirements. Agricultural accessory structures are subject to the following standards, except where more restrictive requirements are established by other provisions of this Section for specific uses.

1. **Relationship of accessory use to main use.** Accessory uses and structures shall be incidental to and not alter the character of the site from that created by the main use.
2. **Standards for accessory structures.** An agricultural accessory structure shall comply with the requirements of this Development Code applicable to the main structure,

including heights, parcel coverage and setbacks, unless otherwise specified in this Development Code.

B. Building Permits. The Building Permit for an agricultural accessory use or structure shall not be:

1. Issued unless there is an established use on the subject property or the permit is issued in conjunction with a permit to establish a primary use on the site; and
2. Finaled until there is an established use on the subject property or the permit to establish the primary use is finaled.

C. Cumulative size of agricultural accessory structures. The maximum cumulative size for all allowed agricultural accessory structures on a parcel shall be in compliance with Table 3-13.

TABLE 3-13
CUMULATIVE SIZE OF AGRICULTURAL ACCESSORY STRUCTURES

<u>Type of Structure</u>	<u>Size of Parcel</u>	<u>Maximum Cumulative Floor Area</u>
<u>Agricultural accessory structures</u>	<u>Less than five acres</u>	<u>2,000 sq. ft. (1)</u>
	<u>Five acres or greater</u>	<u>5,000 sq. ft. (1)</u>

Notes:

- (1) An open-air agricultural accessory structure (i.e., uncovered and unenclosed) shall not be construed as an accessory structure for the purpose of calculating floor area.

18.58.060 - Animal Raising and Keeping

A. Applicability. The standards of this Section shall apply to the raising and keeping of the following animals on a property in association with a primary residential use:

1. Household pets – Animals that are customarily kept within a residence for companionship or enjoyment, including but not limited to dogs, cats, birds, fish, reptiles, and other small domesticated animals, and that are not kept for commercial, agricultural, or livestock purposes. Includes a maximum of one miniature pig of 25 pounds or less per single-family dwelling. ~~Includes cats, canaries, dogs, parrots and other varieties of birds and animals ordinarily kept as household pets;~~
2. Exotic or wild animals – Non-domesticated animals that require a permit from the California Department of Fish and Game or the United States Department of Agriculture for the raising and keeping of such animal. ~~Includes foxes, monkeys, raccoons, snakes, etc.;~~
3. Fowl ~~and other small animals~~ and birds – Outdoor domesticated birds such as chickens (excluding backyard chickens), ducks, geese, turkeys, pigeons, and other similar species. ~~Includes chickens, ducks, geese, pigeons, turkeys and other fowl excluding~~

- ~~backyard chickens, and chinchillas, guinea pigs, hamsters and all types of similar rodents; and~~
4. Livestock and other large animals – Includes alpacas, ewscattle, donkeys, goats, horses, mules ~~or ponies~~, ostriches, sheep, ~~steers~~ and swine; and
 5. Backyard Chickens – Domesticated chickens kept by individuals or households in a residential setting. Does not include roosters~~includes chicks and hens kept as household pets.~~

Commercial kennels may be permitted subject to approval only in zoning districts that specify “Veterinary Clinics, Animal Hospitals, and Kennels” as an allowed use. Smaller, private breeding operations that do not qualify as a commercial kennel may only be allowed with approval of a Home Occupation permit in accordance with Section 18.58.120.

- B. Permit Requirements and Maximum number of animals.** Table 3-14 identifies the maximum number of animals allowed on a single residential parcel or dwelling unit. An animal unit is equal to one livestock or other large animal or 10 fowl or bird..

**TABLE 3-14
PERMIT REQUIREMENTS AND MAXIMUM ALLOWABLE ANIMALS**

<u>Type of Animal</u>	<u>Maximum Number/ Minimum Site Area</u>	<u>Permit Requirements</u>
<u>Household pets</u>	<u>Shall not exceed four dogs and/or four cats, over four months of age, per single-family residential dwelling, and shall not exceed two dogs and/or two cats, over four months of age, per multifamily residential dwelling</u>	<u>Exempt if in compliance with the maximum number of allowed animals and is in conjunction with a primary residential use.</u> <u>Maximum number of allowed animals may be exceeded in RR, RC and REC zoning districts subject to the issuance of a Minor Use Permit in compliance with Chapter 18.76.</u>
<u>Exotic or wild animals</u>	<u>Subject to the issuance of a Minor Use Permit, in compliance with Chapter 18.76.</u>	<u>Subject to the issuance of a Minor Use Permit, in compliance with Chapter 18.76.</u>
<u>Livestock, other large animals, fowl and birds (2)</u>	<u>Minimum site area shall equal 0.5 acres for each animal unit (1) A maximum of 10 animal units, subject to the standards identified in Section 18.58.060.C (2)</u>	<u>Permitted in the RR, RC, and REC zoning districts, subject to the standards identified in Section 18.58.060.C.</u> <u>Exceeding the maximum number of animal units or the keeping of one animal unit on a parcel less than 0.5 acres may be permissible subject to the issuance of a Minor Use Permit in compliance with Chapter 18.76</u>
<u>Backyard Chickens</u>	<u>Single-Family Dwelling 2,500 sq. ft. – 2 chickens 5,000 sq. ft. – 4 chickens 10,000 sq. ft. – 6 chickens</u>	<u>Exempt if in compliance with the standards identified in Section 18.58.060.D and is in association with a single-family residential use. Issuance of a Minor Use Permit in compliance</u>

<u>Type of Animal</u>	<u>Maximum Number/ Minimum Site Area</u>	<u>Permit Requirements</u>
	<p><u>0.5 acres – more than six with issuance of a Minor Use Permit</u></p> <p><u>Multifamily Dwelling</u> <u>Subject to the issuance of a Minor Use Permit, in compliance with Chapter 18.76.</u></p>	<p><u>with Chapter 18.76 required to exceed 6 chickens.</u></p> <p><u>Issuance of a Minor Use Permit in compliance with Chapter 18.76 required in association with multi-family uses.</u></p>

Notes:

- (1) A property owner shall have the full site area increment to receive the animal allotment; e.g. 1.4 acres is allowed only two animal units (not three).
- (2) The parcel shall meet the minimum site area requirements for the number of animal units to be kept on the parcel. For example, a parcel with an approved Minor Use Permit to keep 15 animal units shall have a minimum site area of 7.5 acres (0.5 acres per animal unit).

**TABLE 3-13
MAXIMUM ALLOWABLE ANIMALS**

<u>Type of Animal</u>	<u>Maximum Number/ Minimum Site Area</u>	<u>Special Standards</u>
Household pets	<p><u>Shall not exceed four dogs and/or four cats, over four months of age, per single-family residential parcel, and shall not exceed two dogs and/or two cats, over four months of age, per multifamily residential unit</u></p>	<p><u>Allowed in all dwelling units (1)</u></p>
Exotic or wild animals	<p><u>Subject to Minor Use Permit</u></p>	<p><u>Keeping of exotic or wild animals that require a permit from the Department of Fish Game may be permissible subject to the issuance of a Minor Use Permit, in compliance with Chapter 18.76.</u></p>
Livestock, other large animals, fowl and other small animals and birds (2)	<p><u>Minimum site area shall equal 0.5 acres for each animal unit (3, 4)</u></p>	<p><u>A maximum of 10 animal units, subject to the standards identified in Section 18.58.060.C (Animal raising and keeping standards), below (5)</u></p>
Backyard Chickens	<p><u>See Development Code Section 18.58.060.D</u></p>	<p><u>See Development Code Section 18.58.060.D</u></p>

Notes:

- (1) Raising and keeping of household pets in compliance with the maximum number of allowed animals, in conjunction with a primary residential use, is exempt from permit requirements. The keeping of more than the maximum number of household pets may be permissible in the RR, RC and REC zoning districts subject to the issuance of a Minor Use Permit in compliance with Chapter 18.76.
- (2) The keeping of livestock, other large animals, fowl and other non household pet small animals and birds is allowed only in the RR, OS, RC and REC zoning districts.

