

## PLANNING COMMISSION RESOLUTION 2021-10

### EXHIBIT C

#### A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION APPROVING APPLICATION 2020-00000135/DP-MUP-PD-TM-AMD (ESTATES MEADOWS PROJECT)

#### DRAFT CONDITIONS OF APPROVAL

##### General Conditions of Approval

1. A Project Amendment to the existing Truckee Senior Apartments Development Permit to construct a 30-unit senior (55 and older) affordable housing project (50-60% area median income) within two residential buildings and disturbance of over 26,000 s.f. for the buildings, walkways, parking, landscaping, community patio, and bus pullout, a Minor Use Permit to allow disturbance within 200 feet of a wetland area, a Planned Development to allow a reduction in parking requirements, reductions in the front and rear setbacks, an increase to site coverage, and modifications to landscaping and private exterior space requirements, and a Tentative Map to subdivide the project into two parcels of 8.3 acres and 2.1 acres and dedication of a 60-foot road easement for Estates Drive, located at 10020 Estates Drive (APN 019-450-047) are hereby approved as described in the May 17, 2022 report and as shown on the site plans and civil drawings approved by the Planning Commission on May 17, 2022 and on file in the Community Development Department except as modified by these conditions of approval. The requirements associated with the Truckee Senior Apartments (Application SP80-16) are incorporated by reference and apply to the northern parcel, unless otherwise noted in these conditions of approval. **(Planning Division Recommendation)**
2. The applicant is responsible for complying with all conditions of approval and providing evidence to the Community Development Director of compliance with the conditions. A matrix or letter shall be submitted as part of any grading or building permit application indicating how each conditions has been met. Review of building permits will not commence until an itemized list of conditions of approval and status is provided. As part of the matrix or letter, the applicant shall identify any changes made from the Planning Commission approved plan set design. **(Planning Division Recommendation)**
3. The effective date of approval shall be May 30, 2022 unless the approval is appealed to the Town Council by 5:00 PM on Friday, May 27, 2022. In accordance with Section 18.84.050 of the Development Code, the Development Permit, Planned Development, and Tentative Map shall be exercised within two (2) years of the effective date of approval, and the project shall be completed within four (4) years after the effective date of approval. Otherwise the approval shall become null and void unless an extension of time is granted by the Planning Commission, in compliance with Section 18.84.055 (Time Extensions). **(Planning Division Recommendation)**
4. The Minor Use Permit shall commence within two years from the effective date (by no later than two years from May 30, 2024). If the use is not exercised within the identified timeframe, the project shall be deemed to be out of compliance with the approved conditions of approval, and the Town may begin the process to revoke the permit in

accordance with Development Code Chapter 18.190 (Revocations and Modifications). ***(Planning Division Recommendation)***

5. The applicant shall submit a Parcel Map to the Planning Division for review and approval, prepared by a licensed land surveyor or engineer, in accordance with the Subdivision Map Act and Town Subdivision Ordinance. The Parcel Map shall be recorded within two years of the date of approval (by May 30, 2024, otherwise, the approval of the Tentative Map shall become null and void. ***(Planning Division Recommendation)***
6. The Community Development Director may authorize minor alterations to the approved Development Permit, Minor Use Permit, Planned Development, and Tentative Map in accordance with Section 18.84.070(B)(1) of the Development Code, including a reduction in the size of the project. Major changes and alterations to the approved plans and conditions of approval shall be reviewed and approved by the Planning Commission in accordance with Section 19.84.070(B)(2) of the Development Code. ***(Planning Division Recommendation)***
7. Except as modified by these conditions of approval, the project shall comply with all applicable provision and standards of the Development Code (effective date March 12, 2020) including, but not limited to the following:
  - a. General Development Standards as contained in Table 2-9 including site coverage, setbacks, and height limits;
  - b. Air Emissions in accordance with Section 18.30.030;
  - c. Drainage and stormwater runoff in accordance with Section 18.30.050;
  - d. Bicycle Parking in accordance with Section 18.48.090;
  - e. Building Height in accordance with Section 18.30.090;
  - f. Snow Storage in accordance with Section 18.30.130;
  - g. Exterior Parking in accordance with Chapters 18.48 and 18.50;
  - h. Exterior lighting in accordance with Section 18.30.060;
  - i. Solid Waste/Recyclable Materials in accordance with Section 18.30.150;
  - j. Open Space in accordance with Section 18.46.060;
  - k. Off-Street Loading Space Requirements in accordance with Section 18.84.100;
  - l. Property Maintenance in accordance with Section 18.30.100;
  - m. Parking in accordance with Chapters 18.48 and 18.50;
  - n. Landscaping in accordance with Chapters 18.40 and 18.42. ***(Planning Division Recommendation)***
8. Any fees due to the Town of Truckee for processing this project shall be paid to the Town within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted by this action. No permits, site work, or other actions authorized by this determination shall be permitted, authorized, or commenced until all outstanding fees are paid to the Town. ***(Planning Division Recommendation)***
9. The applicant shall defend, indemnify, and hold harmless the Town and its agents, officers, and employees from any claim, action, or proceeding against the Town to attack, set aside, void, or annul the approval of the Town Council, which action is brought within the time period provided for by State law. ***(Planning Division, Town Attorney)***

