

**Town of Truckee
California**

PLANNING COMMISSION RESOLUTION 2023-21

**A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION
APPROVING APPLICATION 2023-000000015/MM-AMD-ZC
(11118 TRAILS END RECORDED MAP MODIFICATION, PROJECT AMENDMENT
AND ZONING CLEARANCE)**

WHEREAS, the Town of Truckee has received an application requesting modifications to the previous approvals for Lot 5 of the Pioneer Commerce Phase III Subdivision. The temporary approval has since expired and the applicant is requesting approvals to establish a permanent use on the property, which requires the following land use entitlements: **1) Recorded Map Modification** to modify the notes on Lot 5 of the recorded Pioneer Commerce Phase III Subdivision Parcel Map (PM 19 175); **2) Project Amendment** to remove the restriction on outdoor uses on Lot 5 in the Pioneer Commerce Center Planned Development amended on May 21, 2019 (Application #2019-0000050, Commission Resolution 2019-10); and **3) Zoning Clearance** to establish a permanent outdoor construction contractor's yard on the property; and

WHEREAS, the Planning Commission is responsible for the review and consideration of major changes to an approved project for which the Planning Commission was the original review authority under Development Code Section 18.84.070 (Changes to an Approved Project) and for modifications to a recorded Parcel Map or Final Map under Development Code Section 18.98.140 (Amendments to Recorded Maps) for which the Planning Commission was the original review authority, and for associated applications processed concurrently, including Zoning Clearances; and

WHEREAS, a Tentative Map and Planned Development for Pioneer Commerce Center Phase III were approved by the Planning Commission on February 9, 2005 (Town of Truckee Application #00-111, Resolutions 2005-02 and 2002-05), which included restrictions on Lots 4-9 to address the location of the lots within the I-80 Scenic Corridor (including establishing height and setback standards, requiring Planning Commission review for all future development projects, and prohibiting outdoor retail, storage and activity areas); and

WHEREAS, on October 20, 2005, the Phase III map was recorded (PM 19 175) with the restrictions on Lots 4-9; and

WHEREAS, on September 8, 2010 the Planning Commission approved a Zoning Clearance to establish a temporary contractor's yard located at 11118 Trails End for a maximum of five years (Application No. 09-035/AMD-ZC, Resolution 2010-01), and the Commission approved a five-year time extension on December 15, 2015 (Application #2015-00000111/EXT, Resolution 2015-16); 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, a public notice was published in the *Sierra Sun* and mailed to property owners within 500 feet of the project site informing the public of the date, time, and location of the public hearing for the consideration of the approval or denial of the Recorded Map Modification, Project Amendment and Zoning Clearance; and

THEREFORE BE IT RESOLVED, the Planning Commission hereby takes the following actions on Application 2023-00000015 (11118 Trails End Recorded Map Modification, Project Amendment and Zoning Clearance):

1. Approves a Recorded Map Modification, Project Amendment and Zoning Clearance for the 11118 Trails End project, as shown on Exhibit "A" (Approved Plan Set) and subject to the conditions of approval set forth in Exhibit "B" (Conditions of Approval), attached hereto and incorporated herein; and
2. Determines the project exempt from further environmental review in accordance with Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines.

BE IT FURTHER RESOLVED, the Planning Commission adopts the findings set forth in Exhibit "C" (Findings), in support of approval of the Recorded Map Modification, Project Amendment and Zoning Clearance and Zoning Clearance.

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^h day of December 2023 and adopted by the following vote:

AYES:

NOES:

ABSENT:

Mitch Clarin – Chair
Town of Truckee Planning Commission

ATTEST:

Kayley Metroka, Secretary

Attachments:

Exhibit A — Approved Plan Set
Exhibit B — Conditions of Approval
Exhibit C — Findings

**RESOLUTION 2023-21
EXHIBIT A**

**A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION
APPROVING APPLICATION 2023-000000015/MM-AMD-ZC
(11118 TRAILS END RECORDED MAP MODIFICATION, PROJECT AMENDMENT
AND ZONING CLEARANCE)**

PLAN SET

(See Attached)

JENSEN CONTRACTORS YARD
LOT 5 PIONEER COMMERCE CENTER PHASE III

11118 TRAILS END ROAD
NEVADA COUNTY
APN 019-920-006
TRUCKEE, CA

CLIENT NAME:
AARON & SIMONE JENSEN
PO BOX 9081
TRUCKEE, CA 96162

FILE:
JENSEN PM - LOT 5 PARCEL EXHIBIT.dwg
SCALE:
AS SHOWN ON PLAN

DATE:
JUNE 23, 2023

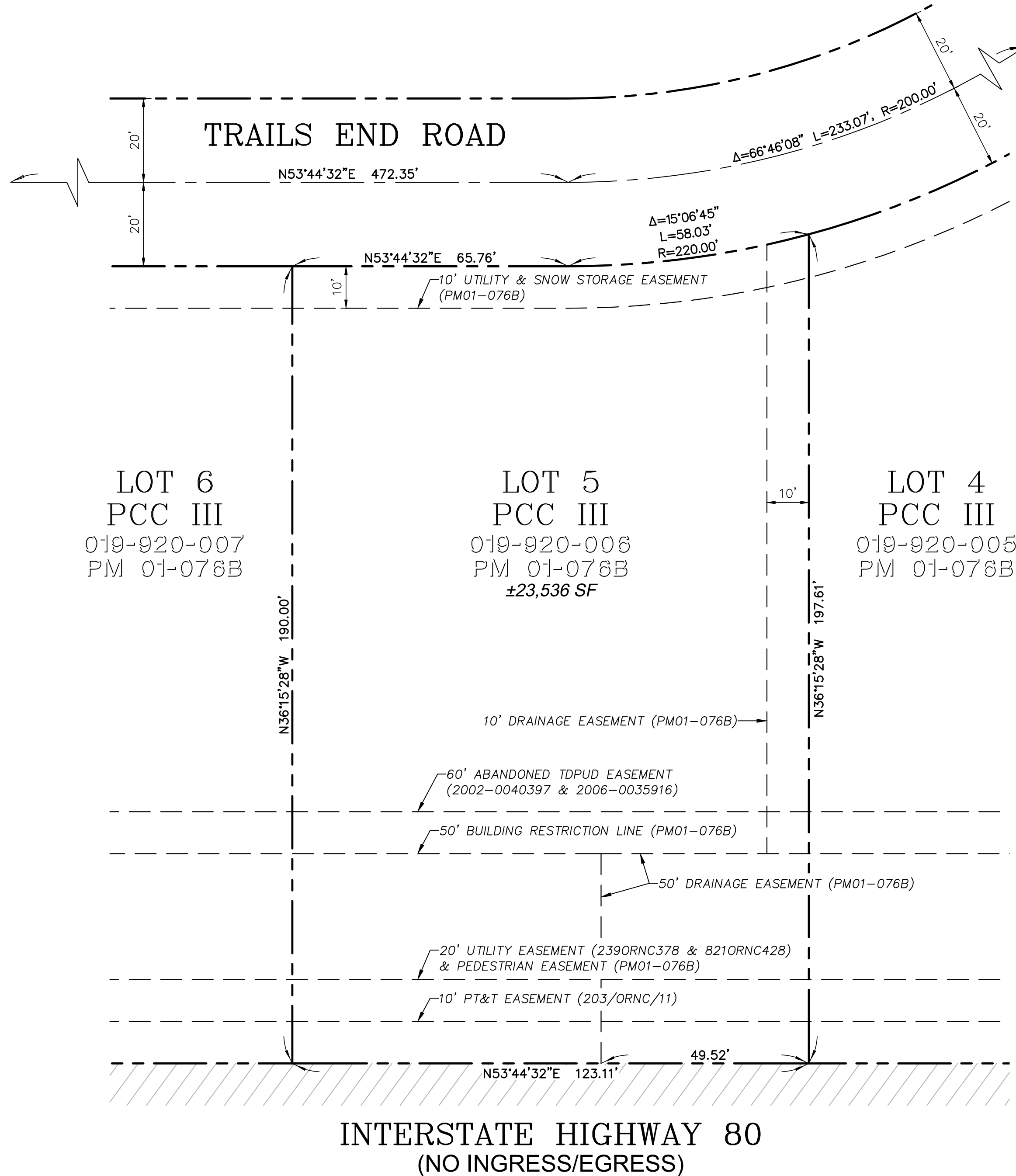
REVISIONS:

DESCRIPTION:

SHEET:

P1

OF 1 SHEETS



PROPERTY INFORMATION:

THE DESCRIPTION OF THIS PROPERTY IS LOT 5 OF PIONEER COMMERCE CENTER PHASE III AS SHOWN ON PARCEL MAP NO 01-076 RECORDED OCTOBER 20, 2005 IN BOOK 19 OF PARCEL MAPS @ PAGE 175 ORNC.

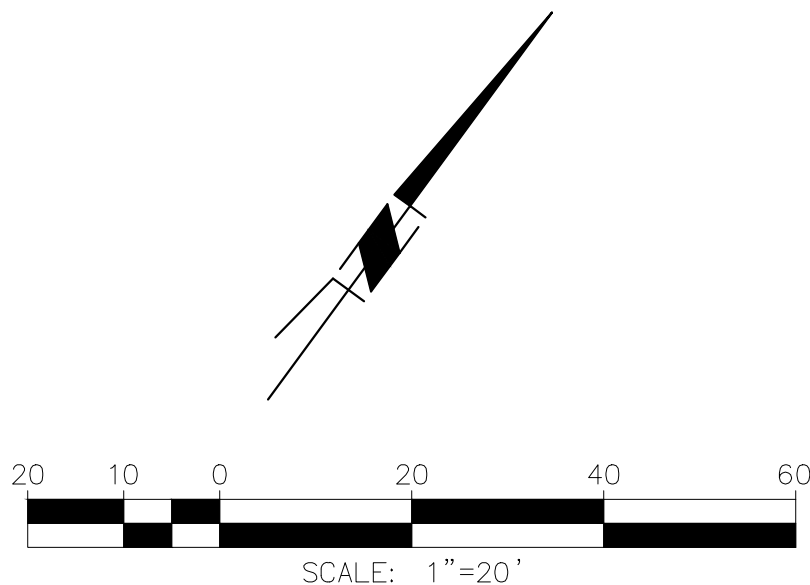
THIS PROPERTY IS AFFECTED BY THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR PIONEER COMMERCE CENTER PROPERTY OWNERS ASSOCIATION RECORDED IN DOC. NO. 2002-0040396, ORNC, DOC. NO 2005-0041929 ORNC.

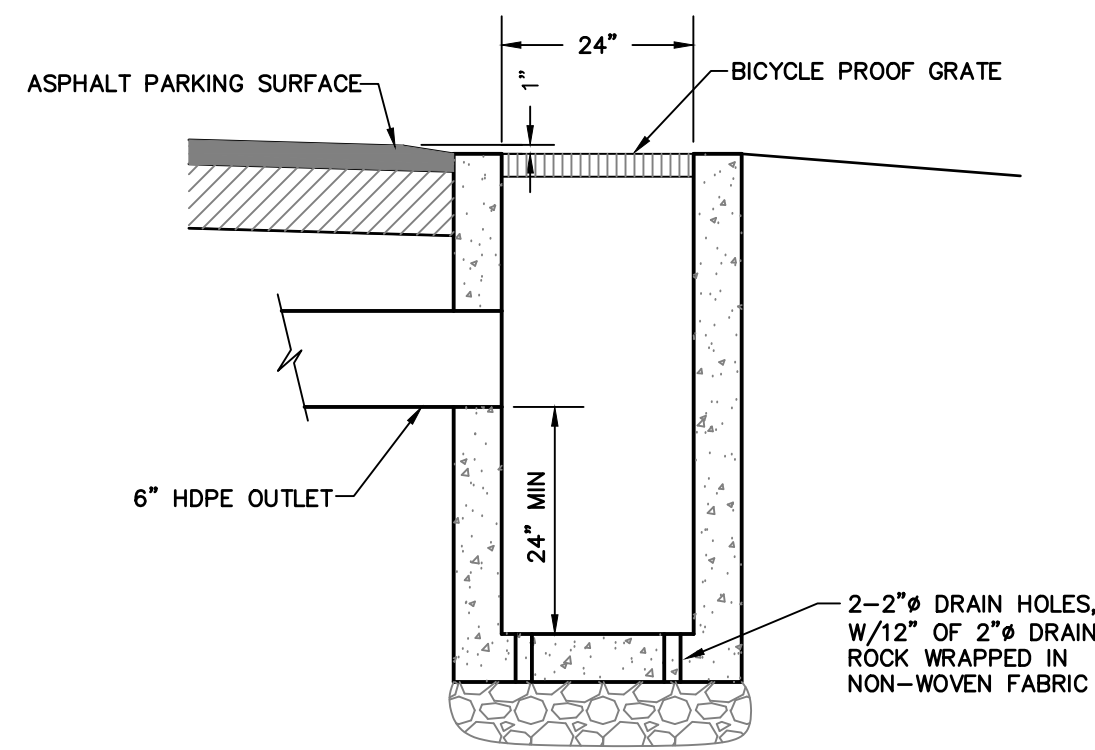
THE PROPERTY IS AFFECTED BY THE FOLLOWING EASEMENTS:

- A 10-FOOT WIDE UTILITY EASEMENT FOR COMMUNICATION FACILITIES TO PACIFIC TELEPHONE AND TELEGRAPH PER 703/ORNC/11.
- A 20-FOOT WIDE UTILITY EASEMENT TO PACIFIC TELEPHONE AND TELEGRAPH PER 239/ORNC/378.
- A 20-FOOT WIDE UTILITY EASEMENT TO DART INDUSTRIES FOR WATER CONVEYANCE FACILITIES PER 821/ORNC/428.
- A 60-FOOT WIDE TRUCKEE DONNER PUBLIC UTILITY DISTRICT UTILITY EASEMENT RECORDED IN DOC. NO. 2002-0040397 ORNC AND ABANDONED IN DOC. NO. 2006-0035916 ORNC.
- AN AVIGATION EASEMENT TO THE TRUCKEE TAHOE AIRPORT DISTRICT IN DOC. NO. 2005-0041927 ORNC.
- TEN AND 50-FOOT WIDE DRAINAGE EASEMENTS, A 10-FOOT WIDE UTILITY EASEMENT, A 10-FOOT WIDE SNOW STORAGE EASEMENT, A 20-FOOT WIDE PEDESTRIAN EASEMENT AND A 50-FOOT BUILDING RESTRICTION LINE ALL AS SHOWN ON PARCEL MAP NO 01-076.