- ~~(3) A property owner shall have the full site area increment to receive the animal allotment; 0.5 acres for the first animal, and 1.4 acres is allowed only two animal units (not three). The keeping of one livestock or other large animal or 10 fowl or other small animal or bird on a parcel not meeting the minimum site area (0.5 acres) may be permissible subject to the issuance of a Minor Use Permit in compliance with Chapter 18.76.~~
- ~~(4) An animal unit is equal to one livestock or other large animal or 10 fowl or other small animal or bird.~~
- ~~(5) The keeping of more than 10 animal units may be permissible subject to the issuance of a Minor Use Permit in compliance with Chapter 18.76. The parcel shall meet the minimum site area requirements for the number of animal units to be kept on the parcel. For example, a parcel with an approved Minor Use Permit to keep 15 animal units shall have a minimum site area of 7.5 acres (0.5 acres per animal unit).~~

C. Animal raising and keeping standards. The requirements of this Subsection shall apply to the raising and keeping of livestock and other large animals, and fowl and birds, in association with a primary residential use~~allowable animals, in association with a primary use, except for household pets, exotic or wild animals, and backyard chickens.~~

1. **Site slope requirements.** Animals shall not be allowed on slopes exceeding 30 percent.
2. **Erosion and drainage control plan required.** An erosion and drainage control plan shall be submitted and approved by the Town Engineer for the raising and keeping of animals on parcels over 20 percent in slope. The plan shall propose operational/management measures to prevent grazing to bare soil, and physical measures to prevent sediment transport from the site into waterways, streets or onto adjoining properties;
3. **Existing uses conforming.** Any residential property where animals are legally kept as of the effective date of this Development Code shall be deemed to be conforming. Any expansion of use shall be subject to the provisions of this Section;
4. **Location requirements.**
 - a. **Animal setbacks from RL and RM districts.** Animals shall not be located closer than 10 feet to all property lines adjacent to properties in the RL or RM zoning districts.
 - b. **Fencing.** Corral areas for the containment of the animals shall be located at least 10 feet from all property lines adjacent to properties in the RL or RM zoning districts.
 - c. **Barns or stables.** Barns or stables shall be located at least 30 feet from all property lines on parcels three acres or larger in size and 10 feet from all property lines on parcels less than three acres in size. On parcels less than one acre, side setbacks may be reduced to 10 percent of the width of the parcel, to a minimum of 10 feet, provided that the barn or stable is located no closer than 30 feet to any dwelling(s) on an adjoining parcel;
5. **Site maintenance and animal care.** The site shall be maintained and all animals shall be cared for in a manner that does not create a public health problem, or interfere with the public welfare of surrounding properties; and
6. **Water supply.** An adequate supply of fresh water shall be available to the animals at all times, subject to the approval of the Nevada County Health Officer.

D. Backyard chicken raising and keeping standards. The requirements of this Subsection shall apply to the raising and keeping of backyard chickens on residential parcels as follows:

1. Shelter requirement. A coop shall be provided that meets the following minimum standards:

- a. Be predator-proof from the sides, the top, and from below.
- b. Be located a minimum of 20 feet to the nearest abutting residence and five feet to any property line.
- c. Movable chicken coops are allowed in compliance with Table 3-3 for Residential Accessory Uses and Structures and shall be considered temporary structures.

~~1. Permit Requirement.~~ No permit shall be required for the raising or keeping of backyard chickens on any RL, DRM, DRL, DMU or NMU-R zoned parcel in association with a single family residential use. The keeping of backyard chickens may be permissible in association with multifamily uses in the RM, DRM, DMU, DRH, CMU and NMU zoning districts subject to the issuance of a Minor Use Permit in compliance with Chapter 18.76.

~~2. Lot size requirement.~~ Table 3-14 identifies the maximum number of backyard chickens allowed on a single residential parcel.

**TABLE 3-14
MAXIMUM ALLOWABLE BACKYARD CHICKENS**

Zoning District	Minimum Lot Size	Maximum Number
RL, DRL, DRM, DMU, NMU-R (1)(2)	2,500 sq. ft.	2
	5,000 sq. ft.	4
	10,000 sq. ft.	6
	0.5 acres	More than 6 is subject to Minor Use Permit
RM, DRH, CMU, NMU (2)	Subject to Minor Use Permit	Subject to Minor Use Permit

Notes:

- (1) Raising and keeping of six or fewer backyard chickens shall be allowed in these zoning districts without a permit requirement in association with single family residential uses only
- (2) Raising and keeping of backyard chickens in association with multifamily residential uses in these zoning districts may be allowed subject to Minor Use Permit approval

3. Shelter requirement. A coop shall be provided that meets the following minimum standards:

- a. Be predator proof from the sides, the top, and from below.
- b. Be located a minimum of 20 feet to the nearest abutting residence and five feet to any property line.

~~e. Movable chicken coops are allowed in compliance with Table 3-3 for Residential Accessory Uses and Structures, and shall be considered temporary structures.~~

18.58.070 - Bed and Breakfast Inns

This Section establishes standards for the development and operation of Bed and Breakfast Inns (B&Bs). The intent of these provisions is to ensure that compatibility between the B&B and any adjoining residential zoning districts/uses is maintained and enhanced.

A. Applicability. Bed and Breakfast Inns (B&Bs) are allowed in the RR, RL, DRL, RM, DRM, DRH, DMU, NMU, CN and CH zoning districts with Minor Use Permit approval in compliance with Chapter 18.76, and in the CG and DC zoning districts with Zoning Clearance approval in compliance with Chapter 18.72.

1. Hosted Rental Exceptions. The renting of one designated bedroom within a single-family dwelling for the purpose of overnight or vacation lodging as a hosted rental is allowed as a permitted use, subject to compliance with Municipal Code Chapter 3.24 (Transient Occupancy Tax) and the following criteria:

- f. A hosted rental requires the homeowner(s) to occupy the single-family dwelling as their principal place of residence (i.e., primary home);
- g. At least one homeowner shall live on-site in the main dwelling for the entirety of the visitor's stay, which may be for a period of up to 30 consecutive days;
- h. A maximum of one designated bedroom is allowed per single-family dwelling;
- i. A kitchen, cooking facility, wet bar, or sink outside of a permitted bathroom area shall be prohibited within the designated bedroom;
- j. The designated bedroom shall have internal, conditioned access to the main dwelling; and
- k. Guests shall be provided access to kitchen and sanitation facilities within the main dwelling.
- l. **Prohibited Spaces.** This hosted rental exception does not apply to accessory dwelling units, junior accessory dwelling units, detached living areas, or any portions thereof. Detached living areas may only be rented for a term of less than 31 days if allowed as part of a Bed and Breakfast Minor Use Permit.

B. Exterior appearance. The exterior appearance of the structure housing the B&B in a residential zoning district shall not be altered from its original single-family character except for a sign as allowed by Subsection I, below, and those structural modifications necessary to comply with the requirements of Title 24 of the California Building Code of Regulations.

C. Fire safety. The B&B shall meet the requirements of the Truckee Fire Protection District.

9. **Pools/spas.** Swimming pools/spas shall not be installed, due to high risk and human safety considerations. Additionally, an existing pool/spa shall not remain on the parcel, unless determined by the Director that adequate, secure separation exists between the pool/spa and the facilities used by the children in accordance with state day care licensing requirements.

18.58.090 - Community Centers, ~~Membership Organizations,~~ and Public Assembly Uses

- A. Purpose.** This Section establishes location criteria and standards for the development of public assembly uses (including churches/places of worship), community centers, ~~membership organizations~~ and related accessory uses that provide for compatibility with adjoining land uses. (Related uses of the above including educational, day care and major recreational facilities that are allowed in the applicable zoning district as a permitted or conditional use shall be applied for at the same time of the initial application for the public assembly use, community center or membership organization, or a subsequent land use permit will be required to establish the use.)
- B. Location criteria.** New facilities shall be located either:
1. Located within or contiguous with zoning districts allowing multifamily, commercial, manufacturing or public land uses; or
 2. With frontage on a road designated by the Town as a collector road, or higher functional standard road.
- C. Access.**
1. Direct access to a collector road is not required, but all access shall have a minimum 24-foot wide paved roadway. If the proposed use does not have access to a Town-maintained road, the applicant shall join, form or demonstrate that they are part of a private road maintenance agreement. If the private road is maintained by a homeowners association, participation in a Road Maintenance Association shall be included as part of the application and a Letter of Acknowledgment from the Association shall accompany the application. If a new road maintenance agreement is required, the Town Engineer shall review the submitted agreement.
 2. As an alternative to entering into a road maintenance agreement, the applicant may decide to be solely responsible for the maintenance of the private road. This decision by the applicant shall be deemed a condition of the use of the property and shall be documented by a written declaration of that decision, which shall be recorded in the County Recorder's Office.
- D. Setbacks.** A minimum setback of 25 feet is required from any residentially zoned parcel or any parcel with a residential use as its main use. At least 15 feet of the setback shall be landscaped with the intent of screening all structures and paved areas.
- E. Site coverage.** All new facilities shall meet the lot coverage standards determined by Table 3-15.

