

**TOWN OF TRUCKEE
California**

ORDINANCE 2023-10

**AN ORDINANCE OF THE TOWN OF TRUCKEE
AMENDING THE TRUCKEE MUNICIPAL CODE, TITLE 18, DEVELOPMENT CODE
FOR OBJECTIVE DESIGN STANDARDS**

WHEREAS, in response to California's housing crisis, several State laws have been enacted with the intent to stimulate housing production by streamlining permit processes; and

WHEREAS, many of the State laws encumber local jurisdictions' ability to deny or reduce the density of housing projects based on discretionary or subjective design guidelines; and

WHEREAS, the Town's current design guidelines support high quality architectural design but rely on subjective criteria and cannot be objectively applied; and

WHEREAS, the Town supports streamlining the creation of high-quality housing projects for the community while at the same time maintaining Truckee's community character; and

WHEREAS, the Town's 2019-2027 Housing Element includes Program H-1.9, which directs the Town to "develop objective design standards for multi-family residential projects and continue public outreach on creation and implementation of these standards"; and

WHEREAS, the Town's 2040 General Plan includes Action LU-9.B (Objective Design Standards) which requires development of objective design standards for residential and nonresidential uses; 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, on April 28, 2020, the Town Council authorized an application to the State of California Department of Housing and Community Development (HCD) for the Local Early Action Planning Grants Program (LEAP) to assist in the preparation and adoption of planning documents, process improvements that accelerate housing production, and facilitate compliance to implement the sixth cycle of the regional housing needs assessment; and

WHEREAS, in July 2020, staff received a \$65,000 notice of award for this LEAP grant to be used toward the development of objective design standards in the Development Code; and

WHEREAS, the Town facilitated a community survey, focus group discussions, and held a workshop on the objective design standards; and

WHEREAS, the Planning Commission reviewed all proposed amendments at its July 18, 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 July 18, 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 22nd day of August, 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 II, Chapter 18.06 (Establishment of Zoning Districts, Adoption of Zoning Map), Chapter 18.08 (Residential Zoning Districts), Chapter 18.12 (Commercial and Manufacturing Zoning Districts), Chapter 18.16 (Special Purpose Zoning Districts), Chapter 18.24 (Design Guidelines), Chapter 18.25 (Objective Design Standards); Amendments to Article III, Section 18.30.050 (Drainage and Storm Water Runoff), Section 18.30.070 (Fences, Walls, and Hedges), Section 18.30.080 (Grading and Vegetation Removal), Section 18.30.090 (Height Measurement and Height Limit Exceptions), Section 18.30.120 (Setback Requirements and Exceptions), Chapter 18.36 (Hillside Development Standards), Section 18.38.050 (Donner Lake Development Standards), Chapter 18.40 (Landscape Standards), Chapter 18.46 (Open Space/Cluster Requirements), Section 18.58.025 (Accessory Dwelling Units), Section 18.58.140 (Mixed-Use Development), Section 18.58.180 (Multi-Family Residential Projects) – deletion; amendments to Article IV, Chapter 18.72 (Zoning Clearance), Chapter 18.74 (Development Permit), Chapter 18.79 (Streamlined Residential Review); amendments to Article VII, Chapter 18.214 (Inclusionary Housing), Chapter 18.216 (Workforce Housing); and amendments to Article VIII, Chapter 18.220 (Development Envelope, Site Disturbance, and Story) are hereby amended as designated in Exhibit “B” attached hereto and incorporated herein.