

**TOWN OF TRUCKEE  
California**

**ORDINANCE 2023-03**

**AN ORDINANCE OF THE TOWN OF TRUCKEE  
AMENDING TABLE 2-3, TABLE 2-7, TABLE 2-8, SECTION 18.12.090, AND SECTION  
18.08.020.C THE TRUCKEE MUNICIPAL CODE, TITLE 18, DEVELOPMENT CODE AND  
AMENDING ZONING MAPS SHEETS 14, 21, 22 and 23**

**WHEREAS;** the Town Council initiated an update to the 2025 General Plan in February 2018 that included an update to the Truckee Downtown Specific Plan and preparation of a Draft Environmental Impact Report (Draft EIR); and

**WHEREAS;** in September 2019 the Town was awarded a 2019 Planning Grants Program award (also known as SB2) through the State’s Department of Housing and Community Development to help accelerate the development of housing in Truckee, including rezoning select sites for higher residential densities; and

**WHEREAS,** the Council discussed possible rezoning for increased housing densities on select SB2 sites on May 25, 2021 and June 22, 2021 and directed staff to incorporate rezoning for the following three sites into the General Plan Update process:

- (1) APN 018-580-052 (High Altitude Fitness)
  - a. Modify the zoning district from Multi-Family Residential, 24 dwelling units per acre (RM-15) to Multi-Family Residential, 24 dwelling units per acre (RM-24); and
- (2) APN 019-030-051 (Truckee Tahoe Lumber)
  - a. Modify the zoning district from Public Facility (PF) to Downtown Mixed Use (DMU); and
- (3) APN 019-102-016 (Jibboom)
  - a. Modify the zoning district from Downtown Commercial (DC) to Downtown Mixed Use (DMU)

**WHEREAS,** the Community Development Department prepared a Draft Environmental Impact Report (Draft EIR) “Town of Truckee 2040 General Plan Update and Downtown Truckee Plan Project,” for the Town of Truckee 2040 General Plan Update and Downtown Truckee Plan Project (SCH# 2022030190), that included consideration of SB2 sites; and

**WHEREAS,** on August 9, 2022 the Draft EIR was released for a 45-day review period for commenting on the Draft EIR and said public review period ended on September 23, 2022; and

**WHEREAS,** a Final Environmental Report (Final EIR) was released on March 7, 2023 that considers and responds to written public comment on the Draft EIR; and

**WHEREAS,** on March 7, 2023 a final public review draft of the 2040 General Plan and Downtown Truckee Plan were released by the Community Development Department to the public and local and State agencies for review; and

**WHEREAS,** the adoption of the 2040 General Plan, Downtown Truckee Plan and pursuit of SB2 rezones requires amendments to the Development Code and Zoning Map to ensure consistency with the 2040 General Plan; and

**WHEREAS:** a public notice was published in the Sierra Sun on March 10, 2023 and mailed

to all persons requesting notice of the availability of the Final EIR, Public Review Draft of the 2040 General Plan, Public Review Draft of the Downtown Truckee Plan and associated Development Code and Zoning Map amendments, including SB2 sites; and

**WHEREAS**, a public notice was published in the Sierra Sun on March 31, 2023 and mailed to all persons requesting notice of the date, time, and location of the March 21-22, 2023 Planning Commission hearing on the adoption of the 2040 General Plan, Development Code Amendments and Zoning Map Amendments, including SB2 sites, the Downtown Truckee Plan and the 2040 General Plan Final EIR; and

**WHEREAS**, the Planning Commission held a public hearing on the matter on March 21 and March 22, 2023 and considered all information and public comment related thereto; and

**WHEREAS**, the Planning Commission is responsible for reviewing the 2040 General Plan, associated Development Code text amendments and Zoning Map amendments and the Downtown Truckee Plan and forwarding a recommendation to the Town Council on the adoption or adoption with modifications; and

**WHEREAS**; the Planning Commission also wishes to forward a recommendation to the Town Council on the certification of the Final EIR; and

**WHEREAS**; the Planning Commission finds the Final EIR has not been prepared and completed in compliance with the California Environmental Quality Act Statutes and Guidelines; and

**WHEREAS**; the Planning Commission finds the Final EIR does not reflect the independent judgment and analysis of the Town of Truckee; and

**WHEREAS**; the Planning Commission reviewed and considered the information contained in the Final EIR prior to forwarding its recommendation on the 2040 General Plan, associated Development Code text amendments and Zoning Map amendments and the Downtown Truckee Plan to the Town Council; and

**WHEREAS**; the Planning Commission finds the Final EIR does not provide sufficient specific economic, legal, social, technological, and other considerations with necessary supporting documentation as to why identified mitigation measures and alternatives are not feasible to reduce the significant and unavoidable impacts to a less than significant level; and