10. Prior to issuance of any grading or building permits for the project, the applicant shall provide performance guarantees with sufficient legal commitments and financial sureties to guarantee the faithful performance of any and all conditions of approval and completion of the phase or to guarantee the restoration of the site if the phase is not completed. The form, manner, and amount of the guarantee shall comply with the requirements of the Town Planner and the Town Attorney and shall be reviewed and approved by the Community Development Director prior to issuance of permits. **(Development Code Section 18.84.040)**
11. Prior to commencement of any work on the site, the applicant shall obtain building permit(s) for all work on the building. Complete building plans and engineering in accordance with the Town Building Code will be required for all structures. The building plans shall include details and elevations for all State of California, Title 24, and accessibility regulations. **(Planning Division Recommendation)**
12. Prior to grading or building permit issuance, the applicant shall demonstrate compliance with all conditions and requirements of the following agencies, including, but not limited to:
  - Town of Truckee Engineering Division
  - Town of Truckee Building Division
  - Truckee Donner Public Utility District
  - Truckee Sanitary District
  - Truckee Fire Protection District
  - Nevada County Department of Environmental Health
  - Tahoe Truckee Sierra Disposal Company
  - Southwest Gas **(Planning Division Recommendation)**
13. Prior to the issuance of building permits or improvement plans, the applicant shall submit payment for a construction mitigation monitoring fee. The fee amount is established by the Town Fee Schedule in effect at the time of building permit submittal. **(Planning Division Recommendation)**
14. **Construction Hours:** Hours of operation of construction activities shall be limited to Monday through Saturday from 7 a.m. to 7 p.m. or dusk, whichever occurs first, unless the Community Development Director authorizes an extension of the time limitations based on the finding that the noise levels from the construction activities will not negatively affect the residential uses in the surrounding area. No construction shall be permitted on Sundays or designated holidays set by the Town. If a noise complaint is received after the construction time limits are extended, the Community Development Director has the ability to render the extended time limits null and void and the applicant shall revert to the aforementioned hours of operation time limitations. Interior construction activities may occur after these hours if such activities will not result in exterior noise audible at property lines. Improvement, grading, and building plans shall note these limited hours of construction. **(Planning Division Recommendation)**

#### **Engineering Division Conditions**

15. Prior to building (grading) permit issuance, the project proponents shall submit improvement plans stamped by a licensed civil engineer to the satisfaction of the Town

Engineer for all work both in and out of the proposed public right-of way, easements and private roadways.

The plans shall be prepared in accordance with the Town of Truckee Public Improvement and Engineering Standards dated May 2003; shall comply with the design standards identified in Water Quality Order No. 2013-0001-DWQ NPDES General Permit No. CAS000004, such as hydro-modification requirements, or the most current Phase 2 Municipal Separate Storm Sewer System (MS4) Permit; and shall comply with the Statewide Construction General Permit No. 2009-009-DWQ or most current permit. The plans at a minimum shall incorporate proposed grades, drainage, driveway design and erosion control; and incorporate cost estimates for all work to be performed.

Said improvement plans shall be accompanied by appropriate plan check fees to be calculated by the Town Engineer at the time of plan approval. Public improvement plan check fees and inspection fees are calculated using the estimated construction costs.

The

plan check fee is equal to the following formula based upon the estimated construction costs:

- 5% of valuation from \$0 to \$50,000
- 3% of valuation from \$50,000 to \$250,000
- 1% of valuation above \$250,000

The inspection fee, due prior to start of construction, is equal to the following formula based upon the estimated construction costs:

- 6% of valuation from \$0 to \$50,000
- 4% of valuation from \$50,000 to \$250,000
- 1.5% of valuation above \$250,000

***(Engineering Division)***

16. Prior to building (grading) permit issuance the project proponents shall provide identification of all existing drainage on the property and adjacent properties, which may affect this project. This identification shall show discharge points on all downstream properties as well as drainage courses before and after the proposed development for the 10-year and 100-year flows.

***(Engineering Division)***

17. Prior to building (grading) permit issuance, the applicant is to offer for dedication to the Town of Truckee a drainage easement centered along any existing drainages (approximately 20' wide). The limits of any easements will be determined by the Town Engineer during the review of the improvement plans for the project. ***(Engineering Division)***

18. Prior to building (grading) permit issuance, the applicant shall provide an erosion control plan and storm water quality plan, per the requirements of the Town of Truckee for review and approval that shows temporary construction BMPs and permanent on-site treatment of the 85<sup>th</sup> percentile, 24-hour storm. The plan shall provide details for the proposed project stormwater collection and treatment including the safe release of overflow. If snow storage is proposed in areas of stormwater treatment, then the features should be properly sized for the capacity of both functions. If the project is expanding an existing site and the new impervious area is more than 50% of the existing impervious

surface, project shall treat all existing and proposed impervious areas. **(Engineering Division)**

