

**Town of Truckee  
California**

**PLANNING COMMISSION RESOLUTION 2022-07  
A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION  
APPROVING APPLICATION 2022-00000032/EXT  
(INDUSTRIAL WAY MIXED-USE PROJECT TIME EXTENSION)**

**WHEREAS**, on May 19, 2020, the Town of Truckee Planning Commission adopted Resolution 2020-05, approving the Industrial Way Mixed-Use Project (Application 2019-00000175) by taking the following actions: 1) Approved a Development Permit, Zoning Clearance and Sign Plan to construct two industrial shell buildings with 28,336 square feet of general manufacturing space and a nine-unit multifamily residential building at 10969 Industrial Way (APN 019-700-006-000); and 2) Determined the project exempt from further environmental review in accordance with Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act Guidelines; and

**WHEREAS**, on March 9, 2022 the Town of Truckee received Application 2022-00000032, requesting approval of a six-month Time Extension to the previously approved Industrial Way Mixed-Use Project; and

**WHEREAS**, the Truckee Development Code allows Time Extension approvals for a period or periods not exceeding a total of two years; and

**WHEREAS**, the Planning Commission is responsible for the review and consideration of Time Extensions for projects previously reviewed and approved by the Commission; and

**WHEREAS**, a 10-day public review period was provided to allow Federal, State, and local agencies, interested persons and organization, and other members of the public to review and comment on the project; and

**WHEREAS**, public notice was published in the *Sierra Sun* and mailed to property owners within 500 feet of the project site, informing the public about the project and the date, time, and location of the public hearing for consideration of the approval or denial of the Industrial Way Mixed-Use Project Time Extension; and

**WHEREAS**, the Planning Commission held a public hearing on the matter at their regularly scheduled Planning Commission meeting beginning and ending on April 19, 2022, and considered all public comment, testimony, evidence, and information related thereto.

**THEREFORE BE IT RESOLVED**, the Planning Commission hereby takes the following actions on Application 2022-00000032/ EXT (Industrial Way Mixed-Use Project Time Extension):

1. Approves a Time Extension for a period of one additional year from the effective date of approval of the previously approved Industrial Way Mixed-Use Project, as shown on the plans approved by the Planning Commission on May 19, 2020, incorporated herein, and subject to the conditions of approval set forth in Exhibit A (Conditions of Approval).
2. Determines the one-year Time Extension approval to be exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3); and

**BE IT FURTHER RESOLVED**, the Planning Commission adopts the findings set forth in Exhibit B (Findings) in support of the approval of the time extension.

The foregoing Resolution was introduced by Commission Member \_\_\_\_\_ and seconded by Commission Member \_\_\_\_\_ at a regular meeting of the Truckee Planning Commission held on the 19<sup>th</sup> day of April 2022 and adopted by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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Suzie Tarnay, Vice Chair  
Town of Truckee Planning Commission

PC Resolution 2022-07

ATTEST:

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Kayley Metroka, Secretary

Attachments:

Exhibit A – Conditions of Approval

Exhibit B – Findings

**RESOLUTION 2022-07  
EXHIBIT A**

**APPLICATION 2022-0000032/EXT  
INDUSTRIAL WAY MIXED-USE PROJECT TIME EXTENSIONS**

**DRAFT CONDITIONS OF APPROVAL**

**General Conditions of Approval**

1. A Time Extension for a period of one additional year from the effective date of approval of the previously approved Industrial Way Mixed-Use Project is approved to construct a mixed-use development with two industrial shell buildings (a total of 28,336 square feet of general manufacturing space) and a nine-unit multifamily residential building at 10969 Industrial Way (APN 019-700-006-000), as described in the Planning Commission staff report dated May 19, 2020 on file in the Community Development Department and as shown on the plan set approved by the Planning Commission on May 19, 2020, except as modified by these conditions of approval. The applicant is responsible for complying with all conditions of approval and providing evidence to the Community Development Director of compliance with each condition. ***(Planning Division Recommendation)***
  
2. All applicable conditions of approval in Planning Commission Resolution 2020-05 adopted on May 19, 2020, shall be incorporated into this Time Extension approval, with the following modifications:
  - A. Condition No. 2 shall be replaced to read: “The effective date of shall be May 2, 2022, unless the approval is appealed to the Town Council by 5:00 pm on April 29, 2022.” ***(Planning Division Recommendation)***
  