**WHEREAS**; the Planning Commission finds that the Final EIR needs to be edited and checked for errors and because of this it should not be certified; and

**WHEREAS**; after hearing all relevant testimony from staff, the public and the Town's consultant team, the Planning Commission voted to recommend that the Town Council not certify the EIR for the Project and address the errors and Project inadequacies; and

**WHEREAS**; the Planning Commission voted to recommend that the Town Council adopt Development Code and Zoning Map Amendments, including those to address SB2 sites, identified in **Exhibit A**, **Exhibit B**, **Exhibit B1**, **Exhibit B2** and **Exhibit B3** attached hereto and incorporated herein with the added recommendation that the Council address the Final EIR errors and inadequacies before adopting the Development Code and Zoning Map Amendments; and

**WHEREAS**, on April 11, 2023 and May 9, 2023, the Town Council conducted a noticed public hearing on this Resolution and accepted public comments on the 2040 General Plan, EIR, Downtown Truckee Plan, SB2 rezone sites and associated Development Code and Zoning Map Amendments and accepted public comment, at which time all persons wishing to testify were heard and the Project was fully considered; and

**WHEREAS**, the Town Council reviewed and considered the information contained in the March 21, 2023 Planning Commission staff report, the written and oral evidence submitted in response to the March 21, 2023 Planning Commission meeting, the March 21, 2023 Planning Commission meeting minutes, the information contained in the April 11, 2023 and May 9, 2023 Town Council Staff Reports and the written and oral evidence submitted in response to the April 11, 2023, continued April 13, 2023 Council hearing and May 9, 2023 Town Council hearing; and

**WHEREAS**, the Town Council does not concur with the Planning Commission's recommendation to not certify the EIR for the project and finds that all potentially significant adverse environmental impacts were sufficiently analyzed in the EIR; and

**WHEREAS**, as contained herein, the Town has endeavored in good faith to set forth the basis for its decision on the Project; and

**WHEREAS**, all of the requirements of the Public Resources Code and the State CEQA Guidelines have been satisfied by the Town in connection with the preparation of the EIR, which is sufficiently detailed so that all of the potentially significant environmental effects of the Project have been adequately evaluated; and

**WHEREAS**, the EIR prepared in connection with the Project sufficiently analyzes the Project's potentially significant environmental impacts and the EIR analyzes a range of feasible alternatives capable of reducing these effects to an even lesser level of significance; and

**WHEREAS**, the Town has made certain findings of fact, as set forth in **Exhibit C** of Council Resolution No. 2023-17, incorporated by reference and on file with the Town of Truckee, based upon the oral and written evidence presented to it as a whole and the entirety of the administrative record for the Project, which are incorporated herein by this reference; and

**WHEREAS**, the Town finds that environmental impacts that are identified in the EIR as less than significant and do not require mitigation are described in **Section II of Exhibit C** of Council Resolution No. 2023-17, incorporated by reference and on file with the Town; and

**WHEREAS**, the Town finds that even with the incorporation of all feasible mitigation measures, the environmental impacts that are identified in the EIR that are significant and unavoidable are described in **Section III of Exhibit C** of Council Resolution No. 2023-03, incorporated by reference and on file with the Town; and

**WHEREAS**, the cumulative impacts of the Project identified in the EIR and set forth herein, are described in **Section IV of Exhibit C** of Council Resolution No. 2023-03, incorporated by reference and on file with the Town; and

**WHEREAS**, the potential significant irreversible environmental changes that would result from the proposed Project identified in the EIR are described in **Section V of Exhibit C** of Council Resolution No. 2023-03, incorporated by reference and on file with the Town; and

**WHEREAS**, the existence of any growth-inducing impacts resulting from the proposed Project identified in the EIR are described in **Section VI** of **Exhibit C** of Council Resolution No. 2023-03, incorporated by reference and on file with the Town; and

**WHEREAS**, alternatives to the proposed Project that would reduce the significant environmental impacts are described in **Section VII** of **Exhibit C** of Council Resolution No. 2023-03, incorporated by reference and on file with the Town; and

**WHEREAS**, a statement of overriding considerations is set forth in **Section VIII** of **Exhibit C** of Council Resolution No. 2023-03, incorporated by reference and on file with the Town; and

**WHEREAS**, all the policies and actions items identified in the EIR that are necessary to reduce the potentially significant impacts of the proposed Project to a level of less than significant are set forth in the Policy and Action Monitoring Program in **Exhibit C** of Council Resolution No. 2023-03, incorporated by reference and on file with the Town; and

**WHEREAS**, prior to taking action, the Town has heard, been presented with, reviewed and considered all of the information and data in the administrative record, including but not limited to the EIR and all oral and written evidence presented to it during all meetings and hearings; and

**WHEREAS**, the EIR reflects the independent judgment of the Town and is deemed adequate for purposes of making decisions on the merits of the Project; and