1. **Residential Density.** Residential density shall comply with the minimum and maximum density for the applicable zoning district;
2. **Floor Area.** Residential floor space in a mixed-use project shall count towards the allowed floor area as determined by the floor area criteria development standard.
3. **Mixed Use Component.**
 - a. Projects in the CMU and NMU zoning districts are required to provide a mixed-use component in compliance with Section 18.14.050 (Mixed Use Component).
 - b. Nonresidential uses shall be the primary components of a mixed-use project in the M, [DM and DC](#) zoning districts. Residential floor area shall not exceed 50 percent of the total floor area of the mixed-use project. For example, a project with 5,000 square feet of industrial warehouse space may have up to 5,000 square feet of residential floor area.
5. **Inclusionary housing.** Residential units in a mixed-use development project shall comply with Chapter 18.214 (Inclusionary Housing) and Chapter 18.216 (Workforce Housing).
6. **Amenities.** Projects with residential units, including projects where less than two-thirds of the gross floor area of the development is designated for residential use, shall be subject to the applicable requirements of Sections 18.25.050.D (Open Space and Common Outdoor Areas), 18.25.090.B (Balconies, decks, and patios), and 18.25.090.C (Amenities).
6. **Design.** Mixed-use developments shall have commercial spaces on the ground floor on the front of the building and residential uses and other nonresidential uses located above or behind the commercial uses.
7. **Phasing.** The project may be developed as one or more multi-use or single purpose structures. If the project is developed in phases, a proportionate amount of residential units shall be constructed in each phase.

18.58.150 - Mobile Home Parks and Subdivisions

- A. **Purpose.** This Section establishes standards for the location, development and operation of mobile homes in planned, integrated mobile home parks or subdivisions, and to protect the health, safety and welfare of the community and those living within the park or subdivision.
 1. These standards are intended to produce a development with appropriate standards of light and air, open space, pedestrian and vehicular circulation, and a density which is similar to those required by the residential zoning district in which the development is located.
 2. For purposes of this Section, the use of the term “mobile home park” shall mean and refer to both a mobile home park and a mobile home subdivision.

- a. **Signs.** Facilities shall be provided with identification and informational signs as follows:
 - (1) Recycling facilities may have wall signs with a maximum area of 15 percent for each side of the structure or 24 square feet, whichever is less. In the case of a wheeled facility, the side shall be measured from the ground to the top of the container; and
 - (2) Signs shall be both compatible and harmonious with the character of their location.
- b. **Refuse disposal.** The facility shall maintain adequate on-site refuse containers for the disposal of non-recyclable and non-hazardous waste materials.

18.58.220 - Residential Accessory Uses and Structures

This Section provides standards for specific residential accessory uses and structures allowed in the zoning district applicable to a parcel (see Section 18.08.030, Residential Zoning District Land Uses and Permit Requirements). Residential accessory uses include any use that is customarily related to a residence, including driveways, garages, greenhouses, storage sheds, studios, swimming pools/spas and workshops.

- A. **General requirements.** Accessory uses and structures are subject to the following standards, except where more restrictive requirements are established by other provisions of this Section for specific uses.
 - 1. **Relationship of accessory use to main use.** Accessory uses and structures shall be incidental to and not alter the character of the site from that created by the main use.
 - 2. **Standards for accessory structures.** An accessory structure shall comply with the requirements of this Development Code applicable to the main structure, including heights, parcel coverage and setbacks, unless otherwise specified in this Development Code. Residential accessory structures, except for detached garages (including conditioned living area above the garage) ~~and agricultural accessory structures~~, shall not exceed the height of the main residence to ensure that the accessory structure is incidental to and architecturally compatible with the main residence. An accessory structure for multifamily residential uses shall be architecturally compatible with the main structure.
 - 3. **Detached structures.** A conditioned or unconditioned breezeway may be allowed to provide shelter between a detached accessory structure and the main dwelling. A breezeway is a roofed passageway with or without sides connecting two or more buildings or parts of a building.
- B. **Building Permits.** The Building Permit for a residential accessory use or structure shall not be:
 - 1. Issued unless there is a residential use on the subject property or the permit is issued in conjunction with the residential dwelling permit; and
 - 2. Finaled until there is a residential use on the subject property or the permit for the

residential dwelling is finalized.

- C. Antennas.** Antennas are subject to the provisions of Section 18.58.250 (Telecommunications Facilities).
- D. Driveways and Parking Pads.** Driveways and parking pads are accessory uses and only allowed if a residential use is already established on the same property or if a residential dwelling permit is issued in conjunction with the driveway or parking pad permit. Driveways and parking pads are subject to the provisions of Chapter 18.48 (Parking and Loading Standards).
- E. Garages.** Garages shall comply with the following standards, as well as the special setback requirements in Section 18.30.120.E (Setbacks Requirements for Specific Structures and Situations).
- 1. Maximum floor area.**
 - a. A detached accessory garage for a single-family residential parcel shall not occupy more than 1,000 square feet of floor area on parcels less than an acre in size and 2,000 square feet of floor area on parcels between one and five acres in size. On parcels larger than five acres, a detached accessory garage may occupy up to 2,000 square feet of floor area or 100 percent the size of the main residence, whichever is greater. A detached garage is subject to the cumulative size limits for accessory structures as identified in Table 3-17.
 - (1) The floor area for a secondary residential unit in a detached accessory garage shall not be counted as part of the floor area of the garage.
 - (2) The floor area for a detached living area incorporated into a garage structure or in a separate residential accessory structure shall not be counted towards the maximum floor area limits for garages and residential accessory structures. For example, a detached accessory garage on a parcel less than an acre with a 1,600 sq. ft. residence may have a maximum floor area of 1,800 square feet of floor area (1,000 sq. ft. for the garage and 800 sq. ft. for the detached living area). A detached living area and accessory dwelling unit may not be located within a single detached residential accessory structure.
 - b. The floor area of an accessory garage that is attached to a main structure is not limited, except as required by the Building Code or any other applicable Town Code.
 - c. A garage or carport for an accessory dwelling unit: 1) shall be limited to 500 square feet, regardless of whether it is attached to or detached from the accessory dwelling unit; 2) shall be dedicated for use only by residents of the accessory dwelling unit, not accessible to residents of the main dwelling; 3) shall not be counted toward the cumulative maximum size for detached garages on a single parcel if the garage *is* attached to the accessory dwelling unit or main dwelling; and 4) shall be counted toward the cumulative maximum size for detached garages on a parcel if the garage or carport is not attached to the accessory dwelling unit or main dwelling.
- F. Detached Living Areas.** Living quarters which are designed for human occupancy and are physically detached from and not a required element of the main dwelling. Includes bedrooms,

recreation rooms, home offices, heated workshops, and similar habitable areas in any area where single-family dwellings are allowed in compliance with Article II (Zoning Districts and Allowable Land Uses), [subject to the same permit requirements as the main residence](#).

1. **Access.** The detached living area may have direct, covered access to the main dwelling, and shall be designed to provide practical pedestrian access to the main dwelling.
2. **Design standards.** A detached living area shall be designed as follows:
 - a. **Maximum floor area.** The gross floor area shall not exceed 600 square feet of gross floor area.
 - b. The detached living area shall be designed to maintain visual consistency and compatibility with the main dwelling and with other residential structures in the surrounding neighborhood;
 - c. The detached living area may only include a sleeping area, living area, and a bathroom;
 - d. The detached living area shall not contain a kitchen or other cooking facilities; and
 - e. A detached living area and accessory dwelling unit may not be located within a single detached residential accessory structure.
3. **Proximity.** The detached living area shall be located within the following distance of the main dwelling or the main dwelling's attached garage:
 - a. For single-family parcels under 1 acre in size and all multifamily parcels: 100 feet.
 - b. For single-family parcels of 1 acre to 1.99 acres in size: 150 feet.
 - c. For single-family parcels 2 acres in size or larger: 200 feet.
4. **Maximum number of structures.** Only one detached structure with living area shall be allowed on a single legal parcel of record.
5. **Plumbing and electrical installations.** Allowable plumbing shall be limited to that required for a single bathroom. The bathroom may only contain one single one-well sink with a maximum surface area of two square feet, one toilet, and one shower/tub. Electrical installation shall be limited to the minimum required for heating, light and ventilation. Line drawings shall be submitted for approval and shall delineate all plumbing and electrical installations proposed in compliance with this standard.
6. **Rentals prohibited.** The detached living area shall not be separately rented or leased from the main dwelling, whether compensation is direct or indirect.
7. **Subdivision prohibited.** The portion of the site accommodating the detached living area shall not be subdivided from the portion of the site containing the main dwelling.