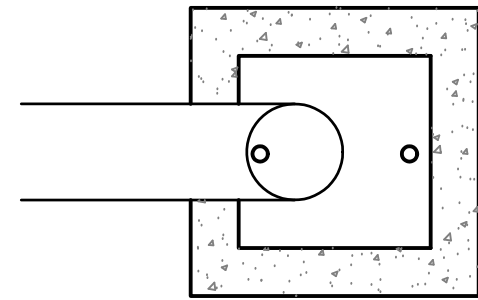
DEVELOPMENT GUIDELINES:

- AN AIR QUALITY MITIGATION FEE OF \$132.00 PER 1,000 SQUARE FEET OF GROSS BUILDING FLOOR AREA SHALL BE PAID TO THE TOWN OF TRUCKEE.
- WOODSTOVES AND OTHER WOOD-BURNING DEVICES ARE PROHIBITED.
- THERE SHALL BE NO TREE REMOVAL WITHIN 50-FEET FROM THE SOUTHERNMOST PROPERTY LINE. TREES SHALL BE REPLACED ONLY UPON APPROVAL BY THE TOWN OF TRUCKEE COMMUNITY DEVELOPMENT DIRECTOR. IF THE TREE TO BE REPLACED IS DISEASED AND REQUIRED TO BE FELLED, THE COMMUNITY DEVELOPMENT DIRECTOR MAY REQUIRE THE PREPARATION OF AN ARBORIST'S STUDY PRIOR TO REMOVAL OF ANY DISEASED TREE.
- ALL OUTDOOR ACTIVITIES, EQUIPMENT, MATERIALS AND VEHICLE STORAGE ON THE PARCEL SHALL BE SCREENED FROM INTERSTATE HIGHWAY 80 BY A BUILDING OR LANDSCAPING/FENCING MEETING THE REQUIREMENTS OF TOWN OF TRUCKEE DEVELOPMENT CODE SECTION 18.46.080.C.10.
- NO DEVELOPMENT OR SITE DISTURBANCE SHALL OCCUR WITHIN 50-FEET OF THE INTERSTATE HIGHWAY 80 RIGHT-OF-WAY.
- NO SINGLE BUILDING WALL SHALL EXCEED 24-FEET IN LENGTH.
- BUILDING HEIGHT SHALL NOT EXCEED 25-FEET AS MEASURED PER TOWN OF TRUCKEE DEVELOPMENT CODE SECTION 18.30.090. WITHIN 100-FEET OF THE INTERSTATE HIGHWAY 80 RIGHT-OF-WAY.
- THESE GUIDELINES SUPERCEDE THE APPLICABLE PORTIONS OF NOTES 1-6 ON SHEET 5 OF PARCEL MAP 01-076B.