**WHEREAS**, no comments made in the public hearings conducted by the Town and no additional information submitted to the Town have produced substantial new information requiring recirculation of the EIR or additional environmental review of the Project under Public Resources Code section 21092.1 and State CEQA Guidelines section 15088.5; and

**WHEREAS**, all other legal prerequisites to the adoption of this Resolution have occurred; and

**WHEREAS**; the Town Council certified the EIR on May 9, 2023 as set forth in Council Resolution No. 2023-17, incorporated by reference and on file with the Town; and

**WHEREAS**; the Town Council adopted the 2040 General Plan on May 9, 2023 as set forth in Council Resolution No. 2023-18, incorporated by reference and on file with the Town, and took action to approve modifications to the Development Code and Zoning Map for consistency with the 2040 General Plan; and

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

**Section 1. Enactment.** Title 18, Development Code, of the Municipal Code, Table 2-3-Allowed Uses and Permit Requirements for Downtown Residential Zoning Districts, Table 2-7-Allowed Uses and Permit Requirements for Downtown Commercial and Manufacturing Districts, Table 2-8-Allowed Uses and Permit Requirements for Downtown Commercial and Manufacturing Districts, Section 18.12.090-Retail Trade Uses, and Section 18.08.020.C are hereby amended as designated in **Exhibit A** attached hereto and incorporated herein by reference, subject to the provisions of Section 5 hereof.

**Section 2. Enactment.** Zoning Map Sheets #14, #21, #22, and #23 are hereby amended as designated in **Exhibit B1**, **Exhibit B2**, **Exhibit B3** and **Exhibit B4** attached hereto and incorporated by reference, subject to the provisions of Section 5 hereof.

**Section 3. Findings.** The Council hereby adopts the following findings in support of adoption of this ordinance and the amendments to Title 18, Development Code and Town Zoning Maps. The May 9, 2023 Town Council staff report and May 9, 2023 Council meeting minutes, April 11, 2023 Town Council staff report and April 11, 2023 and continued meeting April 13, 2023 Council meeting minutes, and the March 21-22, 2003 Planning Commission staff reports and meeting minutes are hereby incorporated herein by reference and provide a factual basis for the findings

- a. The proposed amendments ensure and maintain internal consistency with all the goals, policies, and actions of all elements of the General Plan and the Downtown Specific Plan.
- b. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the Town.
- c. The proposed amendments ensure and maintain internal consistency with other applicable provisions of the Development Code.

**Section 4. CEQA Findings.** The Town Council certified the “Town of Truckee 2040 General Plan Update and Downtown Truckee Plan Project” Final Environmental Impact Report for the Town of Truckee 2040 General Plan, and Downtown Truckee Plan, and associated Development Code and Zoning Map amendments (SCH# 2022030190) on May 9, 2023 as set forth in Council Resolution No. 2023-17, incorporated by reference and on file with the Town.

**Section 5. Contingent Stay of Effectiveness.** This ordinance shall be stayed in its effect during any period of time while the adoption of the 2040 General Plan by the Town Council is enjoined or otherwise prevented, stayed, or otherwise delayed by a court of competent jurisdiction, until and unless the adoption of the 2040 General Plan is allowed to occur or proceed by order or action of such court. During any such period, the versions of the Development Code and Zoning Map provisions amended hereby shall be those in effect immediately prior to the adoption of this ordinance.

Posting and Publications: The Town Clerk is hereby directed to publish this ordinance in accordance with the law.

\* \* \* \* \*

The foregoing ordinance was introduced at a regular meeting of the Truckee Town Council held on the 9<sup>th</sup> day of May 2023, and adopted at a regular meeting of the Truckee Town Council, on the \_\_\_ day of \_\_\_\_; 202\_\_; \_\_\_\_\_ moved for the adoption, the motion was seconded by \_\_\_\_\_ and was carried by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

\_\_\_\_\_  
**Lindsay Romack, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Judy Price, MMC, Town Clerk**

\_\_\_\_\_  
**Andy Morris, Town Attorney**

**Attachments:**

- Exhibit A – Title 18, Development Code Amendments
- Exhibit B – Zoning Map Sheet Amendments (Descriptions)
- Exhibit B1 – Zoning Map Sheet #21 Amendments
- Exhibit B2 – Zoning Map Sheet #22 Amendments
- Exhibit B3 – Zoning Map Sheet #23 Amendments
- Exhibit B4 - Zoning Map Sheet #14 Amendments

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**ORDINANCE 2023-03**

**EXHIBIT “A”**

**Title 18, Development Code Amendments**

Title 18. Development Code, of the Truckee Municipal Code is hereby amended as follows (Deletions are shown by ~~strike through~~ type and additions are shown by underlined type:

1. Prohibit new service stations:

- a. Amend Table 2-7 (Allowed Uses and Permit Requirements for Commercial and Manufacturing Districts), changing “Service Stations” to “Not allowed” under the Neighborhood Commercial (CN), General Commercial (CG), Highway Commercial (CH), Service Commercial (CS) and Manufacturing (M) zoning districts.