19. Since the project disturbs one acre or more, the project shall also comply the Statewide Construction General Permit No. 2009-009-DWQ or most current permit. Prior to building (grading) permit issuance, the applicant shall provide the WDID number issued by the State Water Resources Control Board. **(Engineering Division)**
20. Hydromodification is required if the project creates or replaces one acre or more of impervious surface. Post-project storm water flows should equal pre-project flows for the design year event (2-year, 24-hour storm or current standard), unless additional mitigations are proposed to provide for the increase in flows. **(Engineering Division)**
21. Prior to building certificate of occupancy, the applicant shall submit a Best Management Practice (BMP) operation and maintenance plan to the Town Engineer for review and approval. Recordation of the operation and maintenance plan for permanent structural treatment control BMPs installed by the project may be required depending on the type of permanent BMP proposed. The property owner shall submit yearly BMP operation and maintenance certifications to the Engineering Division according to the Water Quality Order No. 2013-0001-DWQ NPDES General Permit No. CAS000004 or the most current Phase 2 Municipal Separate Storm Sewer System (MS4) Permit. **(Engineering Division)**
22. Prior to building permit issuance, all permanent BMPs (including stormwater treatment devices) shall be located entirely on the private property and outside of the Town right-of-way/public access easements. **(Engineering Division)**
23. Prior to building permit issuance, the building design shall prevent roof driplines from being located in the Town right-of-way, public access easements, or public gathering spaces. In addition, the building structures shall be designed such that snow will not shed into pedestrian areas or onto parked vehicles. **(Engineering Division)**
24. Frontage improvements will be required for the project. A minimum six-foot wide sidewalk will be required along Estates Drive (limits to be determined). Pedestrian connections between the proposed buildings and the public way (sidewalk) will be required. The limits of the proposed improvements will be reviewed and approved by the Town Engineer as a part of the improvement plan review prior to building (grading) permit issuance.
25. Prior to Building (grading) permit issuance, the applicant will be required to enter into a Hold Harmless and Maintenance Agreement for all frontage improvements. **(Engineering Division)**
26. Prior to Certificate of Occupancy or recordation of Final Map, the applicant is required to offer for dedication to the Town a right-of-way/roadway easement 60' in width centered on the existing centerline of Estates Drive and an easement for any portions of the frontage improvements which are outside of the Town right-of-way. **(Engineering Division)**
27. Prior to building permit issuance, applicant shall provide a snow removal/storage plan for approval by the Town Engineer that shows snow storage calculations equal to 50% of

the paved area the snow removal will occur on, locations of storage, and how snow will be put in those locations. Snow storage locations should be easily accessible (i.e. no curbs or landscaping) and not be located in any drainage easements. Provide snow storage as close to the source as possible. **(Engineering Division)**

28. Prior to building permit issuance, the applicant shall pay **Traffic Impact Fees** (TIF) applicable at the time of building permit issuance. As of April 11, 2022, based on the "Multi-Family Residential" proposed use, the Facilities Impact Fees are estimated to be **\$86,214.48** ( $25,432 \text{ SF GFA} \times \$3.39 = \$86,214.48$ ) The actual Traffic Impact Fees will be based upon the latest fee schedule adopted by the Town Council in effect at the time of building permit issuance. **(Engineering Division)**
29. Prior to building permit issuance, the applicant shall pay **Facilities Impact Fees** (FIF) applicable at the time of building permit issuance. As of April 11, 2022 based on the "Multi-Family Residential" proposed use, the Facilities Impact Fees are estimated to be **\$39,419.60** ( $25,432 \text{ SF GFA} \times \$1.55 = \$39,419.60$ ). The actual Facilities Impact Fees will be based upon the latest fee schedule adopted by the Town Council in effect at the time of building permit issuance. **(Engineering Division)**
30. Prior to building permit issuance, flatwork material types in the Town right-of-way/roadway easement shall be reviewed and approved by the Town Engineer. **(Engineering Division)**
31. Prior to building permit issuance, the site driveways will need to be designed to meet typical commercial driveway standards for the Town. Contact the Engineering Division for driveway details. **(Engineering Division)**
32. Prior to building certificate of occupancy, all existing and/or proposed utilities shall be placed underground. **(Engineering Division)**
33. Prior to occupancy or recordation of the Final Map, all roadway, drainage, frontage and utility improvements shall be constructed and approved by the respective responsible agencies or a financial surety in the following amounts consistent with section 18.108 of the Development Code and to the satisfaction of the Town Engineer:
  - If provided as a cash deposit, 125% of the costs of the remaining improvements
  - If provided as a bond or letter of credit, a guarantee for Faithful Performance equal to 100% of the costs of the remaining improvements and a guarantee for Materials and Labor equal to 100% of the costs of the remaining improvements. **(Engineering Division)**

### **Mitigation Measures**

34. A preconstruction nesting bird survey for migratory bird species shall be conducted by a qualified biologist within seven days prior to the beginning of any construction or grading activity if construction commences within the avian nesting season (May 1st through August 15st). The preconstruction survey shall cover the entire project site and publicly accessible areas within 100 feet of the project site boundaries. The results of the preconstruction nesting bird survey shall be submitted to the Town of Truckee. If nests are not found during the survey, further measures shall not be required. If any active nests are found, a non-disturbance buffer zone of 100 feet shall be marked with a

continuous run of brightly colored tape or exclusion fencing and no construction activity shall occur within the buffer zone until a qualified biologist has confirmed that the nest is no longer occupied. Trees containing nests that must be removed as a result of project implementation shall be removed during the non-breeding season (late August to April).

