

**Town of Truckee
California**

PLANNING COMMISSION RESOLUTION 2025-01

**A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION
APPROVING APPLICATION 2023-000000172/DP
(KIDZONE MUSEUM DEVELOPMENT PERMIT)**

WHEREAS, The Town of Truckee approved a children's museum within a tent structure located at Truckee High School through a Conditional Use Permit in 2000; and

WHEREAS, the Kidzone Museum has outgrown its previous facility and is proposing to construct a new 10,500 square foot museum with 17,245 square feet of outdoor play area, a café and outdoor eating area. The new museum will be constructed in two phases, with the first phase constructing a 6,500 square foot facility, and the second phase constructing a 4,000 square foot addition.

WHEREAS, the Town has received an application requesting approval of a Development Permit to construct the new museum in two phases; and

WHEREAS, the Planning Commission is responsible for the review and consideration of Development Permits; and

WHEREAS, a public notice was published in the *Sierra Sun* and mailed to property owners within 500 feet of the project sites informing the public of the date, time, and location of the public hearing for the consideration of the approval or denial of the Development Permit; and

NOW THEREFORE BE IT RESOLVED, the Planning Commission hereby takes the following actions on Application No. 2023-00000172 (Kidzone Museum Development Permit):

1. Determine the project exempt further environmental review pursuant to Section 15168 (Program EIR) of the California Environmental Quality Act; and
2. Approve the Development Permit subject to the conditions of approval set forth in Exhibit B (Conditions of Approval) attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, the Planning Commission adopts the findings set forth in Exhibit C (Findings) in support of approval of the Development Permit.

The foregoing Resolution was introduced by _____ and seconded by _____ at a Regular Meeting of the Truckee Planning Commission held on the 21st day of January 2025 and adopted by the following vote:

AYES:
NOES:

ABSENT:

Mitch Clarin, Chair
Town of Truckee Planning Commission

ATTEST:

Kayley Metroka, Administrative Technician

Attachments:

Exhibit A: Plans
Exhibit B: Conditions of Approval
Exhibit C: Findings

PLANNING COMMISSION RESOLUTION 2025-01

EXHIBIT A

A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION APPROVING APPLICATION 2023-000000172/DP (KIDZONE MUSEUM DEVELOPMENT PERMIT)

CONDITIONS OF APPROVAL

General Conditions of Approval

1. A Development Permit to allow the construction of a new 10,500 square-foot museum to be constructed in two phases, with the first phase including 6,500 square feet of the building and the additional 4,000 square feet being added in a second phase. The final structure will include 6,876 square feet of museum space, 847 square feet of retail space (including a gift shop and grab-and-go café), 374 square feet of office space, 525 square feet of facility space (restrooms, lactation room), 1,190 square feet of storage and 688 square feet of miscellaneous space including interior walls or unusable areas, as described in the January 21, 2025 staff report and application approved by the Planning Commission on January 21, 2025 and on file in the Community Development Department except as modified by these conditions of approval. **(Planning Division)**
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. **(Planning Division)**
3. A matrix or letter shall be submitted as part of any grading or building permit application indicating how each condition 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 to the approved plan set design. **(Planning Division)**
4. The effective date of approval shall be February 3, 2025, unless the approval is appealed to the Town Council by 5:00 PM on January 31, 2025. The Development Permit Phase 1 shall commence within two years from the effective date (by no later than January 21, 2027). 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). The development of Phase 1 shall be completed within four (4) years from the date of approval of the Development Permit. Phase 2 shall be deemed expired if not exercised within two years after completion of Phase 1. **(Planning Division)**
5. An Easement Consent Agreement, shall be signed by Liberty Utilities and submitted to the Town for planting and maintaining landscaping within their public utility easement along the east side of the property, or an alternative equivalent landscaping plan shall

be submitted for review and approval by Town Staff to replace the landscaping proposed within the easement prior to building permit issuance. **(Planning Division)**