8. **Utilities.** All utilities serving the detached living area (e.g., electricity, gas, sewer and water) shall be common to and dependent on the main dwelling. The detached living area shall not be provided with separate utility meters.
- G. Greenhouses.** An accessory greenhouse may occupy up to 500 square feet for each parcel less than or equal to 0.5-acres in size and up to 25% of the dwelling on parcels greater than 0.5-acres in size.
- H. Home occupations.** Home occupations are subject to the requirements of Section 18.58.120 (Home Occupations).
- I. Play structures and treehouses.** Play structures shall have a maximum height of 12 feet. A treehouse supported primarily by a tree or trees shall comply with the following: 1) shall not exceed 64 square feet in floor area, 2) shall not exceed a total height of 12 feet measured from natural grade to the highest point of the treehouse structure, 3) shall not include a heat source, electrical or plumbing, and 4) shall conform to all standard setbacks applicable to the main dwelling.
- J. Swimming pools/spas/hot tubs.** Private swimming pools, spas and hot tubs are allowed accessory to approved residential uses on the same parcel, subject to the following provisions:
1. The pool is to be used solely by occupants of the dwelling(s) on the same parcel and their invited guests; and
 2. The pool shall be secured by fencing and/or walls to prevent uncontrolled access by children in compliance with the Town Building Code.
 3. The pool is subject to the setback requirement in Section 18.30.120.E Table 3-3.
- K. Tennis and other recreational courts.** Non-commercial outdoor tennis courts and courts for other sports (e.g., racquetball, etc.) accessory to a residential use are subject to the following requirements:
1. Fencing shall be subject to the height limits of Section 18.30.070 (Fences, Walls and Hedges). Fencing for non-commercial outdoor courts up to a maximum of 20 feet in height, located outside the required setbacks, may be authorized by the Zoning Administrator through a Minor Use Permit in compliance with Chapter 18.76 (Use Permits and Minor Use Permits);
 2. Lighting for non-commercial outdoor courts may be authorized by the Zoning Administrator through a Minor Use Permit in compliance with Chapter 18.76 (Use Permits and Minor Use Permits).
- L. Vehicle storage.** The outdoor storage of vehicles, including incidental restoration and repair, is subject to Chapter 10.20 (Abandoned Vehicles) of the Municipal Code.
- M. Cumulative size of accessory structures.** The maximum cumulative size for all allowed accessory structures on a parcel, but not including an accessory dwelling unit in a detached structure, shall be in compliance with Table 3-17.

**TABLE 3-17
CUMULATIVE SIZE OF ACCESSORY STRUCTURES**

Type of Structure	Size of Parcel	Maximum Cumulative Floor Area
Agricultural accessory structures	Less than five acres	2,000 sq. ft. (1)
	Five acres or greater	5,000 sq. ft. (1)
All other structures including detached garages, carports and covered storage areas but not agricultural accessory structures	Less than one acre	1,000 sq. ft. (21)(32)
	One to five acres	2,000 sq. ft. (21,32)
	More than five acres	2,000 sq. ft. or 100% of the gross floor area of the dwelling(s), whichever is greater. (2,3)

Notes:

- (1) ~~An open air agricultural accessory structure (i.e., uncovered and unenclosed) shall not be construed as an accessory structure for the purpose of calculating floor area.~~
- (21) Consistent with Section 18.58.220.F.c, a garage for an accessory dwelling unit that is not attached to the accessory dwelling unit or main dwelling shall be counted towards the cumulative maximum size for detached garages on a parcel.
- (32) Except for a detached accessory garage ~~or an agricultural accessory structure~~, the floor area of a single detached accessory structure shall not exceed 30 percent, nor shall the sum of the floor area(s) of the total number of detached accessory structures exceed 40 percent of the floor area of the main dwelling. A covered patio or barbecue area shall not be construed as an accessory structure for the purpose of calculating floor area.

18.58.240 - Senior Citizen Projects

This Section establishes procedures, standards and a density bonus for the development of apartments for senior citizens and/or senior citizen independent living centers (Subsection A, below) and senior citizen congregate care housing facilities (Subsection B, below). The intent of these standards is to ensure compatibility with surrounding land uses and to provide a campus-like atmosphere coordinating all on-site facilities.

A. Multifamily senior citizen projects. Multifamily residential projects restricted for occupancy to independent residents 55 years or older and does not provide medical or institutional facilities are considered standard multifamily residential dwellings and shall meet standards of Chapter 18.25 (Objective Design Standards). These projects may be senior citizen apartments, independent living centers, or senior communities and may include community dining buildings, recreation buildings, and programming for activities and transit.

1. **Additional facilities.** If developed in a campus-like atmosphere with institutional or medical uses, skilled nursing facilities and/or intermediate care facilities, the project may be allowed with the approval a Use Permit in compliance with Chapter 18.76 (Use Permits and Minor Use Permits); and
2. **Parking.** Off-street parking shall comply with Chapter 18.48 (Parking and Loading Standards) for “Multifamily Dwelling”.

CHAPTER 18.62 - TEMPORARY USES AND EVENTS

Sections:

- 18.62.010 - Purpose of Chapter
- 18.62.020 - Applicability
- 18.62.030 - Exempt Temporary Uses and Events
- 18.62.040 - General Requirements for All Temporary Uses
- 18.62.050 - Requirements for Specific Temporary Uses and Events
- 18.62.060 - Conditions of Approval

18.62.010 - Purpose of Chapter

This Chapter provides standards for short-term commercial uses and events that may not meet the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature.

18.62.020 - Applicability

- A. **Scope of requirements.** This Chapter identifies the provisions (exempt uses, allowable uses, development standards, etc.) to assist in the review and determination on a Temporary Use Permit to ensure basic health, safety and community welfare standards are met, and only suitable temporary uses with the minimum necessary conditions or limitations consistent with the temporary nature of the use are approved.
- B. **Permit requirements.** The provisions of this Chapter shall be applied together with Chapter 18.80 (Temporary Use Permits), which identifies the following additional information regarding the processing and review of a Temporary Use Permit:
 1. Purpose of a Temporary Use Permit;
 2. Applicability of a Temporary Use Permit;
 3. Findings and Decision on a Temporary Use Permit;
 4. Conditions of Approval to be imposed on a Temporary Use Permit; and
 5. Post Approval Procedures for an approved Temporary Use Permit.
- C. **Allowed uses.** Only those temporary uses and events identified in Section 18.62.030 (Exempt Temporary Uses and Events), Section 18.62.050 (Requirements for Specific Temporary Uses and Events), and Tables 2-2 (Allowed Uses and Permit Requirements for Residential Zoning Districts), 2-3 (Allowed Uses and Permit Requirements for Downtown Residential Zoning Districts), ~~2-6-7~~ (Allowed Uses and Permit Requirements for Commercial and Manufacturing Districts), ~~2-7-8~~ (Allowed Uses and Permit Requirements for Downtown Commercial and Manufacturing Districts), [Table 2-10 \(Allowed Uses and Permit Requirements for Mixed Use Districts\)](#) and ~~2-9-12~~ (Allowed Uses and Permit Requirements for Special Purpose Districts) shall be allowed. All other temporary uses of land shall be prohibited.

CHAPTER 18.72 – ZONING CLEARANCE

Sections:

- 18.72.010 - Purpose of Chapter
- 18.72.020 - Applicability
- 18.72.030 - Review and Decision
- 18.72.040 - Conditions of Approval

18.72.010 - Purpose of Chapter

- A. This Chapter establishes procedures for the review and approval or denial of Zoning Clearances, which are required by the Town to verify that a requested land use activity and/or structure is an allowed land use within the applicable zoning district and complies with the development standards and any design guidelines applicable to the land use or the zoning district of the site.
- B. The review process begins with the recognition that the proposed use/construction is allowed in the zoning district and focuses on issues related to site layout and design in order to arrive at the best utilization of the subject site and compatibility of design with surrounding properties.
- C. The process includes the filing of a building permit application or land use permit application with the Director to verify compliance with all applicable land use development standards, any applicable design guidelines and the requirements of other Town departments.

18.72.020 - Applicability

Where Article II (Zoning Districts and Allowable Land Uses) requires Zoning Clearance, the Director shall evaluate the proposed use or structure in compliance with this Chapter.