In the event that construction extends beyond one calendar year with startup on or after May 1 of the second year, the nesting bird survey and no disturbance buffer zone (if warranted) shall be repeated. **(Mitigation Measure IV-1)**

35. Excavation shall not occur at any time under any circumstances within any delineated wetland area.

Erosion and sediment control measures shall be implemented during project construction, including but not limited to installation of filter fencing between the main on-site wetland (FEW-1, which extends along the entire southern site boundary and has large lobes in both the eastern and western portions of the site) and areas of equipment or vehicle travel, or soil disturbance. At a minimum, filter fencing installation shall be common with an extent of orange exclusion fencing in the eastern portion of the site. Fencing shall be installed prior to arrival of excavating equipment (other than that needed for the installation itself) and maintained in good functional condition throughout the entire period of construction through completion of landscaping of pervious areas.

In addition to the filter fencing, sediment controls shall be installed around temporary stockpiles of any soil materials or unwashed sand or drain rock. Standard drainage inlet protections and other measures shall be included in the project's stormwater pollution prevention plan (SWPPP). All sediment controls and other SWPPP provisions shall be monitored for functional deficiencies in accordance with the NPDES Construction General Permit requirements, as follows: weekly inspections, and at least once each 24-hour period during extended storm events, to identify and record BMPs that need maintenance to operate effectively, that have failed, or that could fail to operate as intended. Inspectors shall be Qualified SWPPP Practitioners (QSP). Written inspection checklists shall remain on-site with the SWPPP in accordance with NPDES permit requirements.

The requirements of this mitigation measure shall be included on the project improvements plans prior to their approval by the Town of Truckee. **(Mitigation Measure IV-2, see Estates Meadows Project Revisions Memorandum dated May 10, 2022 from Raney Planning & Management and the IS/MND Errata Sheet. Previously Mitigation Measure IV-3 in the original September 2)**

36. Equipment or vehicles shall not be operated within any wetland area using "meadow mats" (e.g., DURA-BASE, or other functional equivalent) from October 15-May 1 (wet season). Equipment or vehicles may be operated within a wetland area outside of this period if the entirety of the possible requirements are met:
- Meadows mats shall be installed prior to any disturbance of wetlands, under the supervision of a wetland scientist;
  - Orange exclusion fencing shall be installed around the meadow mats, as directed by the wetland scientist;
  - Meadow mats shall be removed prior to October 15th of each year, under the supervision of a wetland scientist;

- Meadow mats shall not be used during rain events. Use of meadows mats after a rain event can only occur with confirmation from a wetland scientist that the wetland is dry and stable. The weekly QSP report shall include inspection data from the wetland scientist and confirmation that all conditions are satisfied. Written inspection checklists shall remain on-site with the SWPPP in accordance with NPDES permit requirements;
- The contractor shall perform daily, routine inspections of meadow mats;
- Spot inspections shall also be conducted by a wetland scientist and the Town, both of whom shall have the ability to stop construction at any time, if there is evidence of wetland damage, or improper use of meadows mats. If disturbance has occurred in the wetland, the following actions shall be implemented under supervision of a wetland scientist:
  - Restoration of soil and/or topography to pre-disturbance conditions, and if deemed necessary by the wetland scientist, seeding or planting during autumn following the disturbance (October) to restore vegetation to predisturbance conditions.
  - One season of monitoring shall be conducted by a wetland scientist to verify that the wetland has been restored to predisturbance conditions. Proof of successful restoration shall be provided to the Town of Truckee.
- Meadow mats shall be removed at the earliest date possible when all work occurring on-site that requires use of the mats has been completed.

To the maximum extent feasible, non-wetland soil areas intended for future landscaping and pervious function shall also be protected by meadow mats if equipment travel is to occur while the soil is moist, wet, or saturated. If not feasible, then soil areas subject to equipment travel shall be deep ripped prior to landscaping.

Because construction will be occurring in closer proximity to wetlands than is usual and the measures needed for protection of the wetlands are somewhat more stringent than normal, a preconstruction meeting including on-site construction supervision staff, Town representation, and a knowledgeable wetland scientist shall be held to ensure that measures are rigorously implemented but are refined for compatibility with construction practicalities, if needed.

