

RESOLUTION 2023-62

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF TRUCKEE UPHOLDING THE PLANNING COMMISSION'S DECISION, DENYING THE APPEAL OF THE TAHOE DONNER DOWNHILL SKI LODGE REPLACEMENT, APPROVING THE TAHOE DONNER DOWNHILL SKI LODGE, AND ADOPTING A MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM

EXHIBIT "C"

CONDITIONS OF APPROVAL

General Conditions of Approval

1. A Development Permit to demolish a 15,838 s.f. lodge building and construct a new 24,490 s.f. lodge building located at 11585 Snowpeak Way (also addressed as 11603 Snowpeak Way; APN 046-250-009) and a Minor Use Permit to allow disturbance within 200 feet of a wetland are hereby approved as described in the June 20, 2023 and September 27, 2023 Planning Commission staff reports and the November 14, 2023 Town Council staff report and as shown on the site plans and civil drawings approved by the Planning Commission on September 27, 2023 and by the Town Council on November 14, 2023 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. A meeting with the Planning and Engineering Divisions is required prior to submittal of a grading or building permit application to review the conditions of approval and identify any changes in the project from the approved plan set. The applicant shall pay the hourly rate of staff time for this meeting and review of any proposed changes. An Administrative Review fee based on three hours of staff time (currently \$177 for the Planning Division and \$190 for the Engineering Division) shall be submitted as an initial deposit prior to scheduling the meeting. The staff time rates shall be based on the current Town of Truckee fee schedule in effect at the time the meeting is scheduled. (**Planning Division**)
3. The effective date of approval shall be Tuesday, November 14, 2023. In accordance with Section 18.84.050 of the Development Code, the land use permits shall be exercised within two (2) years of the effective date of approval, and the project shall be completed within four (4) years after the effective date of approval. 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). The Planning Commission shall have the authority to approve major changes to the project and any future time extensions. The Town Council will only serve as the review authority as required per Chapter 18.70 (Applications, Processing and Fees). (**Planning Division**)
4. The Minor Use Permit shall commence within two years from the effective date (by no later than November 14, 2025). 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). (**Planning Division**)

5. The Community Development Director may authorize minor alterations to the approved land use permits 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 Planning Commission in accordance with Section 19.84.070(B)(2) of the Development Code. Prior to building permit submittal, contact the Planning Division to determine if any proposed changes are minor or major. (**Planning Division**)
6. Except as modified by these conditions of approval, the project shall comply with all applicable provisions and standards of the Development Code (effective date June 23, 2022), including, but not limited to the following:
 - a. General Development Standards as contained in Table 2-10 of the Development Code;
 - b. Air Emissions in accordance with Section 18.30.030;
 - c. Drainage and stormwater runoff in accordance with Section 18.30.050;
 - d. Building Height in accordance with Section 18.30.090;
 - e. Exterior Lighting in accordance with Section 18.30.060;
 - f. Snow Storage in accordance with Section 18.30.130;
 - g. Solid Waste/Recyclable Materials in accordance with Section 18.30.150;
 - h. Open Space in accordance with Section 18.46.060;
 - i. Property Maintenance in accordance with Section 18.30.100;
 - j. Landscaping in accordance with Chapters 18.40 and 18.42. (**Planning Division**)
7. Any fees due to the Town of Truckee for processing the development application and associated land use entitlement 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. 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. The following fees apply to the project and are subject to the timelines identified in the relevant conditions of approval:
 - Condition of Approval No. 12: Construction Mitigation Monitoring Fee
 - Condition of Approval No. 14: Public Improvement Plan Check Fee
 - Condition of Approval No. 18: Traffic Impact Fee
 - Condition of Approval No. 19: Facilities Impact Fee
 - Condition of Approval No. 34: Workforce Housing In-Lieu Fee, unless a market rate unit is obtained and deed restricted as identified within the condition.
 - Condition of Approval No. 50: Landscape Inspection Fee
 - Condition of Approval No. 52: Fire, School, and Recreation fees
 - Condition of Approval No. 59: Fire Fees
 - Condition of Approval No. 64: Department of Fish and Wildlife Fee and County Clerk Fee for environmental review(**Planning Division**)
8. 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**)