- A. **Eligibility for Zoning Clearance.** A Zoning Clearance may be issued by the Director for land use activities or structure(s) identified in Article II (Zoning Districts and Allowable Land Uses) as an allowed use as follows:

1. A non-residential, multifamily or mixed-use project involving new structures or additions to existing structures with a total gross floor area of less than 7,500 square feet (less than 5,000 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or

~~1.2. For projects of a~~ A single-family dwelling, accessory dwelling unit, and/or residential accessory structure, involving a change in land use, creation of a timeshare, new structures or additions to existing structures with a total gross floor area of less than 7,500 square feet (less than 5,000 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or

~~2. For non-residential projects, new structures, or additions to existing structures with a total gross floor area of less than 7,500 square feet (less than 5,000 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or~~

3. ~~For A~~ non-residential projects involving a change in land use within an existing permitted structure; or
4. ~~For A~~ multifamily residential projects; involving a change in land use, new structures, or additions to existing structures with 10 or fewer residential units;
5. ~~For A~~ Deed-Restricted Housing Incentives Program projects consistent with Chapter 18.213 (Deed-Restricted Housing Incentive Projects), reference the review process outlined in Section 18.213.020 (Review Process); and/or
6. ~~For a~~ All projects involving a change in land use, new structures, additions to existing structures, new improvements, or additions to existing improvements with site disturbance (grading, impervious surfaces, and/or the removal of natural vegetation) of less than 26,000 square feet. Disturbance includes graded areas, landscaped areas, parking and access areas, structures and other portions of the site to be improved.

- B. Projects eligible for Streamlined Residential Review.** Projects eligible for the Streamlined Residential Review per Chapter 18.25 shall be subject to the requirements of this Chapter. Projects requesting the Flexible Design Review (Chapter 18.25.030.B) process are not subject to the Streamlined Residential Review and shall be processed through the Zoning Clearance process and any other applicable permit processes. The Flexible Design Review allows the review authority to apply the criteria set forth in Chapter 18.24 (Design Guidelines) and waive the requirements of Chapter 18.25 (Objective Design Standards), except as otherwise stated.
- C. Streamlined Zoning Verification.** For projects with a change of use that falls within the Zoning Clearance criteria in terms of floor area and site disturbance, but does not represent an expansion of the square footage and/or intensification of use, the project may qualify for a streamlined Zoning Verification review. This review shall verify that the proposed use is allowed in the zoning district in which the use is proposed, does not create significant impacts (e.g., parking, noise, solid waste storage, or environmental degradation), and does not require review by utility agencies, special districts, or departments, as determined by the Community Development Director. Streamlined Zoning Verifications require a public notice sign to be posted at the parcel from the time of application submittal until 10 days after approval of the application.
- C. Other permits.** A Zoning Clearance shall be required before the approval of a Building, Grading, or other construction permit or other authorization required by the Municipal Code or this Development Code for the proposed use or construction.
- D. Incremental or phased development projects.** Incremental or phased developments shall be treated on a cumulative basis. The approval of a Development Permit, in compliance with Chapter 18.74 (Development Permits) shall be required for additions to projects that would bring (1) the total project gross floor area for non-residential structure(s) to 7,500 square feet or more (5,000 square feet or more for projects located within the Downtown Residential and Downtown Commercial and Manufacturing zoning districts; (2) the total site disturbance area to 26,000 square feet or more; or (3) the total number of multifamily residential units to eleven or more units.

18.72.030 - Review and Decision

CHAPTER 18.74 – DEVELOPMENT PERMITS

Sections:

- 18.74.010 - Purpose of Chapter
- 18.74.020 - Applicability
- 18.74.030 - Findings and Decision
- 18.74.040 - Conditions of Approval

18.74.010 - Purpose of Chapter

- A. This Chapter establishes procedures for the review and approval or denial of Development Permits, which are required by Article II (Zoning Districts and Allowable Land Uses) for land use activities, excluding single-family dwellings and single-family residential parcels outside the Downtown Residential or Downtown Commercial and Manufacturing zoning districts, with the following: total project floor area of 7,500 square feet or more (5,000 square feet in the Downtown Study Area); total disturbance area of 26,000 square feet or more; or eleven or more residential units.
- B. The review process begins with the recognition that the proposed use/construction is allowed in the zoning district and focuses on issues related to site layout and design in order to arrive at the best utilization of the subject site and compatibility of design with surrounding properties.
- C. The process includes the filing of a land use permit application with the Director to verify compliance with all applicable land use development standards, any applicable design guidelines and the requirements of other Town departments.

18.74.020 - Applicability

- A. **When required.** Development Permit approval may be granted by the Commission for land use activities or structure(s) identified in Article II (Zoning Districts and Allowable Land Uses) as an allowed use as follows:

1. A non-residential, multifamily, or mixed-use project involving new structures or additions to existing structures with a total gross floor area of 7,500 square feet or more (5,000 square feet or more in the Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or

1.2. For projects of a single-family dwelling, accessory dwelling unit, and/or residential accessory structure, involving a change in land use, creation of a timeshare, new structures or additions to existing structures with a total gross floor area of more than 5,000 square feet but less than 7,500 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts; or

2. An existing, new, or modified non-residential structure(s) that contains or would contain 7,500 square feet or more of total gross floor area (5,000 square feet or more in the Downtown Residential and Downtown Commercial and Manufacturing zoning districts) is proposed to be used or constructed; or

3. A multifamily residential project involving a change in land use, new structures or additions to existing structures with 11 or more residential units; and/or

3.4. ~~Disturbance~~ All projects involving a change in land use, new structures, additions to existing structures, new improvements or additions to existing improvements with site disturbance (grading, impervious surfaces and/or the removal of natural vegetation) of 26,000 square feet or more of the subject site (excluding single-family dwellings and single-family residential parcels exempt under Section 18.30.080). Disturbance includes graded areas, landscaped areas, parking and access areas, structures and other portions of the site to be improved; and/or.

4. ~~An existing, new, or modified residential structure(s) that contains, would contain, or is part of a multifamily residential development of 11 or more residential units is proposed to be used or constructed.~~

B. Projects eligible for Streamlined Residential Review. Projects eligible for the Streamlined Residential Review per Chapter 18.25 shall be subject to the requirements of this Chapter. Projects requesting the Flexible Design Review (Chapter 18.25.030.B) process are not subject to the Streamlined Residential Review and shall be processed through the Zoning Clearance process and any other applicable permit processes. The Flexible Design Review allows the review authority to apply the criteria set forth in Chapter 18.24 (Design Guidelines) and waive the requirements of Chapter 18.25 (Objective Design Standards), except as otherwise stated.

C. Deed-Restricted Housing Incentives projects. For Deed-Restricted Housing Incentives projects consistent with Chapter 18.213 (Deed-Restricted Housing Incentive Projects), reference the review process outlined in Section 18.213.020 (Review Process).

BD. Incremental or phased development projects. Incremental or phased developments shall be treated on a cumulative basis. Additions to projects that would bring the total project square footage to 7,500 square feet or more (5,000 square feet or more in the Downtown Residential and Downtown Commercial and Manufacturing zoning districts), or the total disturbance area to 26,000 square feet or more, or the total number of multifamily residential units to eleven or more requires the approval of a Development Permit. Modifications or additions to single family dwelling, accessory dwelling unit, residential accessory, or non-residential structure(s) that contain 7,500 square feet or more of total gross floor area (5,000 square feet in the Downtown Residential and Downtown Commercial and Manufacturing zoning districts) or multifamily residential structure(s) or developments that contain eleven or more residential units shall require the approval of a new Development Permit or modifications of a Development Permit unless the modifications or additions may be authorized by the Director as a minor change to an approved project in compliance with Section 18.84.070(B)(1).

CE. Other permits. A Development Permit shall be required before the approval of any Building, Grading, or other construction permit, or other authorization required by the Municipal Code or this Development Code for the proposed use or construction.

18.74.030 - Findings and Decision

CHAPTER 18.76 – USE PERMITS AND MINOR USE PERMITS

Sections:

- 18.76.010 - Purpose of Chapter
- 18.76.020 - Applicability
- 18.76.030 - Findings and Decision
- 18.76.040 - Conditions of Approval

18.76.010 - Purpose of Chapter

- A. This Chapter establishes procedures for the review and approval or denial of Use Permits and Minor Use Permits, which are required by Article II (Zoning Districts and Allowable Land Uses) for land use activities which may be desirable in the applicable zoning district and compatible with adjacent land uses, but whose effects on a site and surroundings cannot be determined before being proposed for a particular location.
- B. The review process begins with the evaluation of the proposed use/construction to determine if the activity should be allowed on the subject site.
- C. The process includes the filing of a land use permit application to review the configuration, design, location and potential impact(s) of the proposed use/construction by comparing it to established development standards and design guidelines.

