



PLANNING COMMISSION STAFF REPORT

Meeting Date: April 19, 2022

To: Town of Truckee Planning Commission

From: Laura Dabe, Associate Planner

RE: Development Code Update—Clean-Up Amendments

Approved by: Jenna Gatto, Planning Manager

Recommended Action: That the Planning Commission adopt Resolution 2022-08 recommending to the approval Town Council of 2022 Development Code clean-up amendments and recommending the amendments to be exempt from CEQA pursuant to Sections 15060(c)(2), 15060(c)(3) and 15061(b)(3).

Project Summary: The Town of Truckee is proposing to amend the Development Code to ensure clarity, streamline review processes, and ensure consistency with other Municipal Code sections.

Discussion/Analysis:

Background

Draft Planning Commission Resolution 2022-08 includes amendments related to 16 clean-up amendment topics that staff is presenting for Commission review:

- (1) Allowed Uses and Permit Requirements for Residential Zoning Districts and Downtown Residential Zoning Districts (Section 18.08.030, Tables 2-2 and Table 2-3) and Commercial and Manufacturing Districts (Section 18.12.030, Tables 2-7 and 2-8)
- (2) Easements (Section 18.30.056.B)
- (3) Setbacks (Section 18.30.120, Table 3-3)
- (4) Solid Waste (Section 18.30.150)
- (5) Accessory Dwelling Units (Section 18.58.025)
- (6) Bed and Breakfast Inns (Section 18.58.070)
- (7) Detached Living Areas (Section 18.58.100)
- (8) Residential Accessory Structures (Section 18.58.220)
- (9) Time-Share Uses (Section 18.58.260)
- (10) Exempt Temporary Uses (Section 18.62.030)
- (11) Zoning Clearances (Chapter 18.72)
- (12) Vacations (Section 18.88.030)
- (13) Urban Lot Split Height Restrictions (Section 18.95.020)
- (14) Extensions of Time for Tentative Maps (Section 18.96.150)
- (15) Enforcement (18.200.040)
- (16) Definitions/Glossary (Chapter 18.220)

Clean-up Amendments

Proposed amendments are shown in in the draft Planning Commission Resolution 2022-08 (Attachment #1). Staff proposes the following clean-up amendments:

- Allowed Uses and Permit Requirements for Residential Zoning Districts and Downtown Residential Zoning Districts (Section 18.08.030, Tables 2-2 and 2-3) and Commercial and Manufacturing Districts (Section 18.12.030, Tables 2-7 and 2-8):

- Remove multi-family residential transient rentals as a permitted use per the Short-Term Rental Ordinance adopted by the Town Council on April 12, 2022.
- Add language permitting small lot single-family subdivisions that comply with Gov. Code, § 66499.40 in zoning districts that allow multi-family residential uses.
- Add footnote to allow time-share properties as a permitted use within existing legal nonconforming single-family residences in the CG (General Commercial) and CN (Neighborhood Commercial) zoning districts.
- Easements (Section 18.30.056.B):
 - Per direction from the Town Attorney, add language requiring a commitment from the easement owner that required parking, landscaping and/or site improvements within an easement will be allowed to remain in perpetuity.
- Setbacks (Section 18.30.120):
 - Add generators to the types of equipment that require a five-foot side and rear yard setback in Table 3-3.
 - Add language in the side setback reduction section to allow roofs with snow retention mechanisms in addition to roofs with non-shedding roof materials.
- Solid Waste and Recyclables Storage (Section 18.30.150):
 - Reduce enclosure height in Table 3-4 to six feet; 10 feet for enclosures with a roof.
 - Require bins and containers to be protected from wildlife.
- Accessory Dwelling Units (Section 18.58.025):
 - Clarify height and setback requirements for ADUs less than 16 feet tall.
 - Update language regarding parking within easements to mirror Section 18.30.056 (Easements).
 - Update occupancy and rental requirements for consistency with the Short-Term Rental Ordinance adopted by the Town Council on April 12, 2022, including clarification on the deed-restriction requirements for accessory dwelling units.
- Bed and Breakfast Inns (Section 18.58.070):
 - Clarify requirements for hosted rentals to ensure consistency with the Short-Term Rental Ordinance adopted by the Town Council on April 12, 2022.
- Residential Accessory Structures (Section 18.58.220):
 - Move detaching living area standards to Residential Accessory Structures section.
 - Clarify that breezeways are allowed for detached structures.
- Time-Share Uses (Section 18.58.260):
 - Add Section 18.58.260 (Time-Share Uses) to outline the application process, development standards and enforcement and violation protocols for time-share uses.
 - Clarify that timeshare properties are a permitted use within existing legal nonconforming single-family residences in the CG (General Commercial) and (Neighborhood Commercial) CN zoning districts.
- Zoning Clearance (Chapter 18.72):
 - Add time-share uses to list of projects that may be approved through a Zoning Clearance.
 - Clarify that tenant space must have a previous permitted use for a Streamlined Zoning Verification.
- Vacations (Section 18.88.030):
 - Add subsection to clarify process for abandonment of an access easement.
- Urban Lot Split Height Restrictions (Section 18.95.020):
 - Clarify height limits for resulting lots that are 2,000 square feet or larger.
- Extensions of Time for Tentative Maps (Section 18.96.150):
 - Add timeframe for Tentative Map Time Extension appeals for compliance with the Subdivision Map Act.
- Enforcement (Section 18.200.040):
 - Add ministerial permits to types of permits that may be withheld for processing due to Code Compliance violations.
- Definitions (Chapter 18.220)
 - Clarify that bedroom definition applies to studio units.

- Clarify the definition of detached to be consistent with the attached dwelling definition.

Next Steps

Following this Planning Commission hearing, the Commission's recommendations will be forwarded to the Town Council for consideration at their meeting on May 10, 2022.

Environmental Review: The proposed Development Code Amendments are not subject to CEQA because the adoption of these changes is not a "project pursuant to Section 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations. Specifically, these changes only affirm and clarify existing regulations that were previously assessed as part of the 2025 General Plan Update or the recent STR ordinance and do not create any environmental impacts not previously considered in the General Plan EIR/CEQA determination for the STR ordinance. Additionally, these proposed changes are exempt from the requirements of CEQA review pursuant to Section 15061(b)(3), which provides a general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Public Communication: In addition to the standard noticing of the agenda, a display ad was published in the *Sierra Sun* on April 8, 2022.

Attachment:

1. Planning Commission Resolution 2022-08 (Draft)