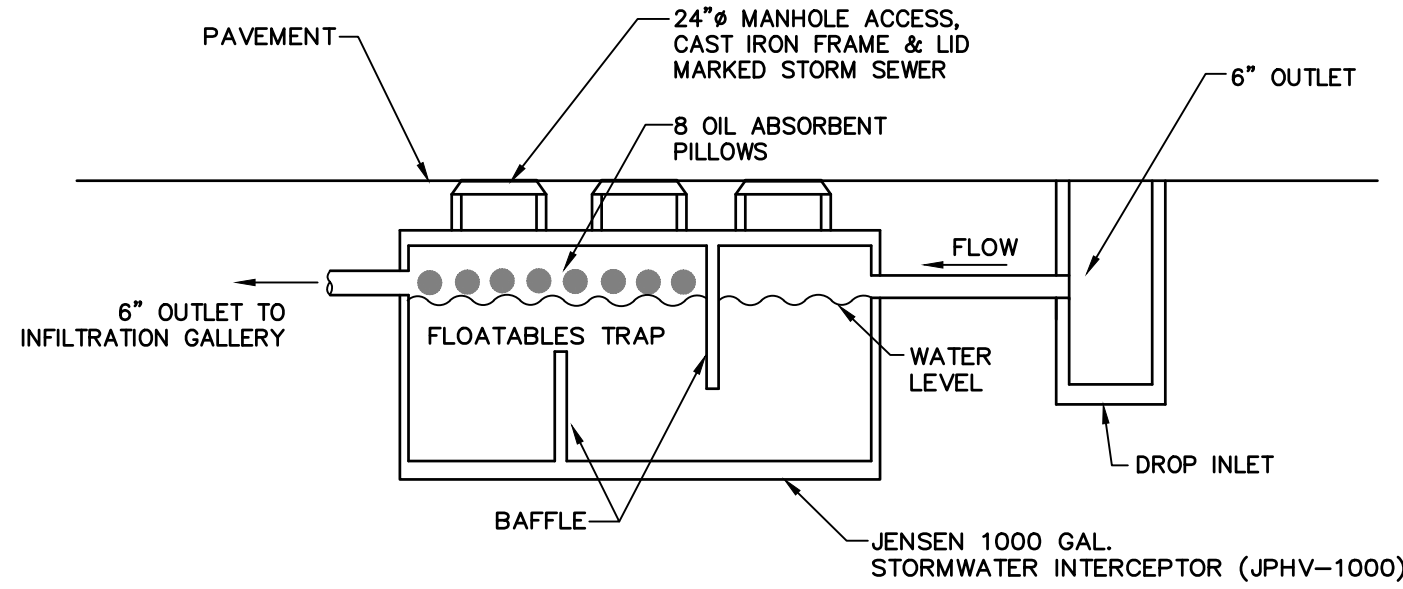


SECTION



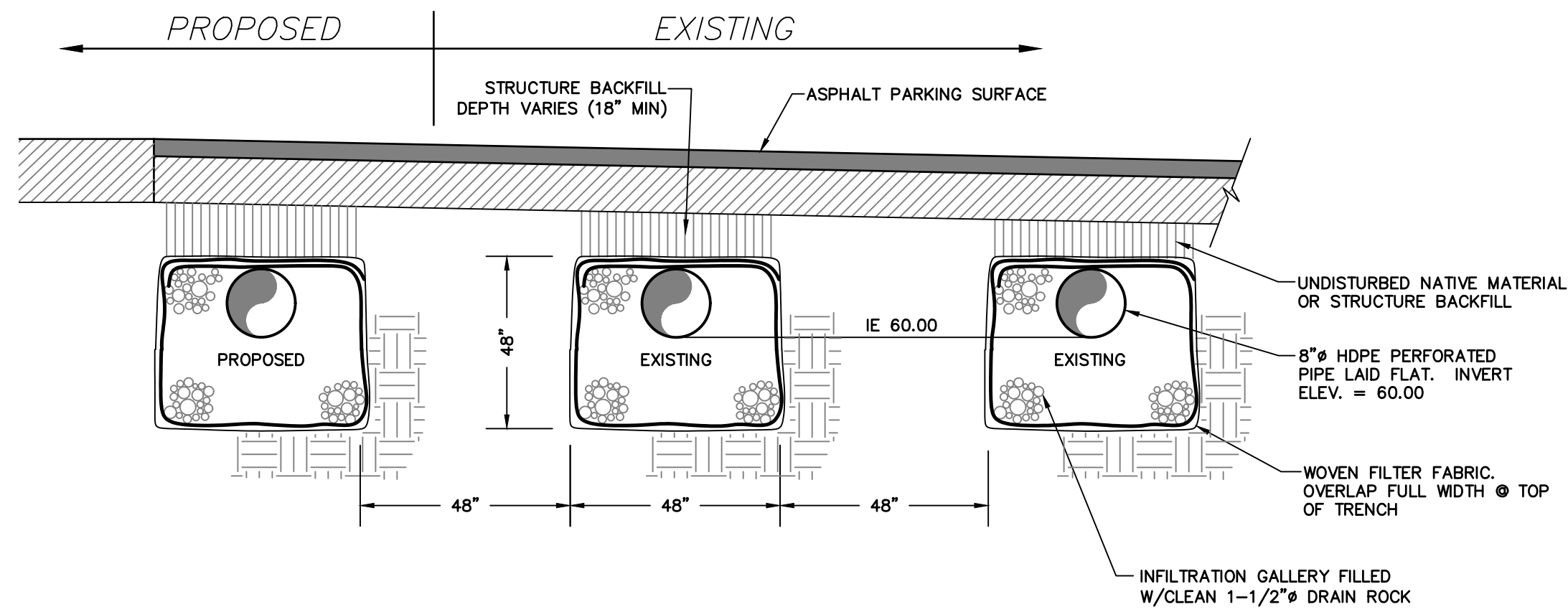
PLAN

10 EXISTING DROP INLET
NO SCALE

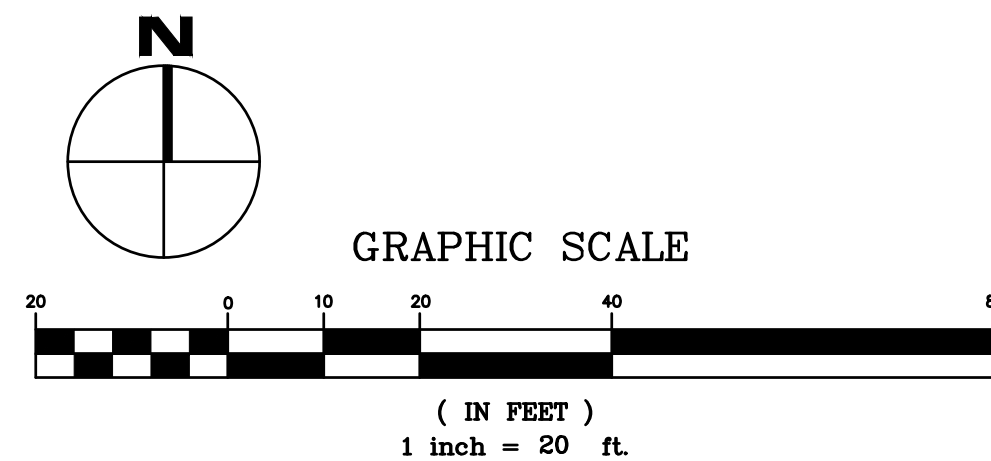
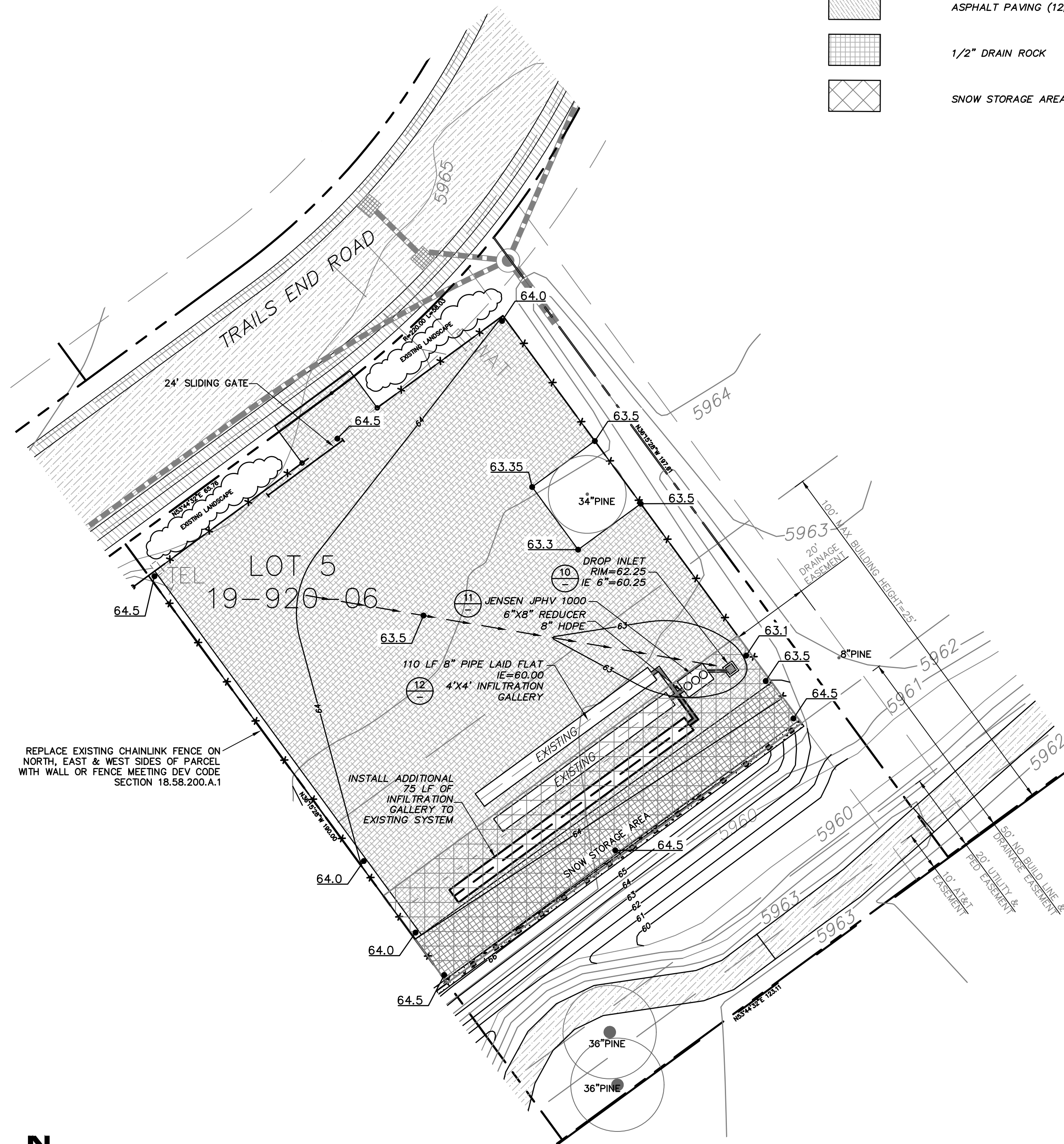


SECTION VIEW

11 EXISTING STORMWATER INTERCEPTOR
NO SCALE



12 INFILTRATION GALLERY
NO SCALE



GRADING & DRAINAGE PLAN



JENSEN
CONTRACTOR YARD
APN 019-920-006
11118 TRAILS END ROAD
TRUCKEE, CALIFORNIA

CLIENT NAME:
AARON JENSEN
PO BOX 9081
TRUCKEE, CA 96161

FILE:
JENSEN - GRADING PLAN.dwg

SCALE:
AS SHOWN ON PLAN

DATE:
NOV 1, 2023

REVISIONS:

DESCRIPTION:

GRADING &
DRAINAGE
PLAN

SHEET:

C1

OF 2 SHEETS

JENSEN
CONTRACTOR YARD
APN 019-920-006
11118 TRAILS END ROAD
TRUCKEE, CALIFORNIA

CLIENT NAME:
AARON JENSEN
PO BOX 9081
TRUCKEE, CA 96161

FILE:
JENSEN - GRADING PLAN.dwg

SCALE:
AS SHOWN ON PLAN

DATE:
NOV 1, 2023

REVISIONS:

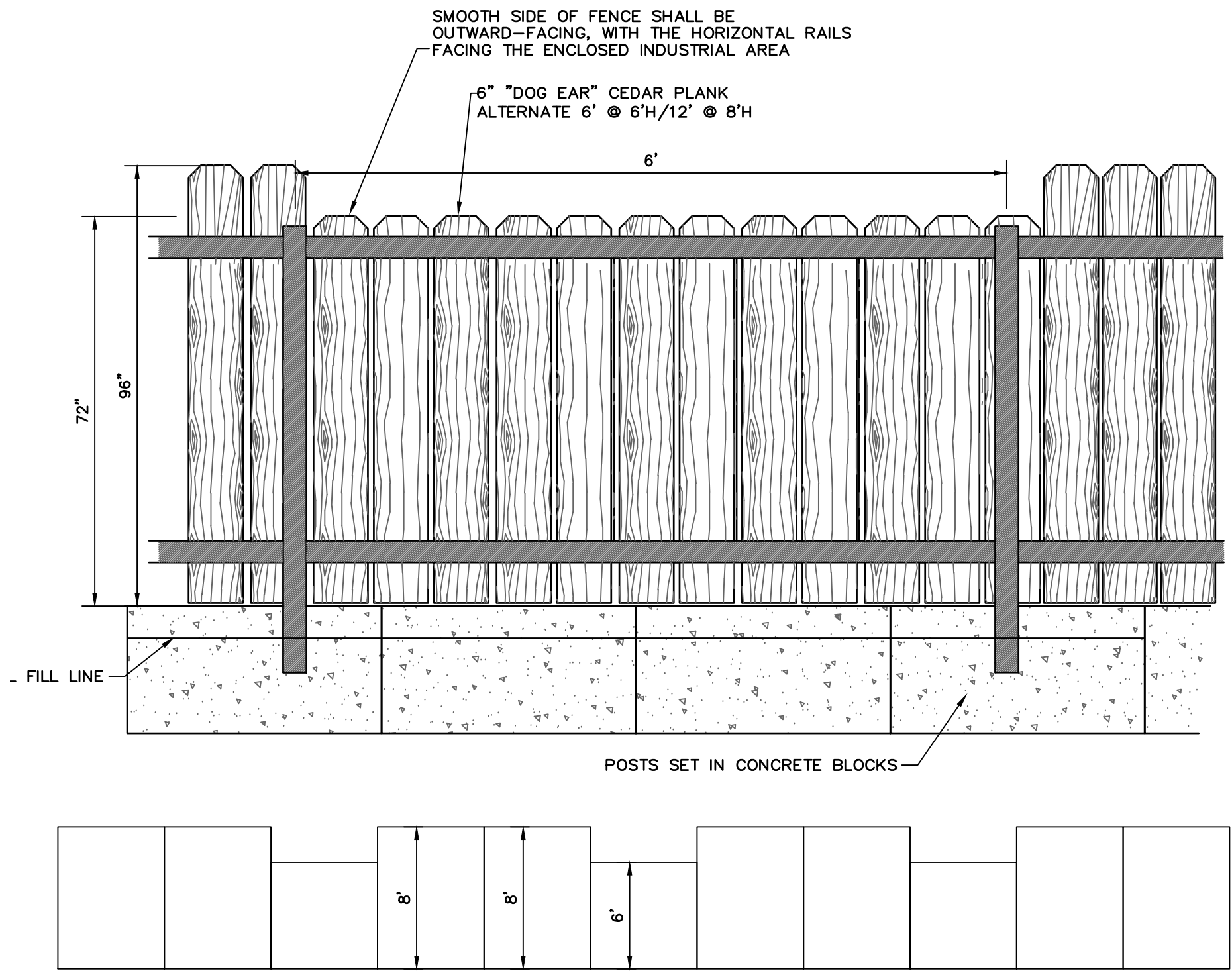
DESCRIPTION:

SECTIONS
&
DETAILS

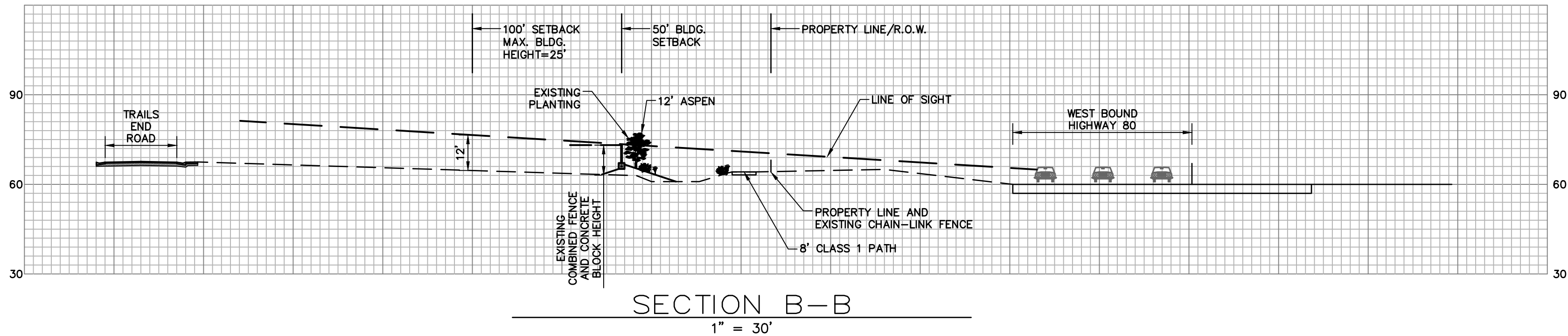
SHEET:

C2

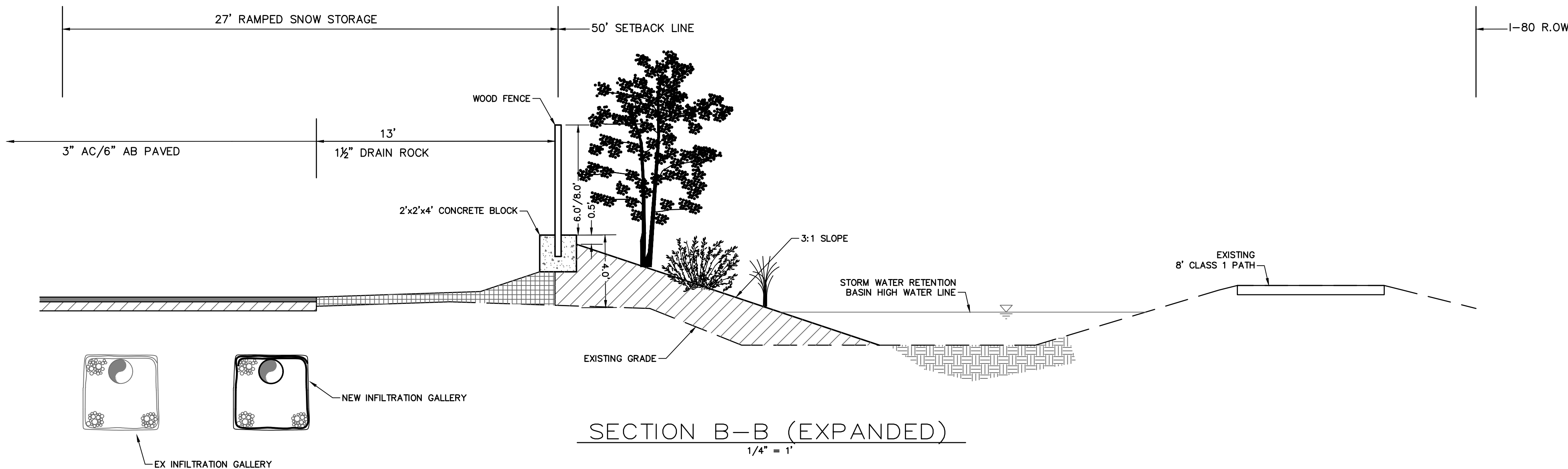
OF 2 SHEETS



WOOD FENCE
NO SCALE



SECTION B-B
1" = 30'



SECTION B-B (EXPANDED)
1/4" = 1'