18.76.020 - Applicability

A Use Permit shall be required before the approval of any Building, Grading, or other construction permit or other authorization required by the Municipal Code or this Development Code for the proposed use or construction in the following manner:

- A. **Minor Use Permits.** A Minor Use Permit may be granted by the Zoning Administrator for the following land use activities in addition to those listed in Article II (Zoning Districts and Allowable Land Uses) as requiring a Minor Use Permit:

1. Soil remediation activities which are intended to last 30 days or more; ~~and.~~
2. ~~A single family dwelling, accessory dwelling unit, residential accessory structures and improvements, or additions to existing structures and improvements that result in a total gross floor area of more than 7,500 square feet on the project site (more than 5,000 square feet in Downtown Residential and Downtown Commercial and Manufacturing zoning districts); or single family residential parcels with new structure(s), additions to existing structures, new improvements or additions to existing improvements that result in site disturbance (grading, impervious surfaces and/or the removal of natural vegetation) of 26,000 square feet or more.~~

3. The waiver or modification of the development standard would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households;
4. The waiver or modification of the development standard would have an adverse impact on any real property that is listed in the California Register of Historical Resources;
5. The waiver or modification of the development standard would be contrary to State or Federal law.

18.212.050 – Eligibility for Bonus, Concessions and/or Incentives

In order to be eligible for a density bonus, concessions and/or incentives as provided for by this Chapter, a proposed residential project shall comply with the following.

- A. Consist of five or more dwelling units;
- B. Be designed and constructed to comply with one or more of the following:
 1. A minimum of five percent (5%) of the total number of proposed dwelling units are for very low income households, as defined in Health and Safety Code Section 50105. Projects that comply with this requirement shall hereafter be referred to in this Chapter as “Very Low Income Residential Project.”
 2. A minimum of ten percent (10%) of the total number of proposed dwelling units are for lower income households, as defined in Health and Safety Code Section 50079.5. Projects that comply with this requirement shall hereafter be referred to in this Chapter as “Lower Income Residential Project.”
 3. A minimum of ten percent (10%) of the total number of proposed dwelling units ~~in a condominium project of a housing development~~ as defined in Government Code Section 65915(gb) or a planned development as defined in Civil Code Section 1351(k) are ~~for~~ sold to persons and families of moderate income as defined in Health and Safety Code Section 50093 and all units in the development are offered to the public for purchase. Projects that comply with this requirement shall hereafter be referred to in this Chapter as “Moderate Income Residential Project.”
 4. For a proposed residential project to convert apartments to a condominium project, a minimum of 33% of the total number of proposed condominium units are for persons and families of low or moderate income as defined in Health and Safety Code Section 50093 or a minimum of 15% of the total number of proposed condominium units are for lower income households as defined in Health and Safety Code Section 50079.5. Projects that comply with this requirement shall hereafter be referred to in this Chapter as “Condominium Conversion Residential Project.”
 5. The proposed residential project is a senior citizen housing development as defined in Section 51.3 of the Civil Code or a mobile home park that limits residence based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code. Projects that comply with this requirement shall hereafter be referred to in this Chapter as “Senior Citizen Housing Residential Project.”

20 percent ABV (alcohol by volume) is included in the definition of “alcoholic beverages, other than beer and wine.”

Alley. A public or private roadway, generally not more than 30 feet wide that provides vehicle access to the rear or side of parcels having other public street frontage, that is not intended for general traffic circulation.

Allowed use. A use of land identified by Article II (Zoning Districts and Allowable Land uses) as a permitted or conditional use that may be established with land use permit and, where applicable, Design Review and/or Building Permit approval, subject to compliance with all applicable provisions of this Development Code.

Alteration. Any construction or physical change in the internal arrangement of rooms or the supporting members of a structure, or a change in the external appearance of any structure, not including painting.

Ambient noise level. An all-encompassing noise level associated with a given environment. A composite of sounds from all sources, excluding the noise in question, at the location and approximate time at which a comparison with the noise in question is to be made.

Animal Raising and Keeping. [See Development Code Section 18.58.060. The keeping/raising of the following animals on a property in association with a primary residential use:](#)

~~1. Household pets — Includes cats, canaries, dogs, parrots and other varieties of birds and animals ordinarily kept as household pets;~~

~~2. Exotic or wild animals — Includes foxes, monkeys, raccoons, snakes, etc.;~~

~~3. Fowl and other small animals and birds — Includes chickens, ducks, geese, pigeons, turkeys and other fowl excluding backyard chickens, and chinchillas, guinea pigs, hamsters and all types of similar rodents; and~~

~~4. Livestock and other large animals — Includes cows, donkeys, goats, horses, mules or ponies, ostriches, sheep, steers and swine.~~

~~5. Backyard Chickens — Includes chicks and hens kept as household pets.~~

Animal unit. An animal unit is equal to one livestock animal or 10 fowl.

Antenna. A device used in communications which transmits or receives radio signals.

Antenna, dish. A dish-like antenna used to link communications sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.

Antenna, panel. An antenna or array of antennae that are flat and rectangular and designed to concentrate a radio signal in a particular area. Also referred to as directional antennae.

B. Definitions, “B.”

Backyard Chicken. Domesticated chickens kept by individuals or households in a residential setting. A domestic chick or hen kept on a residential lot as a household pet. Does not include roosters.

Balcony. A platform that is cantilevered from a building wall and is enclosed by a parapet or railing.

Banks and Financial Services. Financial institutions including:

- banks and trust companies
- credit agencies
- holding (but not primarily operating) companies
- lending and thrift institutions
- other investment companies
- securities/commodity contract brokers and dealers
- security and commodity exchanges
- vehicle finance (equity) leasing agencies

This definition does not include escrow companies and title insurance companies which come under the definition “Offices, Business and Professional.” See also, “Automatic Teller Machine,” above.

Bars and Drinking Establishments. Businesses where alcoholic beverages are sold for on-site consumption. Includes bars, taverns, pubs, tap rooms (i.e., a room that is ancillary to the production of beer where the public can purchase and/or consume only the beer produced onsite), wine bars, lounges, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May include entertainment (e.g., live music and/or dancing). Excludes restaurants and coffee shops that only serve alcohol during hours of operation when food is the primary use (see “Restaurant, Coffee Shop,” “Restaurant, Fast Food” and “Restaurant, Table Service”). Restaurant and coffee shops that serve alcohol during hours of operation when food service is no longer the primary use are also considered bars and drinking establishments. A bar and drinking establishment may be approved as an accessory use, subject to the same operating hours as the primary business, with a closing time of no later than 10 p.m. An ancillary drinking establishment that is open past 10 p.m. must obtain land use approvals to operate as a bar and drinking establishment.

Base flood. A flood having a one percent probability of being equaled or exceeded in any given year (also called the 100-year flood).

Base station. Shall have the meaning as set forth in 47 C.F.R. Section 1.6100(b)(1), or any successor provision.

Bed and Breakfast Inns. Residential structures with one family in permanent residence, with up to three bedrooms in the RR, RL and DRL zoning districts and up to five bedrooms in other allowable zoning districts rented for overnight lodging, where meals may be provided subject to Section 18.58.070 (Bed and Breakfast Inns) and applicable Health Department regulations. A Bed and Breakfast Inn with more than five guest rooms is considered a hotel or motel, and is included under the definition of “Hotels and Motels.” Does not include room rental in a “boarding house” situation; see “Rooming and Boarding Houses.” Does not include the rental

Floodplain management. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space lands.

Floodplain, 100-year. See “One-hundred-year floodplain”.

Flood proofing. A combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway. The channel of a river or other water course and the adjacent land areas that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation. Also referred to as “Regulatory floodway.”

Floor Area. See “Gross Floor Area.”

Floor Area Ratio (FAR). The Floor Area Ratio (FAR) is the ratio of floor area to total lot area. FAR restrictions are used to limit the maximum floor area allowed on a site (including all structures on the site). The FAR calculation [for a commercial or mixed-use development](#) includes finished interior spaces on all building floors. The maximum floor area of all structures (measured from the exterior of the wall to the exterior of the exterior wall) permitted on a site (including covered storage but excluding structured parking and exterior open space, such as courtyards, roof gardens and balconies) shall be determined by multiplying the Floor Area Ratio (FAR) by the total gross area of the site (FAR x Gross Site Area = Maximum Allowable Floor Area). For the purposes of determining the floor area ratio for parcels adjacent to Donner Lake, gross area of the site is exclusive of any area at or below the high water mark of Donner Lake (5935.7, NGVD 1929).

