

**TOWN OF TRUCKEE
California**

DRAFT ORDINANCE 2023-05

**AN ORDINANCE OF THE TOWN OF TRUCKEE
AMENDING THE TRUCKEE MUNICIPAL CODE, TITLE 18, DEVELOPMENT CODE
FOR TELECOMMUNICATIONS FACILITIES, BIKESHARES AND CLEAN-UP AMENDMENTS**

WHEREAS, the Town Council adopted the 2025 General Plan on November 16, 2006 thereby establishing the Council's policy on future growth, development, and conservation of natural resources; and

WHEREAS, the Council adopted the 2025 General Plan Implementation Program on November 16, 2006, establishing the priorities, responsibilities and timelines for implementing the actions and programs of the General Plan; and

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

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

WHEREAS, the Planning Commission adopted Resolution 2007-10 on June 13, 2007 recommending to the Council that the Council initiate a comprehensive update to Title 18, Development Code, of the Municipal Code; and

WHEREAS, the Town Council adopted Resolution 2007-36 on July 19, 2007 initiating a comprehensive update to Title 18, Development Code, of the Municipal Code; and

WHEREAS, this is the final set of amendments that will be proposed under Resolution 2007-36 because the 2040 General Plan was adopted by the Town Council on May 9, 2023; and

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

WHEREAS, clean-up amendments are incorporated in order to help provide accurate and consistent review of all projects; and

WHEREAS, the Planning Commission reviewed all proposed amendments at its May 16, 2023 public hearing and recommended approval to the Town Council.

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

Section 1.

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

Section 2.

Findings. The Council hereby adopts the following findings in support of adoption of this ordinance and the amendments to Title 18, Development Code. The May 16, 2023 Planning Commission staff report and meeting minutes, are hereby incorporated herein by reference and provide a factual basis for the findings.

a. The proposed amendments directly implement and are internally consistent with the goals, policies, and actions of all elements of the 2025 General Plan.

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

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

Section 3.

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

Section 4.

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

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The foregoing Ordinance was introduced at a regular meeting of the Truckee Town Council held on the 27th day of June, 2023, and adopted at a regular meeting of the Truckee Town Council on the _____ day of _____, 2023, by Council Member _____, who moved its introduction, which motion was seconded by Council Member _____ was upon roll call carried by the following vote:

AYES:

NOES:

ABSENT:

Lindsay Romack, Mayor

ATTEST:

APPROVED AS TO FORM:

Judy Price, MMC, Town Clerk

Andrew Morris, Town Attorney

Attachments:

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

Exhibit B – Title 18, Development Code Amendments

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EXHIBIT “A”

Title 18, Development Code Amendments

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

Amendments to Article I, Section 18.01.040 (Applicability of the Development Code); Article II, Section 18.08.030, Table 2-2 (Allowed Uses and Permit Requirements for Residential Zoning Districts) and Table 2-3 (Allowed Uses and Permit Requirements for Downtown Residential Zoning Districts), Section 18.12.030, Table 2-7 (Allowed Uses and Permit Requirements for Commercial and Manufacturing Zoning Districts) and Table 2-8 (Allowed Uses and Permit Requirements for Downtown Commercial and Manufacturing Zoning Districts), Section 18.12.070.A (In-Lieu Parking Requirements), and Section 18.16.030, Table 2-10 (Allowed Uses and Permit Requirements for Special Purpose Zoning Districts); Article III, Section 18.30.060 (Exterior Lighting and Night Sky), Section 18.30.120 (Setback Requirements and Exceptions, Table 3-3), Section 18.30.130 (Snow Storage), Section 18.34.050 (Variance Required), Chapter 18.48 (Parking and Loading Standards), Chapter 18.54 (Signs), Section 18.58.072 (Bike Shares), Section 18.58.080 (Child Day Care Facilities), Section 18.58.220 (Residential Accessory Structures), Section 18.58.250 (Telecommunications Facilities), Section 18.58.270 (Wireless Communications Facilities), and Temporary Uses (Chapter 18.62); Article IV, Section 18.70.030, Table 4-1 (Review Authority), Chapter 18.72 (Zoning Clearances), Chapter 18.75 (Minor Modifications), and Chapter 18.80 (Temporary Use Permits); and Amendments to Article VIII, Chapter 18.220 (Definitions/Glossary) are hereby amended as designated in Exhibit “B” attached hereto and incorporated herein.

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EXHIBIT “B”

Title 18, Development Code Amendments

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