The requirements of this mitigation measure shall be included on the project improvements plans prior to their approval by the Town of Truckee. ***(Mitigation Measure IV-3, see Estates Meadows Project Revisions Memorandum dated May 10, 2022 from Raney Planning & Management and the IS/MND Errata Sheet)***

37. Prior to grading permit issuance, the developer shall submit plans to the Town of Truckee for review and approval which indicate (via notation on the improvement plans) that if unknown cultural resources, including unique historical, archeological, or paleontological resources, are encountered during site grading or other site work, all such work shall be halted immediately within 200 feet and the developer shall immediately notify the Town of Truckee Community Development Department of the discovery. In such case, the developer shall be required, at their own expense, to retain the services of a qualified archaeologist, paleontologist, or historian, as applicable, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeology for the purpose of recording, protecting, or curating the discovery as appropriate. The archaeologist, paleontologist, or historian shall be

required to submit a report of the findings and method of curation or protection of the resources to the Town of Truckee Community Development Department for review and approval. Further grading or site work within the area of discovery shall not be allowed until the preceding work has occurred. **(Mitigation Measure V-1)**

38. If human remains, or remains that are potentially human, are found during construction, all work shall be halted immediately within 200 feet, and a professional archeologist shall ensure reasonable protection measures are taken to protect the discovery from disturbance. The archeologist shall notify the Nevada County Coroner (per §7050.5 of the State Health and Safety Code). The provisions of §7050.5 of the California Health and Safety Code, §5097.98 of the California Public Resources Code, and Assembly Bill 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, then the Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) for the project (§5097.98 of the Public Resources Code). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the applicant does not agree with the recommendations of the MLD, the NAHC can mediate (§5097.94 of the Public Resources Code). If an agreement is not reached, the qualified archeologist or MLD must rebury the remains where they will not be further disturbed (§5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center, using an open space or conservation zoning designation or easement, or recording a reinterment document with the county in which the property is located (AB 2641). Work cannot resume within the no-work radius until the lead agency, through consultation as appropriate, determines that the treatment measures have been completed to the Town's satisfaction. **(Mitigation Measure V-2)**
39. Prior to approval of any building permits, all engineering recommendations provided in the site-specific Geotechnical Engineering Report prepared for the proposed project by NV5 shall be incorporated into project improvement plans, prepared by a licensed civil engineer. The project plans shall include, but not necessarily be limited to, slabs on grade supported by a uniform layer of imported non-expansive engineered fill, applicable drying of near surface soils prior to compaction as engineered fill, applicable stabilization of the bottom of excavations due to wet soil conditions, and site demolition activities, which shall include removal of all surface obstructions not intended to be incorporated into final site design. The site demolition activities shall also specify that undocumented fill, and/or utility lines encountered during demolition and construction shall be property removed and the resulting excavations backfilled with imported non-expansive engineered fill. Compliance with all recommendations specified in the Geotechnical Engineering Report shall be verified by a licensed geotechnical engineer; and proof of compliance shall be provided to the Town Engineer. **(Mitigation Measure VII-1)**
40. In conjunction with the submittal of project improvement plans, the developer shall submit a Final Drainage report that includes pre- and post development hydrology calculations, as well as calculations for the required treatment areas to ensure that the on-site drainage system complies with the Town of Truckee Post-Construction Storm Water Quality Plan/State Municipal Phase 2 Stormwater General Permit, and any other applicable regulations at time of permit issuance. The drainage report shall be submitted to the Town of Truckee for review and approval. **(Mitigation Measure X-1)**

41. Prior to the commencement of construction, a construction signing and traffic control plan shall be provided to the Town of Truckee for review and approval. The construction signing and traffic control plan shall include (but not necessarily be limited to) items such as:
- Guidance on the number and size of trucks per day entering and leaving the project site;
  - Identification of arrival/departure times that would minimize traffic impacts;
  - Approved truck circulation patterns;
  - Locations of staging areas;
  - Locations of employee parking and methods to encourage carpooling and use of alternative transportation;
  - Methods for partial/complete street closures (e.g., timing, signage, location and duration restrictions);
  - Criteria for use of flaggers and other traffic controls;
  - Preservation of safe and convenient passage for bicyclists and pedestrians through/around construction areas;
  - Monitoring for roadbed damage and timing for completing repairs;
  - Limitations on construction activity during peak/holiday weekends and special events;
  - Preservation of emergency vehicle access;
  - Removing traffic obstructions during emergency evacuation events; and
  - Providing a point of contact for local residents and guests to obtain construction information, have questions answered, and convey complaints. ***(Mitigation Measure XVII-1)***

#### **Other Conditions of Approval**

42. The snow storage plan is approved as shown on the Snow Storage Exhibit in the approved plans. Prior to temporary or final occupancy, a deed restriction is required in perpetuity to allow snow storage for the Estates Meadows project (Resultant Parcel A) on the Truckee Senior Apartments site (Resultant Parcel B). The deed restriction shall be reviewed and approved by the Town Engineer and Town Attorney. ***(Planning Division Recommendation)***
43. The location of the proposed wetland fencing shall be reviewed and approved by a wetland expert and shall be verified in the field. Signage shall be placed on the proposed wetland fencing identifying the existence of the environmentally sensitive area and prohibiting entrance into the wetland. The locations, quantity, text, and design shall be reviewed and approved by the Community Development Director prior to building permit issuance. Prior to building permit final, the signage shall be installed. ***(Planning Division Recommendation)***
44. A minimum of 46 parking spaces to a maximum of 56 parking spaces are approved, as identified in the Planned Development. The parking and circulation dimensions shall be in compliance with Development Code Chapter 18.48 (Parking and Loading Standards). All parking spaces and walkways shall be kept clear of snow so they are useable year-round. Snow must be kept on the confines of the property as approved and may not be moved onto or stored on the Town maintained right-of-way or Town snow storage easements, unless specifically approved by the Town Engineer. Any future modifications

shall be reviewed and approved by the Town Engineer and Community Development Director prior to implementation. **(Development Code Chapter 18.48)**