**TABLE 2-7 – ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CH	CS	M	
Service Station	<u>P</u>	<u>P</u>	<u>UP</u>	<u>P</u>		

- b. Amend Table 2-8 (Allowed Uses and Permit Requirements for Downtown Commercial and Manufacturing Districts), changing “Service Stations” to “Use Not Allowed” under the Downtown Commercial (DC) and Downtown Manufacturing (DM) zoning districts.

**TABLE 2-8 – ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	DMU	DC	DM	DVL	
Service Station		<u>UP</u>	<u>UP</u>		

2. Prohibit new storage, personal storage facilities (mini storage):

- a. Amend Table 2-7 (Allowed Uses and Permit Requirements for Commercial and Manufacturing Districts), changing “Storage, Personal Storage Facilities (Mini-Storage)” to “Use Not Allowed” under the General Commercial (CG), Service Commercial (CS), and Manufacturing (M) zoning districts.

**TABLE 2-7 – ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CH	CS	M	
Storage, Personal Storage		<u>P</u>		<u>P</u>	<u>P</u>	

- b. Amend Table 2-8 (Allowed Uses and Permit Requirements for Downtown Commercial and Manufacturing Districts), changing “Storage, Personal Storage Facilities (Mini-Storage)” to “Use Not Allowed” under the Downtown Manufacturing (DM) zoning district.

**TABLE 2-8 – ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT				See standards in Section:
	DMU	DC	DM	DVL	
Storage, Personal Storage			P		

- 3. Limit the size for a single retailer use to a maximum of 20,000 sq ft:

**a. 18.12.090 - Retail Trade Uses**

A single retail trade use or business as listed in Tables 2-6 and 2-7 shall not exceed 40,000 20,000 square feet of gross floor space. For the purpose of calculating the maximum square footage, the gross floor area of adjacent stores shall be aggregated in cases where the stores (1) are engaged in the selling of similar or related goods, wares or merchandise and operate under common ownership or management; (2) share checkstands, a warehouse, or a distribution facility; or (3) otherwise operate as associated, integrated or co-operative business enterprises. This restriction on the maximum gross floor space of a retail trade use or business shall not be adjusted or modified by the approval of a planned development, specific plan or master plan.

- 4. UP for schools in CH

- a. Amend Table 2-7 (Allowed Uses and Permit Requirements for Commercial and Manufacturing Districts), changing “Schools, Public and Private” to “Conditional Use, Use Permit Approval Required” under the Highway Commercial (CH) zoning district.

**TABLE 2-7 – ALLOWED USES AND PERMIT REQUIREMENTS FOR DOWNTOWN COMMERCIAL AND MANUFACTURING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT					See standards in Section:
	CN (2)	CG	CH	CS	M	
Schools – Public and private	UP	P	<u>UP</u>			

- 5. Modify Section 18.08.020. C: **RM (Residential Multi-Family) District.** The RM zoning district is applied to parcels appropriate for multi-family residential uses. Appropriate densities range from four to ~~18~~ 24 housing units per acre. The RM zoning district is consistent with the Residential (RES), High Density Residential (RH) and Tahoe Donner PC land use classifications of the General Plan.

The designation of an area in the RM zoning district may include establishing separate RM zoning districts with specific density requirements. These requirements shall be indicated on the Zoning Map by a suffix to the RM Zoning Map symbol which denotes the maximum allowable number of dwelling units per acre. For example, RM-8 means eight dwelling units per acre and RM-14 means 14 units per acre. RM-18 means 18 dwelling units per acre. RM-24 means 24 dwelling units per acre.



- Amend Table 2-3 (Allowed Uses and Permit Requirements for Downtown Residential Zoning Districts), allowing single-family dwellings in the DRM zoning district.

**TABLE 2-3 – ALLOWED USES AND PERMIT REQUIREMENTS  
FOR DOWNTOWN RESIDENTIAL ZONING DISTRICTS (Continued)**

LAND USE (1)	PERMIT REQUIREMENT BY DISTRICT			See standards in Section:
	DRS	DRM	DRH	
Single-family dwellings (4)	P(2)	<u>P(2)</u>		

**ORDINANCE 2023-03**

**EXHIBIT "B"**

**Zoning Map Amendments (Descriptions)**

The Town Zoning Maps are hereby amended as follows:

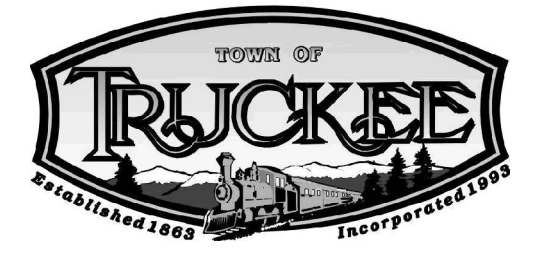
- Rezone the northern portion of the Downtown Truckee Tahoe Lumber Company site and surrounding parcels from Public Facility to Downtown Mixed Use (APNs 019-030-051, 019-030-053, and 019-030-049)
- Rezone Truckee Springs as Open Space (APN 019-300-012).
- Expand the Hilltop Master Plan Area to encompass the whole of the area (APN 019-300-084).
- Rezone the West River Street County Corp Yard site from Downtown Commercial to Downtown Mixed Use (APN 019-130-000).
- Rezone a small portion of land across the street from the West River Street County Corp Yard site to Downtown Mixed Use (APNs 019-120-011 and 019-130-003) and Public Facilities (portions of 019-090-046 and 019-120-009).
- Changed the Caltrans Corporation Yard site from Public Facility to Downtown High Density Residential, 24 dwelling units per acre (APNs 019-030-015, 019-030-016, 019-020-003, and 019-020-004).
- Rezone the property south of the Veteran's Hall from High Density Residential to Public Park (APN 019-090-005).
- Rezone parcels on Jibboom Street from Downtown Commercial to Downtown Mixed Use (APNs 019-102-011, 019-102-017, 019-102-012, 019-102-013, 019-102-014, 019-102-015, 019-101-00, 019-101-002, 019-101-003, 019-101-004, 019-101-011, 019-101-006, 019-101-010, and 019-101-008).
- Rezone a parcel on the north side of East River Street from Downtown Mixed Use to Downtown Commercial (a portion of APN 019-420-087).
- Expanded the Public Facilities designation at the depot to encompass the parking area to the east (a portion of APN 019-090-046).
- Rezone a small Nevada County parcel on the north side of Keiser from DRM-14 to Downtown Commercial (APN 019-106-001).

**ORDINANCE 2023-03**

**EXHIBIT "B1"**

**Sheet #21 Zoning Map Amendments**

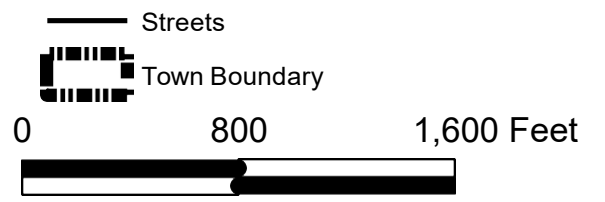
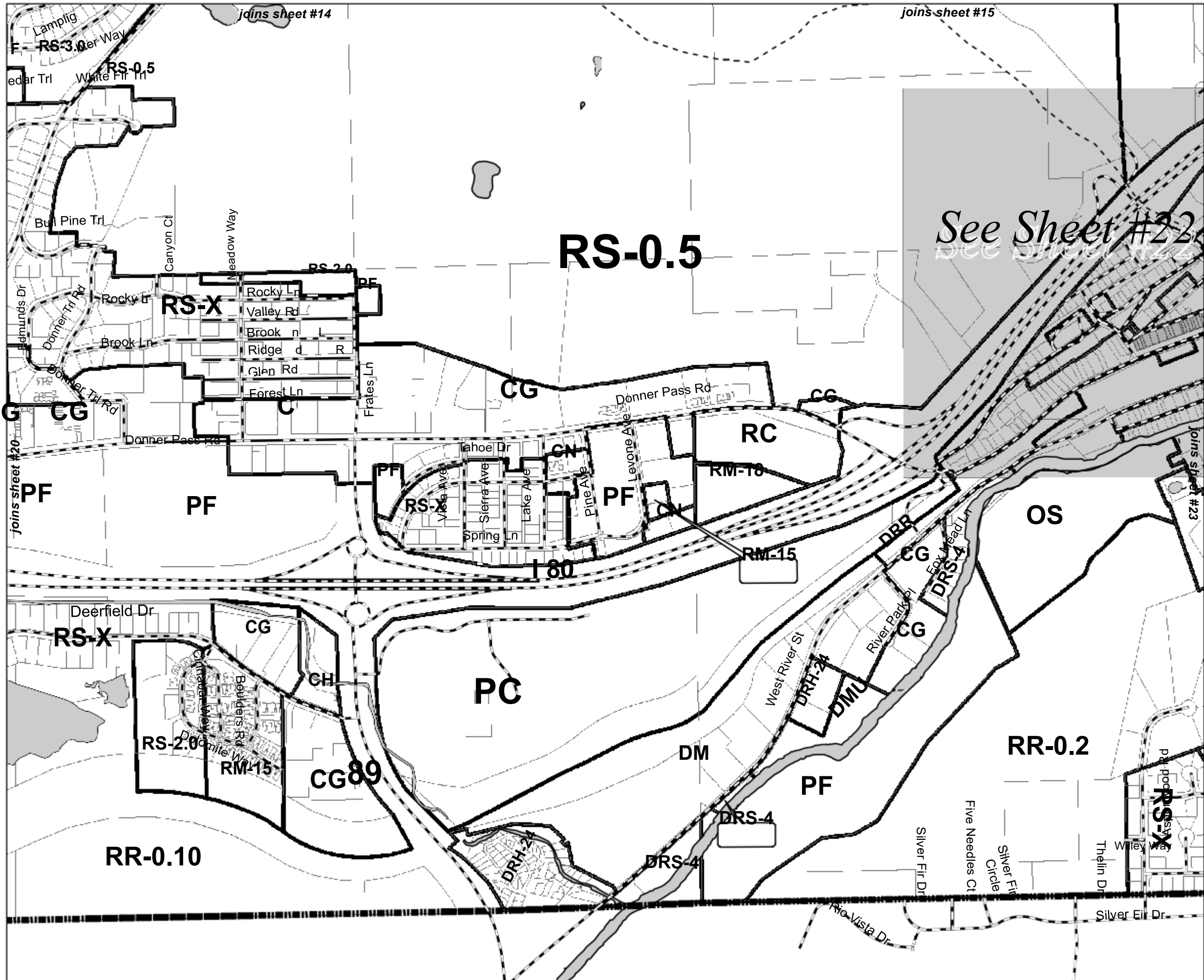
# Town of Truckee Zoning Map