6. The old Kidzone Museum tent structure located at 11643 Donner Pass Road, APN 018-570-022-000, shall be demolished within 60 days of the new museum facility receiving a Certificate of Occupancy for Phase 1. **(Planning Division)**
7. A workforce housing in-lieu fee shall be paid to the Town of Truckee Community Development Department in the amount of \$12,316.59 prior to Building Permit issuance. **(Planning Division)**
8. To reduce potential impacts to the western bumble bee, all vegetation shall be removed during the late winter months immediately following snow melt and all subsequent ground disturbing activities shall commence by June 1st to discourage new nests from being established. If work commences after June 1st, a qualified biologist shall conduct a survey to determine the presence of this species. If the presence of western bumble bees is detected, a 2081 Incidental Take Permit shall be obtained from The California Department of Fish and Wildlife. **(Planning Division)**
9. Pre-construction surveys, prepared by a qualified biologist, shall be conducted prior to tree removal to detect for roosting or hibernating silver haired bats or long-eared myotis. If a maternity roost is detected, delay of the tree removal may be necessary until after the roost is vacated. If bat species are detected or observed within the trees, measures shall be taken to clear the bats prior to removal activities. To offset the loss of any occupied bat roosts, the applicant shall install bat boxes at a suitable location in the vicinity of the project site to provide roosting opportunities for the displaced bats. **(Planning Division)**
10. If vegetation removal is scheduled during the nesting season (typically March 15th to August 31st), a focused survey for active raptor nests shall be conducted by a qualified biologist within 14 days prior to the beginning of project-related activities. Surveys shall be conducted in proposed work areas, staging and storage areas, along equipment transportation routes, and soil, equipment and material stockpile areas. If active raptor nests are detected, the qualified biologist will determine if work may continue without disturbing the nest and under what conditions. **(Planning Division)**
11. No construction activity shall occur before 7:00 a.m. or after 9:00 p.m. on any day except Sunday, or before 9:00 a.m. or after 6:00 p.m. on Sunday. **(Planning Division)**
12. All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment. **(Planning Division)**
13. All stationary noise generating equipment shall be located as far as possible from sensitive receptors. **(Planning Division)**
14. "Quiet" air compressors and other stationary noise generating equipment shall be utilized where appropriate technology exists. **(Planning Division)**
15. The project sponsor shall designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The

disturbance coordinator shall determine the cause of the noise complaint and require a reasonable measure warranted to correct the problem be implemented. A telephone number for contacting the disturbance coordinator shall be posted 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 information on the construction schedule and the telephone number for noise complaints. **(Planning Division)**

16. 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)

17. Prior to Parcel Map Recordation, Lot Line Adjustment, Subdivision Map Recordation, or 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)**
18. Prior to building (grading) permit issuance, the applicant shall provide an erosion control plan and stormwater 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 85th percentile, 24-hour storm. The plan shall provide details for the proposed project stormwater collection and treatment including the safe release of overflow. **(Engineering Division)**

19. If project disturbs one acre or more or is part of a larger planned development, 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. Prior to building permit issuance, 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)**
21. Prior to building permit issuance, the applicant shall pay **traffic impact fees** applicable at the time of building permit issuance. As of January 15, 2025, based on 10,500 SF of "Museum" use (0.18 trips/1,000SF = \$1.58/SF), the estimated traffic impact fees for the proposed project are \$16,590.00. A credit for the existing KidZone (3,885 SF at \$1.58/SF) that will be demolished prior to certificate of occupancy on this new project, is \$6,138.30. Total estimated traffic impact fees for the proposed project are **\$10,451.70**. 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. See Resolution No. 2023-07 for more information on the Town's AB1600 Fee Program. **(Engineering Division)**
22. Prior to building permit issuance, the applicant shall pay **facilities impact fees** applicable at the time of building permit issuance. As of January 15, 2025, based on 10,500 SF of "Museum" use (Institutional = \$1.70/SF), the estimated facilities impact fees for the proposed project are \$17,850.00. A credit for the existing KidZone (3,885 SF at \$1.70/SF) that will be demolished prior to certificate of occupancy on this new project, is \$6,604.50. Total estimated facilities impact fees for the proposed project are **\$11,245.50**. 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)**
23. Structures shall be designed such that snow will not shed into pedestrian areas, onto parked vehicles, or into drive aisles. **(Engineering Division)**
24. Prior to building permit issuance, provide a snow removal/storage plan for approval by Town Engineer that shows snow storage calculations (50% of impervious area where snow will be removed from, except in areas with a snow load of 200 pounds per square foot or greater, where the required snow storage area shall equal to at least 75% of the paved area), locations, and how snow will be put in those locations. Snow storage locations should be easily accessible (i.e. no curbs). Provide snow storage as close to the source as possible. **(Engineering Division)**
25. Frontage improvements will be required for the project. A minimum six-foot-wide sidewalk will be required along the River View Drive frontage. A pedestrian connection between the proposed buildings and the public way 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.
(Engineering Division)

26. Prior to building permit issuance, the applicant will be required to enter into a Hold Harmless and Maintenance Agreement for any and all frontage improvements. There is a fee associated with the development of the Hold Harmless Maintenance Agreement.
(Engineering Division)
27. Prior to Parcel Map Recordation, Lot Line Adjustment, Subdivision Map Recordation, or building (grading) permit issuance, the applicant is required to offer for dedication to the Town an easement for any portions of the frontage improvements that are outside of the River View Drive right-of-way. **(Engineering Division)**
28. Prior to Parcel Map Recordation, Lot Line Adjustment, Subdivision Map Recordation, or building (grading) permit issuance, the applicant is to offer for dedication to the Town of Truckee 20' wide drainage easement centered along all drainage paths that cross the applicant property. **(Engineering Division)**
29. Prior to Parcel Map Recordation, Lot Line Adjustment, Final Map Recordation, or certificate of occupancy, 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.