  - B. Condition No. 3 shall be replaced to read: The approval of the Development Permit, Zoning Clearance and Sign Plan shall be valid for 12 months after the effective date of the Time Extension (by May 2, 2023). At the end of that time, the approval shall expire and become null and void unless the time limits of the land use permit is extended per Section 18.84.055 of the Development Code.” ***(Planning Division Recommendation)***
  
  - C. Condition No. 5 shall be modified to require compliance with the Development Code standards and provisions in effect on December 14, 2021, the Development Code in effect at the time the Industrial Way Mixed-Use Project Time Extension application was determined to be complete for processing. ***(Planning Division Recommendation)***
  
  - D. Condition No. 31 shall be replaced to read:

“A minimum of 10 short-term bicycle parking spaces and three long-term bicycle parking spaces are required for the project in accordance with Development Code Section 18.48.090 (Bicycle Parking and Support Facilities). Short-term bicycle parking spaces shall be provided in racks or devices that allow secure locking and are located in a visible location near building entrances. Long-term bicycle parking is required to be either located within a locked enclosure that is covered from the elements or within a secure area internal to a building and located at the ground level. The bicycle parking

and support facilities shall comply with all requirements of Development Code Section 18.48.090. Revised plans identifying the bicycle parking shall be submitted for review by the Planning Division. Approval of the bicycle parking is required prior to issuance of temporary or final certificate of occupancy. The Community Development Director may authorize minor alterations to the approved plans and conditions of approval in accordance with Section 18.84.070.B.1 of the Development Code only if the Community Development Director finds such changes and alterations to be in substantial compliance with the approved 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 18.84.070.B.2 of the Development Code.” **(Planning Division Recommendation)**

E. Condition No. 34 shall be shall be replaced to read:

Prior to building permit final, a revised workforce housing proposal shall be approved by the Community Development Director in compliance with Development Code Chapter 18.216 (Workforce Housing). Manufacturing uses require a FTEE (full-time equivalent employee) calculation of 1 FTEE per 1,000 square foot of gross floor space. The project will construct 28,336 square feet of industrial floor area, which equates to 28.36 FTEE (28,336/1000). Industrial projects with 20,000 to 39,000 square feet and 20 to 40 FTEE are required to provide workforce housing equivalent to seven percent of the FTEE calculation, which results in two workforce housing units (28.36\*0.07).

The applicant proposes to construct two workforce housing units. The applicant shall record a deed restriction on the workforce housing units identifying both an employee preference (i.e., employees of the project have first right-of-refusal for the workforce housing units) and affordability restriction (i.e., if employees of the project do not rent the workforce housing units, then 100 percent of the units shall be affordable to low income households, or one-third of the units shall be affordable to very low income households, one-third shall be affordable to low income households, and one-third shall be affordable to moderate income households). The deed restriction shall also prohibit transient rentals (i.e., those for 30 days for less) and require that the units be occupied as the primary residences of the occupants.

Prior to building permit final, the revised deed restriction shall be reviewed and approved by the Community Development Director. Recordation of the deed restriction is required prior to issuance of temporary or final certificate of occupancy.” **(Planning Division Recommendation)**

3. Any fees due to the Town of Truckee for processing this project shall be paid to the Town within thirty (30) calendar days of issuance of a final invoice. 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)**
4. 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 Recommendation)**

**RESOLUTION 2022-07  
EXHIBIT B**

**APPLICATION 2022-0000032/EXT  
INDUSTRIAL WAY MIXED-USE TIME EXTENSION**

**FINDINGS**

**TIME EXTENSION**

- 1. The permittee has made a good faith effort to exercise the permit and has exercised due diligence in seeking to establish the permit.**

This finding is supported by the discussion section contained in the “Discussion/Analysis” section of the Planning Commission staff report dated April 19, 2022. Grading and building permits have been issued for the project. Additionally, the applicant has begun infrastructure work for the project, including installation of the sewer system.

- 2. The land use permit(s) and approved use are in compliance with this Development Code, the General Plan and any applicable Specific Plan and/or master plan.**

This finding is supported by the discussion section contained in the “Discussion/Analysis” section of the Planning Commission staff report dated April 19, 2022. Conditions of approval have been included in the Time Extension approval to address all Development Code standards that have been amended since the original date of approval for the project, ensuring the project’s ongoing consistency with the Development Code. The project remains in compliance with the 2025 General Plan, which was in effect at the time of the original project approval and has not been amended. The project is not located within a Specific Plan or Master Plan area.