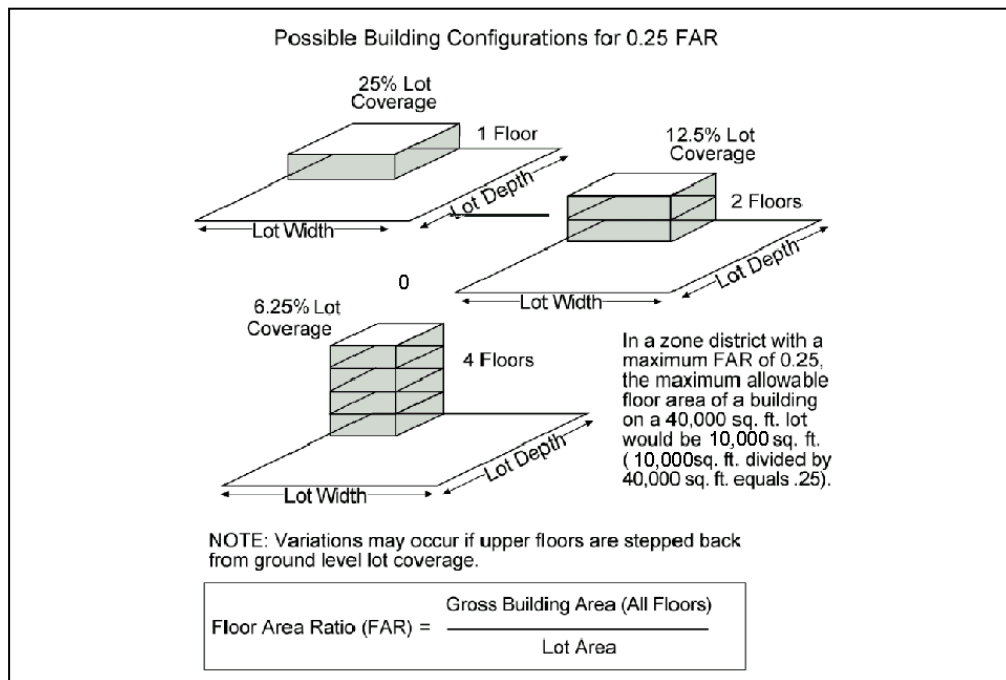


FIGURE 8-1: FLOOR AREA RATIO

Flower tower. A structure that integrates a monopole into a light pole or other utility pole.

Food and Beverage Distribution. A use engaged primarily in wholesale storage and distribution of food and/or beverage manufactured products, supplies, and equipment, including incidental storage and sales activities.

Food Production. Manufacturing establishments producing or processing foods for human consumption and certain related products. Includes:

- bakery products
- candy, sugar and confectionery products
- catering services separate from stores or restaurants
- dairy products
- fats and oil products
- fruit and vegetable canning, preserving, related processing
- grain mill products and by-products
- meat, poultry, and seafood canning, curing, byproduct processing
- miscellaneous food item preparation from raw products

Does not include: bakeries which sell all products on-site (see “Retail Stores, General Merchandise”); beer brewing as part of a brew pub, bar or restaurant (see “Bars and Drinking Places”); beverage production other than dairy products (see “Beverage Production”); slaughterhouses and rendering plants (see “Slaughterhouses and Rendering Plants”); or operations on crops after harvest (see “Agricultural Processing Uses”).

Food Truck. A mobile food vending and food preparation unit that is not located in any single area for a period exceeding six hours. Includes motorized vehicles, as well as trailers and portable units that are connected to and drawn by motorized vehicles. Food trucks used during the catering of private events or as part of an approved Special Event Permit are exempt from the time limits.

Fowl and Birds. Outdoor domesticated birds such as chickens (excluding backyard chickens), ducks, geese, turkeys, pigeons, and other similar species.

Furniture and Fixtures Manufacturing. Manufacturers which produce wood and metal household furniture, appliances; bedsprings and mattresses; all types of office furniture, and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. Includes wood and cabinet shops, but not sawmills or planing mills, which are instead included under “Lumber and Wood Products.”

Furniture, Furnishings and Equipment Stores. Stores engaged primarily in selling:

- draperies
- floor coverings
- furniture
- glass and chinaware
- home furnishings
- home sound systems
- large musical instruments
- lawn furniture
- movable spas and hot tubs
- office furniture
- other household electrical and gas appliances
- outdoor furniture
- refrigerators
- stoves
- televisions

H. Definitions, “H.”

Handcraft Industries, Small-Scale Manufacturing. Manufacturing establishments not classified in another major manufacturing group, including: jewelry; musical instruments; toys; sporting and athletic goods; pens, pencils, and other office and artists' materials; buttons, costume novelties, miscellaneous notions; brooms and brushes; and other miscellaneous manufacturing industries.

Haul road. A road along which material is transported from the area of excavation to the processing plant or stock pile area of the surface mining operation.

Health/Fitness Facilities. Fitness centers, gymnasiums, health and athletic clubs [which are open to the public for membership/visits](#) including indoor sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities. May include individual and group instruction for personal training, fitness and yoga classes, etc. [Does not include private recreation facilities, which are separately defined. See “Private Recreation and Community Facilities.”](#)

Historic resource. All improvements, natural features, and sites identified and designated as Category A (Essential), Category B (Contributing), or Category C (Supporting) in the Town of Truckee Historic Resources and Architectural Inventory adopted by Town Council Resolution No. 2003-18 on June 19, 2003, as amended.

Holidays. New Year’s Day (observed), Martin Luther King Day, President’s Day, Memorial Day, Independence Day, Labor Day, Veterans Day (observed), Thanksgiving, and Christmas.

Home Occupation. A business, profession or other economic activity conducted full- or part-time in the principal residence of the person conducting the business. Examples of allowable home occupations are general office use, tutoring, sewing, fine arts activities, computer programming, cosmetologists and 1-chair hair care providers.

Hosted Rental. The renting of one designated bedroom within a single-family dwelling for the purpose of overnight or vacation lodging hosted by an onsite homeowner and subject to Section 18.58.070.A.1 (Hosted Rental Exceptions).

Hotels and Motels. Facilities with six or more guest rooms or suites, provided with or without meals or kitchen facilities, rented to the general public for overnight or other temporary lodging (less than 30 days), which are under a single management and have 24-hour onsite management. Hotels provide access to most guest rooms from an interior walkway. Motels provide access to most guest rooms from an exterior walkway. Hotels and motels may also provide lodging in detached cabins on the same site, as long as the total number of lodging units (guest rooms, suites and/or cabins) equals six or more units. Also includes lodging units for recreational developments in the Recreation zoning district; ownership of such lodging units may include timeshares and undivided interest units (except for detached structures). Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

Household Pets. [Animals that are customarily kept within a residence for companionship or enjoyment, including but not limited to dogs, cats, birds, fish, reptiles, and other small](#)

~~domesticated animals, and that are not kept for commercial, agricultural, or livestock purposes. Includes a maximum of one miniature pig of 25 pounds or less per single-family dwelling. The keeping/raising of birds, cats, dogs, or other common household pets, as determined by the Director, accessory to a residential use. Includes a maximum of one miniature pig of 25 pounds or less per single family dwelling.~~

Housing unit. Any structure designed or used for the shelter or housing of one or more persons.

Hunting and Fishing Clubs. Areas reserved for public or private hunting of wildlife, fishing, and accessory structures in support of those activities.

K. Definitions, "K."

Kennel, Commercial. Any kennel maintained for the purpose of boarding dogs or cats for a fee, or any kennel where more than four dogs or cats are kept, harbored, maintained for the purpose of breeding, raising or training for a fee or for sale, or any kennel that advertises as a kennel in any magazine, newspaper, or other public media. A kennel must operate in compliance with all state laws, including an animal natural disaster evacuation plan.

Kennel, Private. Any kennel where more than four dogs and cats, over the age of six months, are kept, harbored or maintained for the use and enjoyment of the occupant for non-commercial uses. A kennel must operate in compliance with all state laws, including an animal natural disaster evacuation plan.

Kitchen or Cooking Facilities, Residential. A room or space within a building designed, used, and/or intended to be used for the cooking or preparation of food supporting a single household. At a minimum, a kitchen must include the following equipment:

1. Cooking facilities (i.e., a standalone cooking appliance with at least two burners that is connected to a gas stub or 220 electric volt outlet; does not include portable cooking accessories such as hot plates and other temporary heat sources);
2. A refrigerator (no minimum size); and
3. A sink for dishwashing and sanitation purposes.

Facilities, equipment, and appliances which are usually associated with kitchens may be allowed in a dwelling in addition to the kitchen ~~or may be allowed in a detached living area.~~ Kitchen facilities, equipment, and appliances permitted in areas outside the kitchen include:

1. A single one-well sink with a maximum surface area of two square feet;
2. Refrigerator (no limit on size);
3. Microwave oven (no limit on size); and
4. Counter space with upper and lower cabinets or shelves not exceeding six lineal feet, inclusive of the one-well sink.