## Sheet #21

Zoning Revisions	
Date	Ord. #
05/29/2015	2015-04
12/14/2018	2018-13
To be updated	

**NOTE:**  
 See Sheet #28, for parcels in the FAR Incentive Infill Area  
 See Sheet #26, for parcels in the River Protection Overlay District  
 See Sheet #25, for parcels in the Historic Preservation Overlay District  
 See Sheet #30, for parcels in the Airport Noise Zone.



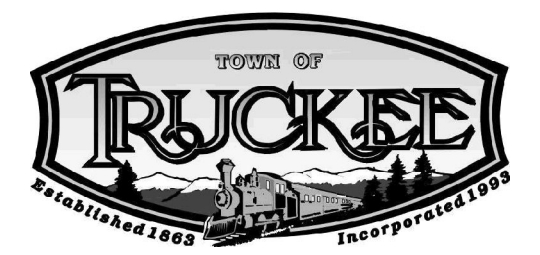
**ORDINANCE 2023-03**

**EXHIBIT "B2"**

**Sheet #22 Zoning Map Amendments**



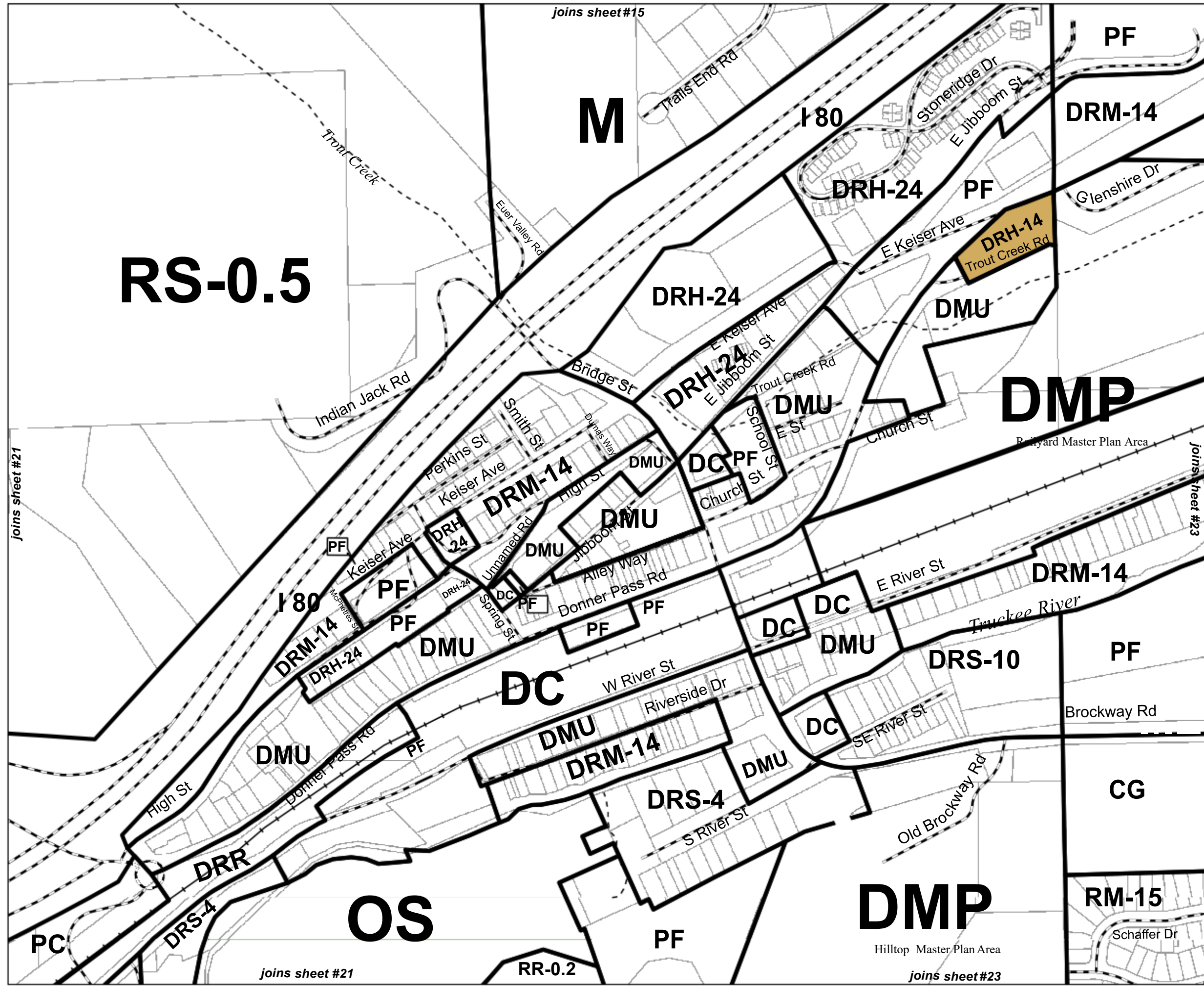
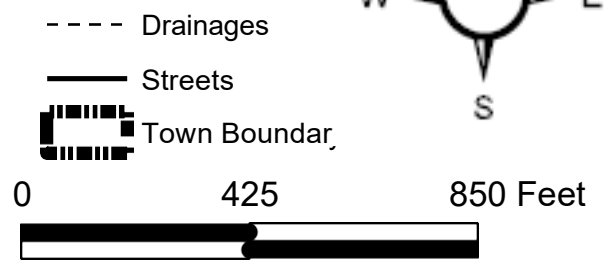
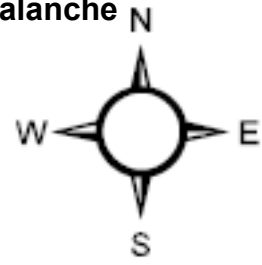
# Town of Truckee Zoning Map



## Sheet #22

Zoning Revisions	
Date	Ord. #
9/21/2008	2008-01
7/2/2009	2009-03
To be updated	

**Note:**  
 See Sheet #25, for parcels in the Historic Preservation Overlay District and the Commercial Row Overlay District  
 See Sheet #26, for parcels in the River Protection Overlay District  
 See Sheet #30, for parcels in the Airport Noise Zone.  
 See Sheet #27, Inset D for parcels in the Snow Avalanche Overlay District



joins sheet #21

joins sheet #21

joins sheet #15

joins sheet #23

joins sheet #23

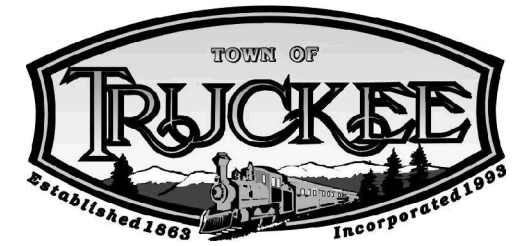
**ORDINANCE 2023-03**

**EXHIBIT "B3"**

**Sheet #23 Zoning Map Amendments**



# Town of Truckee Zoning Map



## Sheet #23

### Zoning Revisions

Date	Ord. #
08/02/2001	2001-04
09/21/2008	2008-01
07/02/2009	2009-03
04/24/2015	2015-03
To be updated	