"Cost of remaining improvements" includes construction management costs. The limits of the remaining improvements will be reviewed and approved by the Town Engineer.
(Engineering Division)
30. Prior to building (grading) permit issuance, approvals from individual utility providers impacted by the development shall be obtained and copies of approvals shall be provided to the Town Engineer to ensure there are no objections by affected utilities and that the project proponents are coordinating improvements. **(Engineering Division)**
31. Prior to building (grading) permit issuance or certificate of occupancy (whichever is specified), the applicant shall conform to all Engineering mitigation measures that are outlined in the project's adopted environmental document (if applicable). **(Engineering Division)**
32. Prior to Certificate of Occupancy, the applicant shall provide to the Town As-Builts for all public improvements required by the project, including, but not limited to: sidewalks, trails, transit shelters, drainage facilities, etc. The as-built drawings shall be completed by the Contractor and submitted to the Engineer in electronic format upon completion of construction and prior to the acceptance of the improvements by the Town Engineer. As-built drawings shall include all changes made during construction and shall be signed by the engineer of record and the contractor. In addition, a digital copy of the plans and survey control shall be submitted for the Town's use.

Electronic files shall be submitted to the Town of Truckee in PDF format and in one or more of the following formats:

1. AutoCAD 2018 (or older) format *.dwg CAD files to generate all final drawings and maps, with any associated images as geo-referenced 8-bit PC format TIFF files, with coordinate system defined.
2. ArcGIS-compatible shapefiles or coverages, with images as geo-referenced 8-bit PC format TIFF files, and any raster data in ESRI GRID format, with coordinate system defined.

The CAD or GIS system must have a defined coordinate system. The Town prefers that all submitted data be in Lambert Conformal Conic NAD 1983 CA State Plane II FIPS project, to match the existing Town of Truckee GIS data.

(Engineering Division)

33. The project shall comply with the 2022 California Building Code of Regulations or the most current Code of Regulations enforced at the time of submittal. **(Building Division)**
34. The commercial food facility/retail food space shall require an annual operational health permit from Nevada County Department of Environmental Health (NCDEH). As such, the applicant will need to submit a major food facility plan review application, applicable fees, and plans for the construction of the food facility/retail food space. The plan review shall include two sets of equipment specifications, specific design of the commercial kitchen, sink infrastructure, any proposed retail food areas, food storage areas, janitorial areas, restrooms, plumbing, electrical, garbage areas, etc. The plan check submittal shall be approved before any construction of the food facility can begin. The facility shall pass a final construction inspection with Environmental Health, apply for an annual Certificate of Operation for a food facility and pay applicable fees prior to opening. **(Nevada County Environmental Health Department)**
35. Due to the site of the Kidzone Museum being located within compatibility Zones C and D, as determined by the Truckee Tahoe Airport Land Use Compatibility Plan, the project shall comply with the maximum allowed density of 75 people per acre, a single-acre occupancy of 225 people. Additionally, an overflight easement shall be recorded on the property prior to building permit final. **(Nevada County Transportation Commission)**
36. Disposal trucks require straight line access and a 45-foot turning radius to access trash dumpsters head-on for service. The designed enclosure does not allow for disposal trucks to access the dumpster inside. The enclosure can be angled towards the driveway to allow for 80' of straight-line access. Another potential location for the enclosure to facilitate access could be north side of the parking lot with access gates opening towards the parking area. Roofing on the trash enclosure is not recommended, if roofing is necessary, 10' of vertical clearance should be provided. **(Solid Waste Division)**
37. The Owner/Developer will be required to comply with District rules and regulations for the proposed project. An agreement for the modification of facilities will be necessary. The detailed scope of work and the associated costs will be determined based on the District's review of the completed development application and supporting documentation. **(Truckee Donner Public Utility District)**
38. Installation of a commercial kitchen will require a hood and separate sprinkler system and

plan review. This may be done as a deferred submittal. **(Truckee Fire Protection District)**