**RESOLUTION 2023-21
EXHIBIT B**

**A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION
APPROVING APPLICATION 2023-000000015/MM-AMD-ZC
(11118 TRAILS END RECORDED MAP MODIFICATION, PROJECT AMENDMENT
AND ZONING CLEARANCE)**

CONDITIONS OF APPROVAL

General Conditions of Approval

1. A Recorded Map Modification, Project Amendment and Zoning Clearance are hereby approved to establish a permanent construction contractor's yard at 11118 Trails End (APN 019-920-006) in the M (Manufacturing) zoning district, as detailed on the approved plans and as described in the December 19, 2023 Planning Commission staff report, on file in the Community Development Department, except as modified by these conditions of approval. The project involves modifications to the previous Tentative Map and Planned Development approvals for Lot 5 of the Pioneer Commerce Phase III Subdivision (Town of Truckee Application #00-111, Resolutions 2005-02 and 2002-05) and the Phase III map which was recorded with restrictions on Lots 4-9 (PM 19 175). The land use entitlements for the project include the following: **1) Recorded Map Modification** to modify the notes on Lot 5 of the recorded Pioneer Commerce Phase III Subdivision Parcel Map (PM 19 175); **2) Project Amendment** to remove the restriction on outdoor uses on Lot 5 in the Pioneer Commerce Center Planned Development amended on May 21, 2019 (Application #2019-0000050, Commission Resolution 2019-10); and **3) Zoning Clearance** to establish a permanent outdoor construction contractor's yard on the property. **(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 condition has been met. Please provide the matrix or letter in an editable format (e.g., Word or Excel document). Review of grading or 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 Recommendation)**
3. The effective date of approval shall be January 1, 2024, unless the approval is appealed to the Town Council by 5:00 p.m. on December 29, 2023. In accordance with Development Code Section 18.84.050, the approval of the Recorded Map Modification, Project Amendment and Zoning Clearance shall be exercised within two (2) years of the effective date of approval (by January 1, 2026), and the project shall be completed within four (4) years after the effective date of approval (by January 1, 2028). 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 Community Development Director may authorize minor alterations to the approved plans and conditions of approval in accordance with Development Code Section 18.84.070.B.1. Major changes and alterations to the approved plans and conditions of approval shall be reviewed and approved by the Planning Commission in accordance with Development Code Section 18.84.070.B.2. **(Planning Division Recommendation)**

5. Except as modified by these conditions of approval, the project shall comply with all applicable provisions and standards of the Truckee Development Code (effective date June 22, 2023). **(Planning Division Recommendation)**
6. 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)**
7. 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)**
8. Prior to commencement of any work on the site, the applicant shall obtain grading and/or building permit(s) for all work on the site. Please contact the Building Division at (530) 582-7821 to determine what permits are required. **(Building Division Recommendation)**
9. Prior to grading or building permit issuance, a survey prepared by a licensed surveyor shall be submitted that shows topography and easements on the property. **(Planning Division Recommendation)**
10. 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 Environmental Health Department
 - Tahoe Truckee Sierra Disposal Company
 - Southwest Gas **(Planning Division Recommendation)**
11. 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 Attorney and shall be reviewed and approved by the Community Development Director prior to issuance of permits. **(Development Code Section 18.84.040)**
12. **Construction Hours:** Hours of operation of construction activities shall be limited to Monday through Saturday from 7:00 AM and 9:00 PM and Sunday and any federally designated holidays from 9:00 AM and 6:00 PM, 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. 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)***

Recorded Map Modification Conditions

13. The applicant shall submit to the Planning Division the final documents necessary to record the Recorded Map Modification. The property owner(s) or their authorized representative must have a California licensed land surveyor (or California licensed civil engineer licensed before January 1, 1982) prepare a legal description and exhibit plat, and any additional information that the Town Surveyor deems necessary. The legal description should be labeled "Exhibit A" and the plat should be labeled "Exhibit B." The legal description must bear the seal and signature of a professional land surveyor. The surveyor should provide closure calculations, if applicable. The exhibit plat must be of sufficient scale to show all information clearly and must be readable and understandable. ***(Planning Division Recommendation)***
14. A Notice of Modification shall be prepared by staff for signature and notarization by the property owner. The property owner shall sign and notarize the documents and shall return the completed documents to the Planning Division. Once the signed and notarized documents are received by the Planning Division, the Notice of Modification shall be signed and notarized by the Community Development Director, and the final documents shall be forwarded to the Nevada County Recorder's Office for recordation. The Notice of Modification and other documents shall be recorded with the Nevada County Recorder prior to building permit submittal. A Recorded Map Modification shall expire 24 months after approval unless the applicant has recorded the Notice of Modification prior to that date (by January 1, 2026). ***(Planning Division Recommendation)***

Engineering Division Conditions

15. Prior to building (grading) permit issuance, the project proponents shall be required to prepare and deliver two sets of improvement plans to the project planner at 1"=20', 1"=30', or 1"=40' on 24"x36" plan sheets 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 and 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 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 Recommendation)

16. Prior to building (grading) permit issuance, the applicant shall provide a stormwater quality plan, per the requirements of the Town of Truckee and Lahontan Regional Water Quality Control Board, for review and approval that shows 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 Recommendation)***
17. Prior to building (grading) permit issuance, the applicant shall submit a Best Management Practice (BMP) operation and maintenance plan to the Town Engineer for review, approval and recordation for the maintenance of all permanent and treatment control BMPs installed by the project. Such BMPs shall be used only for the intended purposes of the BMP and include, but are not limited to, infiltration galleries, drop/drain inlets, basins, gutters, channels, etc. The applicant 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 Recommendation)***
18. Prior to building (grading) permit issuance, provide a snow removal/storage plan for approval by Town Engineer that shows snow storage calculations (50% of impervious area), locations, and how snow will be put in those locations. Snow storage locations should be easily accessible (i.e. no curbs) and should not encroach into drainage easements or be located where stormwater treatment occurs. Alternative methods for snow storage may be utilized, such as a snow off haul plan to an approved location and/or hydronic heating if approved by the Town Engineer. Provide snow storage as close to the source as possible. ***(Engineering Division Recommendation)***
19. Prior to building (grading) permit issuance, applicant shall ensure the entirety of the Class I trail along the southeast property line is located within a public access easement (PAE) dedicated to the Town of Truckee. The trail, which is currently located partially within the PAE and partially outside the PAE, will need to either be relocated entirely within the existing PAE by the property owner or an additional PAE will need to be offered by the property owner to the Town, so that the entirety of the public trail is located within a PAE. ***(Engineering Division Recommendation)***
20. The protection of loose piles of clay, debris, sand, silt, soil, or other earthen material is required during periods of precipitation or runoff with nonwoven filter fabric fence, temporary gravel and/or earthen or sand bag dikes. ***(Engineering Division Recommendation)***
21. Adequate temporary erosion control measures shall be installed prior to adverse weather conditions. Loose soil piles shall be tackified or covered with material that minimizes migration of the stockpile of loose clay, debris, sand, silt, soil, or other earthen material. Tarps are not recommended but may be used for the building season (May 1 – October 15) or in an emergency. A tackifier is a bonding or adhesive agent, which when applied to loose soil piles works to minimize soil erosion and migration. ***(Engineering Division Recommendation)***
22. Earthen materials shall not be placed in the surface water drainage courses (i.e. below top of bank of the drainage channel), or in a location to allow the discharge of earthen materials to any surface water drainage course. ***(Engineering Division Recommendation)***