45. Parking Management Plan: Prior to building permit issuance, the applicant shall submit a draft parking management plan identifying how the developer or future property manager will manage parking passes for tenants and guests, enforcement mechanisms, and monitoring expectations. Prior to building permit final, the parking management plan shall be reviewed and approved by the Community Development Director. Requirements for parking shall be provided in the lease; a draft lease shall be provided for review prior to final. Any future changes to the parking management plan shall be reviewed and approved the Community Development Director. **(Planning Division Recommendation)**
46. Exterior Lighting: Prior to building permit issuance, a lighting plan identifying locations, types, and lumens for all lights on site, including building and site lighting shall be submitted. All lights are required to be fully shielded, shall be located fully on the project site, outside of the roadway easement, and shall not trespass onto adjacent properties. The fixture design(s) shall be reviewed and approved by the Community Development Director for compliance with the Development Code and compatibility with the architecture. A photometric plan and/or a light output plan may be required if there appears to be lights close to property lines or if the Community Development Director determines that there is a potential excess of lighting. If the photometric study shows that light will trespass onto adjacent properties or the light output from the light fixtures overlap, the lighting plan shall be modified and/or light fixtures shall be removed. Timers and sensors are required to be used to ensure that excessive lighting is avoided. The lighting for the project, shall not exceed 198,000 lumens (1.98 net acres x 100,000 lumens) and shall be limited to the minimum necessary to address building code or safety concerns as identified by the Chief Building Official or lighting specialist. Lights shall be color corrected with warm color temperatures, 3,000K or less. **(Planning Division Recommendation)**
47. No wood burning appliances are proposed or approved as part of this project. **(Planning Division Recommendation)**
48. Exterior Building Materials: All building materials shall be consistent with the approved plan set. The use of cultured stone shall be prohibited. Natural stone and/or natural stone veneer may be used. All colors for the exterior of the building shall be consistent with the approved plan set, with the exception of the vertical siding "Monterey Taupe" color. Prior to building permit issuance, the applicant shall propose a warmer vertical siding color for review and approval by the Community Development Director. **(Planning Division Recommendation)**
49. Prior to building permit issuance, low concrete seat walls or fence shall be incorporated into the ground floor patios to delineate the perimeter of the private area. The design and material of the wall or fence shall be reviewed and approved by the Community Development Director. **(Planning Division Recommendation)**
50. Prior to building permit issuance, the design, material, color, and locations of outdoor amenities, including fencing, shade overhangs, site furnishings, and gas firepit, shall be reviewed and approved by the Community Development Director to ensure compatibility with the project design. **(Planning Division Recommendation)**

51. Utilities: All new utilities to serve the subject property shall be undergrounded in accordance with the requirements of the Development Code and the Town Engineer. The entirety of this work shall be completed in conjunction with the grading plans for the development and shall be included in the engineered improvement plans prepared for this project. **(Development Code Section 18.30.160)**
52. Prior to final certificate of occupancy, the applicants shall submit an affordable housing agreement for review and approval by the Community Development Director and Town Attorney. The affordable housing agreement is required to be recorded prior to the issuance of temporary or final certificate of occupancy. The contents of the affordable housing agreement shall comply with Development Code Section 18.210.090 (Affordable Housing Agreement). The affordable housing shall be deed restricted in perpetuity. **(Development Code Section 18.210.090).**
53. Prior to building permit issuance, the applicants shall demonstrate that bicycle parking in the amount of three parking spaces adjacent to each residential building is provided. The bicycle location, type, and mounting specifications shall be noted on the plans prior to building permit issuance. The applicant shall provide an indoor bicycle storage room as shown on the approved plan set. **(Planning Division Recommendation)**
54. Prior to final certificate of occupancy, the bicycle parking spaces shall be installed. Each bicycle parking space shall include a stationary parking device, mounted to the ground to adequately support the bicycle. Each bicycle space shall be a minimum of two feet in width and six feet in length and have a minimum of seven feet of overhead clearance; shall be conveniently located and generally within proximity to the main entrance of a structure; and be separated from motor vehicle parking spaces or aisles by a fence, wall or curb, or by at least five feet of open area, marked to prohibit motor vehicle parking. The bicycle storage room shall be installed prior to building permit final. **(Planning Division Recommendation)**
55. Solid Waste and Recycling: Prior to building permit issuance, a final solid waste plan shall be approved by the Planning Division to verify that the project is in compliance with Development Code Section 18.30.150 (Solid Waste/Recyclable Material Storage), including but not limited to minimum solid waste and recyclable material storage area requirements, screening, concrete pad requirements, and security, and in compliance with State of California requirements for food waste. The color for the corrugated metal shall be consistent with the residential building materials and shall be reviewed and approved by the Community Development Director. The applicant shall provide a copy of a "will-serve" letter or equivalent from Tahoe Truckee Sierra Disposal (TTSD) to ensure that the final solid waste and recycling collection plan will be serviced by TTSD. The proposed storage areas are required to be located within 250 feet of an access doorway to the residential units which they are intended to serve and should accommodate storage of all mixed waste, recyclables and cardboard. The storage areas shall be properly screened and resistant to wildlife. Storage areas are required to be compatible with the project and surrounding structures and land uses. The applicant shall pay to have the project site serviced as frequently as necessary to ensure there is no stockpiling of food byproducts, garbage, packaging materials, etc. and to reduce potential impacts on adjacent properties in terms of odors, wildlife nuisances, etc. The solid waste and recyclables storage areas shall be kept tidy and free from loose debris at all times. **(Planning Division, Development Code Section 18.30.150)**