39. The project shall comply with locally adopted and amended fire code that is effect at the time the project is permitted. Complete plans shall be submitted to the Fire District for review and approval. The developer shall be responsible for in house and third party plan review fees. **(Truckee Fire Protection District)**
40. The Fire District has adopted a capital facilities mitigation program that applies to new developments. The developer will be responsible for payment of fire mitigation fees at the appropriate rate when the project is permitted. **(Truckee Fire Protection District)**
41. The project shall comply with the Fire District's currently adopted defensible space ordinance throughout the life of the project. A vegetation management plan that addresses the creation and continued maintenance of a defensible space around the project area will be required. **(Truckee Fire Protection District)**
42. The Community Development Director may authorize minor alterations to the approved Minor Use Permit 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 Zoning Administrator in accordance with Section 19.84.070(B)(2) of the Development Code. **(Planning Division)**
43. 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. The Parcel Map shall not be recorded until all outstanding fees are paid to the Town. **(Planning Division)**
44. The applicants 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)**

PLANNING COMMISSION RESOLUTION 2025-01

EXHIBIT B

A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION APPROVING APPLICATION 2023-000000172/DP (KIDZONE MUSEUM DEVELOPMENT PERMIT)

FINDINGS

DEVELOPMENT PERMIT FINDINGS

1. *The proposed development is:*

- A. *Allowed by Article II (Zoning Districts and Allowable Land Uses) within the applicable zoning district with the approval of a Development Permit and complies with all applicable provisions of this Development Code, the Municipal Code and the Public Improvement and Engineering Standards; and***

The proposed museum is an allowed use within the Public Facilities (PF) zoning district as long as it is operated by a public entity or a nonprofit who operates like a public entity. The Kidzone Museum is a nonprofit and has provided recreational and learning opportunities to the youth of Truckee of over 20 years and would operate its new facility through a lease with the Truckee Donner Recreation and Park District. The proposal is also in alignment with the requirements of the Development Code as described in this staff report.

- B. *The proposed site is served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development;***

The proposed development would be accessed off of Brockway Road and Estates Drive and be located on Riverview Drive. As describe in the traffic study (Attachment 6) the increase in traffic caused by the new development would not have a negative impact on level of service for these roads or cause impacts on related intersections.

- C. *The Development Permit approval is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potential significant adverse effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted;***

The proposed development would be in compliance with the California Environmental Quality Act (CEQA) pursuant to Section 15168, which allows projects to be reviewed for consistency with the overlying programmatic

Environmental Impact Report, which in this case was prepared for the 2040 Town of Truckee General Plan Update. The report, prepared by Raney Planning and Management, Inc, shows that the scope of the project is consistent with the 2040 General Plan Update Environmental Impact Report as described in this staff report.

- D. There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety. Adequate provisions shall mean that distribution and collection facilities and other infrastructure are installed at the time of development and in operation prior to occupancy of buildings and the land and all development fees have been paid prior to occupancy of buildings and the land;***

The proposed development has been reviewed by the local fire district, as well as sanitation and utility providers to ensure that the proposal would not be detrimental to public health and safety and there are adequate provisions for public and emergency vehicle access. Distribution and collection facilities, along with other infrastructure, will be installed prior or concurrent to the development and will be operational prior to occupancy of the building.

- E. The proposed development is consistent with all applicable regulations of the Nevada County Environmental Health Department and the Truckee Fire Protection District for the transport, use and disposal of hazardous materials.***

The Kidzone Museum does not intend to use any hazardous materials in conjunction with their operation.

- F. For projects that are not processed concurrently with Streamlined Residential Review (Chapter 18.79), the proposed development is:***

- 1. Consistent with the General Plan, any applicable Specific Plan and/or Master Plan, the Trails Master Plan, the Truckee Tahoe Airport Land Use Compatibility Plan and the Particulate Matter Air Quality Management Plan.***

The proposed development is consistent with the requirements of the Town's 2040 General Plan and the Truckee Tahoe Airport Land Use Compatibility Plan. Compatibility with the 2040 General Plan is discussed below.

- 2. Consistent with the design guidelines, achieves the overall design objectives of the design guidelines and would not impair the design and architectural integrity and character of the surrounding neighborhood;***

The proposed development would integrate into the surrounding neighborhood and be compatible with existing improvements within the Truckee River

Regional Park. The project would also retain existing surrounding native vegetation to keep with the rural setting of the area. The proposed building achieves the design objectives of the design guidelines as recommended in the Town's Development Code.

3. The subject site is:

a. *Physically suitable for the type and density/intensity of development being proposed; and*

The proposed development is located within a 19.02-acre parcel at the Truckee River Regional Park. The site is underdeveloped to allow for recreation. The site is more than adequate to accommodate the proposed museum, parking lot, landscaping and outdoor recreation area.

b. *Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards and other features required by this Development Code.*

The 19.02-acre parcel is more than large enough to accommodate all proposed infrastructure, including fencing, landscaping, loading, parking and outdoor areas.

PLANNING COMMISSION RESOLUTION 2025-01

EXHIBIT C

**A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION
APPROVING APPLICATION 2023-000000172/DP
(KIDZONE MUSEUM DEVELOPMENT PERMIT)**

PLANS