Areas with other kitchen facilities and equipment (including, but not limited to, cooking stove with or without oven, hot plates, convection oven, garbage disposal, dishwasher, and kitchen cabinets and counters in close proximity to the one-well sink) above the limits noted above shall be considered a kitchen and shall be prohibited in a dwelling unless the area is approved as an accessory dwelling unit.

L. Definitions, “L.”

Land use permit. Authority granted by the Town to use a specified site for a particular purpose, including Conditional Use Permits and Minor Conditional Use Permits, Development Plans and Minor Development Plans, Planned Development Permits, Temporary Use Permits, Variances and minor Variances, and Zoning Clearances, as established by Article IV (Land Use and Development Permit Procedures) of this Development Code.

Large Family Day Care Home. See “Child Day Care Facilities.”

Lattice tower. A structure with three or four steel support legs that supports a variety of antennae. These towers generally range in height from 60 to 200 feet and are constructed in areas where increased height is needed, microwave antennas are required or where the weather demands a more structurally-sound design.

Laundries and Dry Cleaning Plants. Service establishments engaged primarily in high volume laundry and garment services, including: power laundries (family and commercial); garment pressing and dry cleaning; linen supply; diaper service; industrial laundries; carpet and upholstery cleaners. Does not include coin-operated laundries or dry cleaning pick-up stores without dry cleaning equipment; see “Personal Services.”

Laundromat. Service establishments providing washing and/or drying machines on the premises for rental use to the general public.

Libraries and Museums. Public or quasi-public facilities including aquariums, arboretums, art exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, and planetariums, which are generally non-commercial in nature.

Livestock and Other Large Animals. Includes alpacas, cattle, donkeys, goats, horses, mules, ostriches, sheep, and swine.

Live/Work Units. An integrated housing unit and working space, occupied and utilized by a single household in a structure, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

1. Complete kitchen space and sanitary facilities in compliance with the Building Code; and
2. Working space reserved for and regularly used by one or more occupants of the unit.

The difference between live/work and work/live units is that the “work” component of a live/work unit is secondary to its residential use, and may include only commercial activities and pursuits that are compatible with the character of a quiet residential environment, while the work component of a work/live unit is the primary use, to which the residential component is secondary.

Living area. Space within a residence or residential accessory structure, excluding unconditioned space.

~~**Membership Organization Facilities.** Permanent, headquarters-type and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for:~~

~~business associations
civic, social and fraternal organizations
country clubs (golf courses separately defined)
labor unions and similar organizations
political organizations
professional membership organizations
other membership organizations~~

Metal Fabrication, Machine and Welding Shops. Establishments engaged primarily in the assembly of metal parts, including the following uses that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products.

blacksmith and welding shops
sheet metal shops
machine shops and boiler shops

Microcell. A wireless communication facility that:

1. Contains a maximum of four whip or panel antennae. Each whip antenna does not exceed four inches in diameter and four feet in length. Each panel antenna does not exceed two square feet in surface area;
2. Contains a maximum of one microwave antenna no larger than 10 square feet in surface area;
3. Has an array of antennae less than 10 feet in height;
4. Is roof- or structure-mounted or, if within the public right-of-way, is located on top of a light pole or telephone pole or a metal or precast concrete monopole (similar in design to a street light pole or street tree); and
5. Has a total height, if roof- or structure-mounted, that does not exceed the maximum height allowed in the applicable zoning district in which the facility is located.

Mined lands. The surface, subsurface, and ground water of an area in which surface mining operations will be, are being, or have been conducted, including private ways and roads appurtenant to any area, land excavations, workings, 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. 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.

the State of California is on duty at all times when such an establishment is open for business. See also “Accessory Use,” “Accessory Retail Use,” “Grocery Store,” and “Medical Services.”

Pipelines. Transportation facilities for the conveyance of: crude petroleum; refined petroleum products such as gasoline and fuel oils; natural gas; mixed, manufactured or liquefied petroleum gas; or the pipeline transmission of other commodities. Also includes pipeline surface and terminal facilities, including pump stations, bulk stations, surge and storage tanks.

Planning Commission. The Planning Commission of the Town of Truckee, appointed by the Truckee Town Council as provided by Government Code Section 65101, referred to throughout this Development Code as the “Commission.”

Plant Nurseries and Garden Supply Sales. Commercial agricultural establishments engaged in the production of ornamental plants and other nursery products, grown under cover or outdoors. Includes stores selling these products, and commercial scale greenhouses. The sale of house plants or other nursery products entirely within a building is also included under “Retail Stores, General Merchandise.” Home greenhouses are included under “Residential Accessory Uses and Structures.”

Plastics and Rubber Products. The manufacture of rubber products such as: tires; rubber footwear; mechanical rubber goods; heels and soles; flooring; and other rubber products from natural, synthetic or reclaimed rubber. Also includes establishments engaged primarily in manufacturing tires. Also includes: establishments engaged in molding primary plastics for other manufacturers, and manufacturing miscellaneous finished plastics products; fiberglass manufacturing, and fiberglass application services. Establishments engaged primarily in recapping and retreading automobile tires are classified in “Repair and Maintenance - Vehicle.”

Premises. Any structure, parcel, real estate or land or portion of land whether improved or unimproved, including adjacent parkways, parking strip, sidewalks and streets.

Primary structure. A structure that accommodates the primary use of the site.

Primary use. The main purpose for which a site is developed, including the activities that are conducted on the site a majority of the hours during which activities occur.

Principal use. The primary or predominant allowed use of any site or structure.

Printing and Publishing. Establishments engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying, and other “quick printing” services; and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; and establishments manufacturing business forms and binding devices.

Private ~~Residential~~ Recreation and Community Facilities. Privately owned, non-commercial recreation and community facilities ~~provided for providing amenities to private~~ members or project ~~guests~~/neighborhood residents, including ~~health/fitness facilities~~, swim and tennis clubs, clubhouses, and park and sport court facilities. Does not include golf

courses/country clubs [and health/fitness facilities that are open to the public](#), which are separately defined.

Private wireless communication facility. A wireless communication facility that has not been granted a Certificate of Public Convenience and Necessity by the California Public Utilities Commission (CPUC).

Professional center. An integrated building or site for two or more separate, commercial businesses or tenants. Separate businesses or tenants shall be evident by such factors as separate ownership interests, separate leases, and separate ingress/egress.

Property. Any parcel of land and shall include any alley, parkway, sidewalk or unimproved public easement abutting the parcel.

Property frontage. The front or frontage is that side of a parcel or development site abutting on a public street.

Property owner. The person(s) or entity to whom property tax is assessed, as shown on the latest equalized assessment roll of the County.

Public Art. Any visual art element or object, including but not limited to sculpture, painting, mural, monument, mosaic, stained glass, multi-media, etc. permanently installed in areas generally designated as public areas. Does not include objects which are mass-produced from a standard design; reproductions, decorative, ornamental or functional elements which are designed by the building architect (not an element commissioned for the purpose of creating a unique work by an artist); preservation efforts; or art not visually accessible to the public.

Public Assembly Uses. Public assembly means the use of land, buildings or structures for [primarily](#) non-commercial meetings, specifically excluding commercial entertainment and commercial recreation. Includes meeting halls ~~and~~, churches/places of worship, [and civic, social and fraternal organizations](#).

Public Improvements and Engineering Standards. The Town of Truckee Public Improvements and Engineering Standards, as adopted by the Council.

Public Buildings and Structures. Public agency (including special district) facilities other than public safety and utility facilities as defined below.

Public Safety Facilities. Facilities operated by public agencies including fire stations, other fire prevention and firefighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities.

Public Service Easement. A right-of-way, easement, or use restriction acquired for public use for sewers, pipelines, polelines, electrical transmission and communication lines, pathways, storm drains, drainage, water transmission lines, and similar purposes.

V. Definitions, “V.”

Vacation. Also known as a summary abandonment, the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement.

Variance. A discretionary entitlement that may waive or relax the development standards of this Development Code, in compliance with 18.82 (Variances).

Vehicle and Freight Terminals. This land use consists of transportation establishments furnishing services incidental to air, motor freight, and rail transportation including:

- freight forwarding services
- freight terminal facilities
- joint terminal and service facilities
- packing, crating, inspection and weighing services
- postal service bulk mailing distribution centers
- transportation arrangement services
- trucking facilities, including transfer and storage

Veterinary Clinics, Animal Hospitals, and Kennels, ~~Boarding~~. Office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. Also includes commercial ~~facilities for the keeping, grooming, boarding or maintaining of four or more dogs four months of age or older, or four or more cats for commercial purposes, except for dogs or cats in pet shops~~kennels.

Visitor Center. A use devoted to the distribution and sale of information for visitors and other travelers.