56. Prior to building permit issuance, any/all roof-mounted and ground-mounted equipment shall be shown on the plans for review and approval. Roof-mounted equipment shall comply with the approved height limits. Prior to final occupancy, any/all roof-mounted and ground-mounted equipment shall be screened with an architectural compatible design, in accordance with Development Code Section 18.30.110.D. All flashing, vents, and gutters shall be painted in a color to blend with adjacent building colors. **(Planning Division Recommendation)**
57. No new signs are proposed or approved as part of this approval, except for those required as part of Condition of Approval 44. **(Planning Division Recommendation)**
58. No temporary signage is approved with this project. Any future temporary signage shall be required to apply for a Temporary Sign Permit for review and approval. **(Planning Division Recommendation)**
59. Prior to building permit issuance, the proposed 18' wood deck entry connecting Building A with the proposed sidewalk shall be redesigned to ensure that the structure is not located within the roadway easement. The sidewalk may be modified to allow for an at-grade concrete extension to connect to the wood deck entry outside of the easement. Final design and location of the sidewalk and wood deck connection will be reviewed and approved by the Town Engineer and Community Development Director. **(Planning Division Recommendation)**
60. Prior to building permit issuance, the applicant shall provide a dust suppression plan, in compliance with Development Code Section 18.30.030 (Air Emissions). **(Development Code Section 18.30.030)**
61. All graded areas shall be protected from wind and water erosion. Interim erosion control plans shall be required, certified by the project engineer, and reviewed and approved by the Town Engineer prior to building permit issuance. Permanent erosion control measures in accordance with Best Management Practices of the "Project Guidelines for Erosion Control for the Truckee River Hydrologic Unit" as adopted by the Lahontan Regional Water Quality Control Board shall be reviewed by the Town Engineer prior to building permit issuance. Prior to building permit final, the permanent erosion control shall be reviewed and approved by the Building Division. **(Planning Division Recommendation)**
62. Prior to building permit issuance, the applicant shall provide a tree protection plan in compliance with Development Code Section 18.30.155 (Tree Preservation). **(Development Code Section 18.30.155)**
63. No trees shall be removed unless a grading permit or building permit are issued by the Town of Truckee Building Division. **(Planning Division Recommendation)**
64. Final Landscaping Plan: The project shall provide landscaping in accordance with Chapters 18.40 and 18.42 and Section 18.30.155 of the Development Code, and as follows:
  - Prior to building permit issuance, the applicants shall submit a final landscaping plan for review and approval by the Community Development Director. All plants

shall be appropriate for the Truckee climate. Native and drought tolerant plants are preferred. The final landscape plan shall include the irrigation design plan.

- Prior to issuance of a temporary or final certificate of occupancy, the applicant shall submit documentation of compliance with Development Code Section 18.40.060 (Water Efficient Landscape Ordinance), including all required Water Efficient Landscape Worksheets including Worksheet A (Maximum Allowed Water Allowance) and Worksheet B (Certificate of Completion) for review and approval by the Community Development Director.
- Prior to issuance of a temporary or final certificate of occupancy, the applicant shall submit to the Planning Division a complete maintenance plan and contract, ensuring proper maintenance of all landscaping and irrigation, to be approved by the Community Development Director. The property owner shall be responsible for maintaining all plantings and irrigation, and in any case where required plantings have not survived, the property owner shall be responsible for replacement with equal or better plant materials.
- At least one week prior to issuance of a temporary or final certificate of occupancy, the applicant shall request an on-site inspection from the Planning Division for all landscaping and irrigation, and the applicant shall submit a landscape inspection fee in the amount established by the Town Fee Schedule at the time of the request (currently \$277). All landscaping shall be installed in accordance with the final landscape plan and these landscape conditions prior to issuance of a temporary certificate of occupancy OR installation of the landscaping shall be guaranteed by a performance guarantee or other acceptable security prior to issuance of a temporary certificate of occupancy and installation shall be completed prior to issuance of a final certificate of occupancy.
- Maintenance of all plantings and irrigation is required. In any case where required plantings have not survived, the property owner shall be responsible for replacement with equal or better plant materials (**Planning Division Recommendation**)