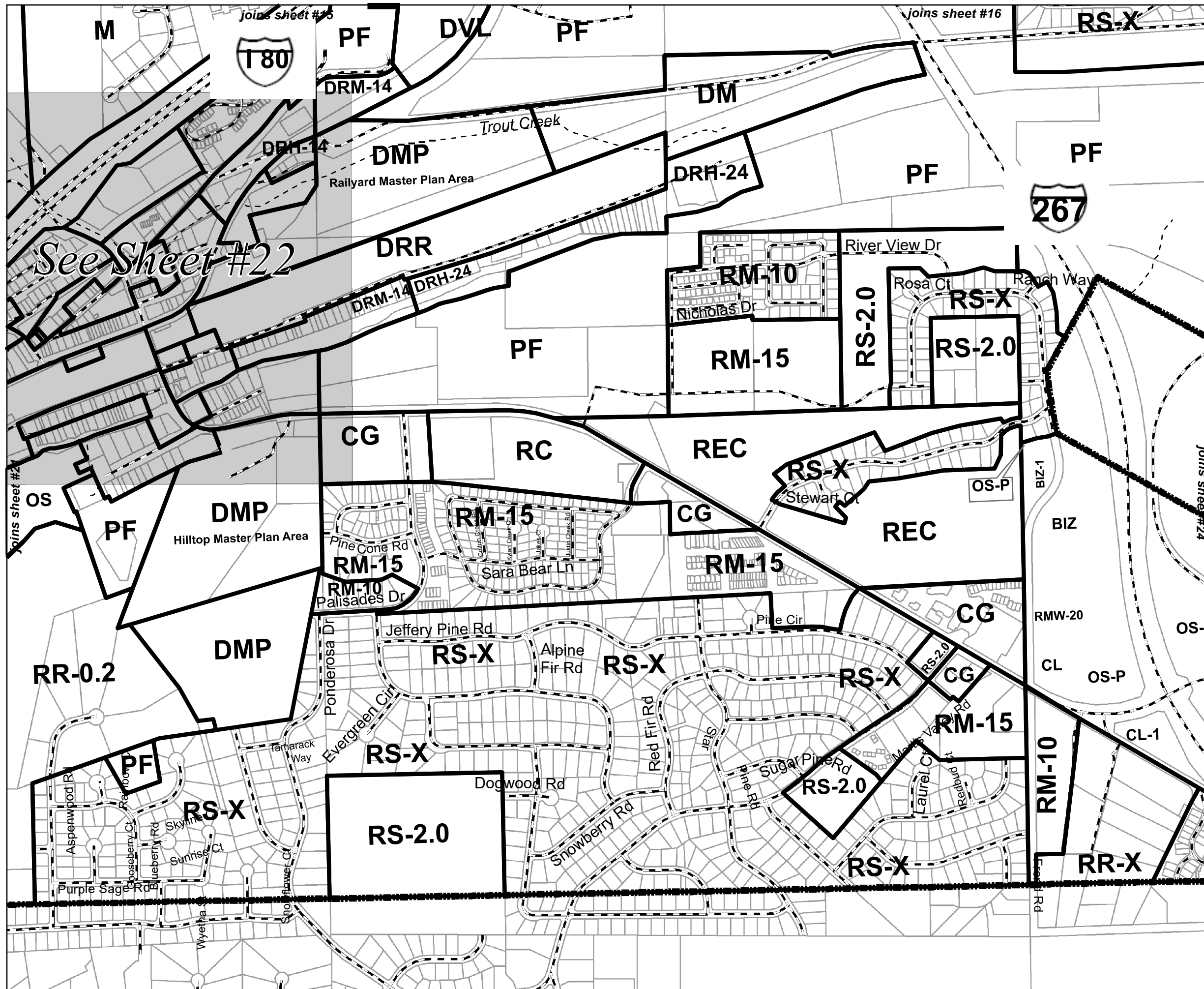
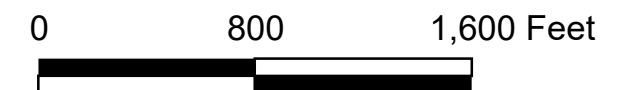
**NOTE:**  
See Sheet #25, for parcels in the Historic Preservation Overlay District

See Sheet #26, for parcels in the River Protection Overlay District

See Sheet #29, for parcels in the Airport Safety Areas

See Sheet #30, for parcels in the Airport Noise Zone

- Drainages
- Streets
- Town Boundary



See Sheet #22

Joins sheet #15

Joins sheet #16

Joins sheet #21

Joins sheet #24

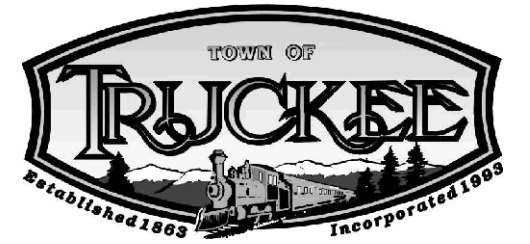


**ORDINANCE 2023-03**

**EXHIBIT "B4"**

**Sheet #14 Zoning Map Amendments**

# Town of Truckee Zoning Map



## Sheet #14

### Zoning Revisions

Date	Ord. #
To be updated	

Note: See Sheet #27 Inset B for parcels in the Snow Avalanche Overlay District.

See Sheet #30 for parcels in the Airport Noise Zones

- Drainages
- Streets
- ▭ Town Boundary