23. Prior to building (grading) permit issuance, all outdoor storage areas where vehicle maneuvering, parking, and all types of storage will occur are required to be designed as a paved surface (minimum 2-inch asphalt concrete on 4-inch aggregate base, recommended 3"/6", or approved equal) with appropriately sized and designed permanent BMPs. **(Engineering Division Recommendation)**

Planning Division Conditions

24. All site improvements shall be consistent with the approved plans. Final review and approval of the improvements by the Community Development Director is required prior to grading and/or building permit issuance. **(Planning Division Recommendation)**
25. A Project Amendment is approved to remove the restriction on outdoor uses on Lot 5 in the Pioneer Commerce Center Planned Development amended on May 21, 2019 (Application #2019-0000050, Commission Resolution 2019-10). The conditions of approval are amended as follows:
- A. Condition No. 7 shall be replaced to read: "The Planning Commission shall be the review authority for all land use applications, including zoning clearances and minor use permits, for development and uses on Lots 4, 6, 7, 8 and 9 in Phase 3, as shown on the approved tentative map for Phase 3, Exhibit A of Commission Resolution 2005-05."
 - B. Condition No. 8 shall be replaced to read: Outdoor retail, storage, and activity areas shall be prohibited on Lots 4, 6, 7, 8 and 9, in Phase 3, as shown on the approved tentative map for Phase 3, Exhibit A of Commission Resolution 2005-05." **(Planning Division Recommendation)**
26. A Zoning Clearance is approved to establish a permanent outdoor construction contractor's yard on the project site. A construction contractor's yard is a storage yard operated by, or on behalf of a contractor for storage of large equipment, vehicles, or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as offices and repair facilities. Activities which are inconsistent with these uses shall not be allowed. **(Planning Division Recommendation)**
27. Future changes of use shall require submittal of a new land use permit application for review and approval by the appropriate review authority. **(Planning Division Recommendation)**
28. All outdoor storage on the site shall comply with the requirements of Development Code Section 18.58.200 (Outdoor Storage and Work Areas). **(Planning Division Recommendation)**
29. The applicant shall install a solid, sight-obscuring, six-foot-tall wood fence along the north, east and west property lines, consistent with the existing wood fence at the rear of the property, as required by Development Code Section 18.52.200.A.1. Vinyl fence material is not allowed. **(Planning Division Recommendation)**
30. Vehicle storage is limited to large equipment and vehicles used as part of the contractor's business. No storage of personal vehicles, recreational vehicles, or boats is allowed. **(Planning Division Recommendation)**

31. Employee vehicle parking must occur onsite on a paved area. No employee parking is allowed in the right-of-way. **(Planning Division Recommendation)**
32. The project shall comply with the Town's noise standards pursuant to Development Code Chapter 18.44 (Noise). **(Planning Division Recommendation)**
33. 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)**
34. No exterior lighting is approved as part of this application. All future exterior lighting on the site shall require review and approval by the Community Development Director and compliance with Development Code Section 18.30.060 (Exterior Lighting). **(Planning Division Recommendation)**
35. All solid waste, recycling materials, and organic waste will be disposed of in compliance with State law. Minimum trash service is required (one trash cart and one recycling cart) for use while employees are on-site. Shall the tenant require additional on-site trash service, increased service to suffice needs is required. No accumulation of trash or recycling on-site is permitted. Storage shall be screened from public view. All solid waste, recycling materials, and organic waste areas will be well maintained. Any leakage or excess materials shall be mitigated in a timely manner and will be the responsibility of the applicant or property owner. **(Solid Waste Division, Planning Division Recommendation)**
36. The Town's workforce housing requirements for industrial uses are calculated based on 1 FTEE (full-time equivalent employee) per 1,000 square feet of gross floor area, not including uses with substantial outdoor work or activity areas, per Development Code Chapter 18.216 (Workforce Housing). The Community Development Director has determined that due to the fact that no building is proposed, there is no workforce housing requirement for this project. **(Planning Division Recommendation)**
37. No signage is approved as part of this Zoning Clearance application, including any "A-frame" or similar temporary signage. A Sign Plan application, consistent with the Development Code requirements for signs, shall be submitted for review and approval by the Planning Division prior to installation of any signage. The required Sign Plan review fee will be based on the Town of Truckee fee schedule in effect at the time the Sign Plan application is submitted. **(Planning Division Recommendation)**
38. Prior to any grading or 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)**
39. 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)**
40. No wood-burning appliances are proposed or approved as part of this project. **(Planning Division Recommendation)**

Recommendation)

41. Prior to grading or building permit issuance, the applicant shall provide a tree protection plan in compliance with Development Code Section 18.30.155 (Tree Preservation). The plan shall identify all existing trees on the site that are proposed to be retained and removed, as well as demonstrating compliance with the requirements of Section 18.30.155. ***(Development Code Section 18.30.155)***
42. No trees shall be removed unless a grading permit or building permit is issued by the Town of Truckee Building Division. ***(Planning Division Recommendation)***
43. Prior to grading or building permit issuance, the applicant shall provide site statistics on the grading permit plans to verify compliance with all development standards for the M (Manufacturing) zoning district, including calculations for site coverage and open space. ***(Planning Division Recommendation)***
44. The applicant shall pay any required impact fees as required by each respective District, including fire, school and recreation fees. 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)***
45. Any 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)***
46. The applicant must comply with Americans with Disabilities Act and California Building Code accessibility requirements. Compliance with these requirements is the responsibility of the business and building owner(s). ***(Building Division Recommendation)***
47. The applicant is responsible for complying with all requirements of the Truckee Fire Protection District, including the following: If fixed fuel storage is proposed, then NFPA 30 and CFC Chapter 57 apply as well as PRC 4291 for defensible space around tanks. Please contact the Truckee Fire Protection District for additional information on their requirements. Verification of compliance with the agency requirements is required prior to grading or building permit issuance. ***(Truckee Fire Protection District Requirement)***
48. The applicant is responsible for complying with all requirements of the Nevada County Environmental Health Department (NCEHD), including the following:
 - Prior to building permit issuance of any underground fuel storage tanks, bulk hazardous material storage facilities or any hazardous waste generators, the applicant shall submit plans and permit applications to the Nevada County Department of Environmental Health. Submitted plans shall be in accordance with the California Health and Safety Code Chapters 6.5 through 6.95 and the related State and County regulations as applicable. Applicants that qualify for these types of permits are strongly advised to contact Environmental Health early in the project design.
 - Any underground fuel storage tanks, bulk hazardous material storage facilities or any hazardous waste generators, shall secure an annual certificate of operation (Health Permit) as applicable. The applicant and/or facility operator shall apply for and obtain a permit for the storage of hazardous materials and the generation of hazardous wastes from the Nevada County Department of Environmental Health (NCDEH), Certified Unified Program Agency

(CUPA) and shall secure and annually renew the permit for this facility within 30 days of becoming subject to applicable regulations.