65. The applicant shall pay all required impact fees as required by each respective District, including fire, school and recreation fees, prior to building permit issuance. Quimby fees for the residential units shall be paid prior to map recordation. Enforcement and clarification to any of these agency/district requirements and the necessary timing for satisfying these requirements is at the discretion of the respective agency/district. (**Planning Division Recommendation**)

66. The project shall be required to comply with the following requirements related to noise:

- Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Locate stationary noise generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area.
- Utilize “quiet” air compressors and other stationary noise-generating equipment where appropriate technology exists.
- The project sponsor shall designate a “disturbance coordinator” who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint and will require that reasonable measures warranted to correct the problem be

implemented. The project sponsor shall also post telephone number for excessive noise complaints in conspicuous locations in the vicinity of the project site. Additionally, the project sponsor shall send a notice to neighbors in the project vicinity with the information on the construction schedule and the telephone number for noise complaints.

These notes shall be applied to the improvements/grading/building plans prior to issuance.

### **Tentative Map Conditions of Approval**

67. The applicant shall submit Parcel Map check prints, all required information, and applicable fees to the Planning Division for review and approval with the Parcel Map application. The Parcel Map shall be prepared by a licensed land surveyor or engineer in accordance with the Subdivision Map Act and Town Subdivision Ordinance. ***(Planning Division Recommendation)***
68. The applicant shall submit a certified copy of the tax certificate executed by the Nevada County Tax Collector prior to Parcel Map recordation. ***(Planning Division Recommendation)***
69. A non-disturbance area shall be applied to the eastern portion of the property to ensure the preservation of the wetlands. The language of the non-disturbance area shall note that the area is a wetland and no disturbance, including landscaping, snow storage, irrigation, grading, or filling is allowed in the area. ***(Planning Division Recommendation)***
70. Prior to Parcel Map, recordation of an overflight easement shall be required for operations of the Truckee Tahoe Airport. Overflight easements provide the right of flight in the airspace above a property and allow the generation of noise associated with aircraft overflight. ***(Planning Division Recommendation)***

### **Other Agency Conditions**

71. The project shall comply with all applicable Truckee Fire Protection District (TFPD) ordinances and requirements as determined by the District Fire Marshal. These ordinances and requirements may include, but are not limited to, roads and driveways, installation of fire hydrants and extinguishers, minimum fire flow, fire department access and safety, automatic sprinkler and alarm system for the building, driveway and width, paving specifications, wildland fire protection and defensible space, and payment of fire mitigation fees. ***(TFPD)***
72. The project shall comply with all requirements of the Truckee Sanitary District. ***(TSD)***
73. The applicant shall comply with all requirements of the Truckee Donner Public Utility District including, but not limited to, the following:
  - Development Agreements for electrical and water infrastructure;
  - Requirements of SB7 regarding the metering of water usage in multi-family residential structures;

- Requirements of AB 1881 and installation of a separate dedicated irrigation meter; and
  - All connects for domestic, irrigation, and fire sprinkler water uses shall be to the 8-inch pipe running along the norther shoulder of Estates Drive (**TDPUD**)
74. Alternatives to open burning be used for disposal of waste vegetation resulting from project development should be used. Suitable alternatives include chipping, grinding, hauling and/or cutting wood for use as firewood. (**NSQAMD**)
  75. Pursuant to NSAQMD Rule 226 a Dust Control Plan is required for projects involving the disturbance of more than one acre. A standard Dust Control Plan template can be provided, and can be modified to fit the project. (**NSQAMD**)
  76. The project location is not mapped as having ultramafic soil/rock, but if ultramafic rock is found during grading or subsurface exploration (highly unlikely in the Truckee area), the NSAQMD must be notified no later than the following business day and the statewide ATCMs for naturally occurring asbestos will apply. (**NSQAMD**)
  77. If any source of air contaminants is proposed (such as a standby diesel generator), the applicant should contact the NSAQMD to find out if an operating permit is needed. (**NSQAMD**)
  78. Review and approval from the Lahontan Water Quality Control Board and U.S. Army Corps of Engineers shall be submitted prior to building permit issuance. (**Lahontan**)
  79. The project applicant shall comply with all requirements of CalFire, which may include a requirement for a Timber Harvest Plan. (**CalFire**)
  80. Pursuant to Section 21089 of the California Public Resources Code and Section 711.4 et seq. of the California Fish and Wildlife code, fees in the amount of \$2,406.75 (Department of Fish and Wildlife fee) and \$50.00 (County Clerk fee) shall be submitted to the Planning Division within five (5) working days of approval of the project. A check in the amount of \$2,548.00 shall be made payable to the County of Nevada and submitted to the Town Planning Division. No grading or building permits shall be issued until the fees are paid. The fees are required to be collected on behalf of the Department of Fish and Wildlife and are not for Town purposes. The fee is subject to change January 1. (**Department of Fish and Wildlife**)