Verification of compliance with the agency requirements is required prior to grading or building permit issuance **(Nevada County Environmental Health Department Requirement)**

49. The applicant is responsible for complying with all requirements of the Truckee Donner Public Utility District (TDPUD). Verification of compliance with the agency requirements is required prior to grading or building permit issuance. **(Truckee Donner Public Utility District Requirement)**
50. The applicant shall comply with all requirements of the California Department of Forestry and Fire Protection (CalFire). Verification of compliance with the agency requirements is required prior to grading or building permit issuance. **(Planning Division Recommendation)**
51. The project limits are located within Compatibility Zone D (Primary Traffic Pattern Zone) of the Truckee Tahoe Airport Land Use Compatibility Plan (TTALUCP). An overflight easement per the requirements of the Truckee Tahoe Airport Land Use Commission (TTALUC) shall be recorded for all projects located within the Primary Traffic Pattern Zone, if required by the Nevada County Transportation Commission. **(Nevada County Transportation Commission Requirement)**

**RESOLUTION 2023-21
EXHIBIT C**

**A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING COMMISSION
APPROVING APPLICATION 2023-000000015/MM-AMD-ZC
(11118 TRAILS END RECORDED MAP MODIFICATION, PROJECT AMENDMENT
AND ZONING CLEARANCE**

FINDINGS

PROJECT AMENDMENT (PLANNED DEVELOPMENT):

- 1. The proposed development is allowed within the subject zoning district and complies with all applicable provisions of the Development Code and Public Improvement and Engineering Standards relating to both on- and off-site improvements that are necessary to accommodate maximum flexibility in site planning and property development and to carry out the purpose, intent and requirements of the respective zoning district, including prescribed development standards and applicable design guidelines.**

This finding is supported by the discussion contained in the "Discussion and Analysis" section of the May 16, 2023 Planning Commission staff report. With incorporation of the recommended conditions of approval, the project is consistent with the Development Code and the Public Improvements and Engineering Standards.

- 2. The proposed development is consistent with the General Plan, any applicable Specific Plan, the Trails Master Plan, and the Particulate Matter Air Quality Management Plan.**

The project is consistent with the General Plan, Trails Master Plan, Truckee Tahoe Airport Land Use Compatibility Plan, and Particulate Matter Air Quality Management Plan, as modified by the recommended conditions of approval. This finding is supported by the discussions contained in the December 19, 2023 Planning Commission staff report.

- 3. The proposed project would produce a comprehensive development of superior quality (e.g., appropriate variety of structure placement and orientation opportunities, appropriate mix of land uses and structure sizes, high quality architectural design, increased amounts of landscaping and open space, improved solutions to the design and placement of parking facilities, etc.) than which might otherwise occur from the strict application of the provisions and standards identified in this Development Code.**

This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval.

- 4. The proposed development is 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.**

This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval.

4. **There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water, and public utilities and services to ensure that the proposed project would not be detrimental to public health and safety.**

The Truckee Donner Public Utilities District, Truckee Sanitary District, and Truckee Fire Protection District and no objections were filed. The project is required to comply with all agency requirements.

5. **The design, location, size and operating characteristics of the proposed development would not be detrimental to the public health, safety, or welfare of the Town, or injurious to the property or improvements in the vicinity and zoning district in which the property is located.**

This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval.

6. **The project 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.**

Staff has determined that the project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 of the CEQA Guidelines, which applies to projects involving a minor alteration of existing public or private structures involving negligible or no expansion of existing or former use. This finding is supported by the discussion in the December 19, 2023 Planning Commission staff report.

7. **The subject site is physically suitable for the type and density/intensity of development being proposed, and 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, and served by streets adequate in width and pavement to carry the quantity and type of traffic generated by the proposed project.**

This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval. All roadways and parking areas to serve the project site are in compliance with the Town Development Code and Public Improvement Standards.

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

The Nevada County Environmental Health Department and Truckee Donner Fire Protection District have reviewed the project and no objections were filed. Conditions of approval were incorporated to address the transport, use and or/disposal of hazardous materials.

RECORDED MAP MODIFICATION:

1. **The proposed modification is consistent with the intent of the original recorded map conditions of approval and/or recorded restrictions regarding specific site constraints (e.g., development envelope size, identification of non-disturbance areas, etc.).**

This finding is supported by the discussion contained in the "Discussion and Analysis" section

of the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval.

2. The modification does not impose any additional burden on the present fee owner(s) of the property.

The proposed modification would have no effect on the present fee owner(s) of the property.

3. The modification does not alter any right, interest or title reflected by the recorded Parcel or Final Map.

The modification would remove existing restrictions on outdoor uses on the project site and would not alter any right, interest or title reflected by the recorded Parcel Map.

4. The modified Parcel or Final Map will not contain any of the grounds for denying a map listed in Government Code Section 66474.

The proposal is consistent with the Town of Truckee's General Plan, the site is suitable for industrial development and already developed with an outdoor contractor's yard. The modifications would not result in environmental damage or cause harm to the public and will not conflict with easements.

5. The recorded Parcel or Final Map as modified is consistent with the applicable provisions of this Development Code and the Subdivision Map Act.

The proposed modifications to the recorded map are in conformance with the current Development Code, and the Subdivision Map Act, Section 66472.1 (Amending of final maps) allows for modifications to be made to recorded maps as long as the modifications do not alter any right, title or interest in the real property reflected on the recorded map and that the modified map conforms with Government Code Section 66474 as stated above.

6. The property for which the modification is sought is in compliance with all laws, rules and regulations pertaining to zoning uses, subdivisions, height and setbacks, and any other provisions applicable to the property, and code enforcement fines imposed against the property have been paid.

This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval.

7. The recorded Parcel or Final Map as modified does not result in an increased number of dwelling units or a greater density than the recorded Parcel or Final Map.

Pioneer Commerce Phase III is an industrial subdivision. The amendment to the recorded map modifies development restrictions on the map related to outdoor uses. These modifications do not result in increased density or intensity within the subdivision.

8. The proposed modification is consistent with all previous CEQA documents approved or certified in connection with the property and does not create any new environmental impacts or increase any adverse environmental impacts.

Staff has determined that the project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 of the CEQA Guidelines, which applies to projects involving a minor

alteration of existing public or private structures involving negligible or no expansion of existing or former use. This finding is supported by the discussion in the December 19, 2023 Planning Commission staff report.

ZONING CLEARANCE:

- 1. The proposed development is allowed within the subject zoning district and complies with all applicable provisions of the Development Code, Town Municipal Code, and Public Improvement and Engineering Standards.**

This finding is supported by the discussions contained in the December 19, 2023 Planning Commission staff report. With incorporation of the recommended conditions of approval, the development is consistent with the Development Code, Town Municipal Code, and the Public Improvements and Engineering Standards.

- 9. 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.**

This finding is supported by the discussion contained in the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval. All roadways and parking areas to serve the project site are in compliance with the Town Development Code and Public Improvement Standards.

- 10. The project 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.**

Staff has determined that the project is exempt from the California Environmental Quality Act (CEQA) per Section 15301 of the CEQA Guidelines, which applies to projects involving a minor alteration of existing public or private structures involving negligible or no expansion of existing or former use. This finding is supported by the discussion in the December 19, 2023 Planning Commission staff report.

- 11. There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water, and public utilities and services to ensure that the proposed project 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 Truckee Donner Public Utilities District, Truckee Sanitary District, and Truckee Fire Protection District and no objections were filed. The project is required to comply with all agency requirements.

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

The Nevada County Environmental Health Department and Truckee Donner Fire Protection District have reviewed the proposed project and no objections were filed. Conditions of approval were incorporated to address the transport, use and or/disposal of hazardous materials.

- 13. The proposed development is consistent with the General Plan, any applicable Specific Plan, the Trails Master Plan, the Truckee Tahoe Airport Land Use Compatibility Plan and the Particulate Matter Air Quality Management Plan.**

The project is consistent with the General Plan, Trails Master Plan, Truckee Tahoe Airport Land Use Compatibility Plan, and Particulate Matter Air Quality Management Plan, as modified by the recommended conditions of approval. This finding is supported by the discussions contained in the December 19, 2023 Planning Commission staff report.

- 14. The proposed development is 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.**

This finding is supported by the discussions contained in the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval.

- 6. The subject site is physically suitable for the type and density/intensity of development being proposed, and 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.**

This finding is supported by the discussion contained in the December 19, 2023 Planning Commission staff report in conjunction with the recommended conditions of approval.