9. Applicant shall at all times following entitlement, including but not limited to all times during grading and construction phases of the project, diligently pursue completion of the Project, keep the Project site in a clean and sanitary condition, maintain the site in a fashion that does not constitute a public nuisance, and comply with all provisions of the Town of Truckee Municipal Code. In the event that construction is suspended for a consecutive period of 150 days or more, or for a period of six months or more where construction is suspended due to winter weather conditions that prohibit diligent pursuit of completion of the Project, Applicant shall, within 15 days, (1) seal any partially constructed building to prevent unauthorized access by trespassers, (2) remove any condition on the site which could pose a danger to unauthorized trespassers, and (3) install all landscaping required for the Project on the site in order to prevent negative aesthetic impacts to neighboring properties, provided that the requirement to install landscaping shall be tolled until May 1st if the suspension occurs on November 1st or later. For purposes of this condition, the term "suspended" shall mean cessation of construction, development and/or improvement activities and/or a reduction in activity on the Project to the point that diligent pursuit of completion is no longer occurring. Upon suspension of construction for 30 days, Applicant shall provide the Town with written notice of the suspension and its commencement date, as well as an estimated timeline for resumption of construction. The Town will, at all times, retain its standard power to abate nuisances, and may require the Applicant to perform remedial measures beyond those specified in this section if the project site becomes a public nuisance. The Applicant acknowledges that its failure to timely complete items (1)-(3) hereinabove shall constitute the creation of a nuisance on the Project site. (**Planning Division and Town Attorney**)
10. Prior to commencement of any work on the site, the applicant shall obtain building permit(s) for all work on the building. Complete building plans and engineering in accordance with the Town Building Code will be required for all structures. The building plans shall include details and elevations for all State of California, Title 24, and accessibility regulations. (**Planning Division**)
11. Prior to grading or building permit issuance, the applicant shall submit plans that demonstrate compliance with all applicable 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 Department of Environmental Health
 - California Water Quality Control Board – Lahontan Region
 - Northern Sierra Air Quality Management District
 - Southwest Gas

The applicant shall demonstrate compliance with all conditions and requirements prior to building permit final. (**Planning Division**)

12. Prior to the issuance of building permits or improvement plans, the applicant shall submit payment for a construction mitigation monitoring fee. The fee amount is established by

the Town Fee Schedule in effect at the time of building permit submittal. **(Planning Division)**

13. **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)**

Engineering Division Conditions

14. Prior to building or grading permit issuance, whichever occurs first, 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)

15. Prior to building or grading permit issuance, whichever occurs first, 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)**

16. Prior to building or grading permit issuance, whichever occurs first, 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. If the project is expanding an existing site and the new impervious area is more than 50% of the existing impervious surface, project shall treat all existing and proposed impervious areas. **(Engineering Division)**
17. 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 BMP's 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)**
18. Prior to building permit issuance, the applicant shall pay traffic impact fees applicable at the time of building permit issuance. The estimated traffic impact fees are based on the summer use of the proposed 8,652 Square Feet (SF) expansion of the lodge. The proposed summer use of the project (day camps) is determined to be most closely related to Code 495 – Recreational Community Center in the Trip Generation Manual, 10th Edition, which generates 2.31 PM Peak Hour trips per 1,000 SF of use. As of June 7, 2023, the estimated traffic impact fees for the proposed project are calculated as $\$8,786 \times 2.31 \text{ trips}/1,000 \text{ SF} \times 8,652 \text{ SF} = \text{\$175,598}$. 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. **(Engineering Division)**
19. Prior to building permit issuance, the applicant shall pay facilities impact fees applicable at the time of building permit issuance. As of June 7, 2023, based on the proposed 8,652 Square Feet (SF) expansion of the lodge, the estimated facilities impact fees for the proposed project are **\\$14,535**. 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)**
20. Structures shall be designed such that snow will not shed into pedestrian areas or onto parked vehicles. **(Engineering Division)**
21. Prior to building permit issuance, provide a snow removal/storage plan for approval by Town Engineer that shows snow storage calculations (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)**

22. Prior to 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)
23. 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)**
24. Prior to building (grading) permit issuance, approval from the Lahontan Regional Water Quality Control Board shall be obtained and copies of approvals shall be provided to the Town Engineer. **(Engineering Division)**

Mitigation Measures

25. Dust Control Plan. The project applicant shall prepare a Dust Control Plan pursuant to NSAQMD Rule 226 (Dust Control) and Title 18 of the TMC (Section 18.30.030 – Air Emissions). The Dust Control Plan must be submitted to and approved by the Air Pollution Control Officer before topsoil is disturbed. The Air Pollution Control Officer may require use of palliatives, reseeding, or other means to minimize windblown dust. After commencement of development, if the approved elements of the dust control plan prove ineffective, the Air Pollution Control Officer may require additional control measures to be instituted. **(MM-AQ-1)**
26. Criteria Air Pollutants. The project applicant shall implement the following measures in order to mitigate criteria air pollutants exceeding the NSAQMD level A and level B thresholds during project construction:
- Level A.
- a. Alternatives to open burning of vegetative material will be used unless otherwise deemed infeasible by the District. Among suitable alternatives are chipping, mulching, or conversion to biomass fuel.
 - b. Grid power shall be used (as opposed to diesel generators) for job site power needs where feasible during construction.
- Level B.
- c. Controls specified above (a and b) shall be implemented.
 - d. Temporary traffic control shall be provided during all phases of the construction to improve traffic flow as deemed appropriate by local transportation agencies and/or Caltrans.

- e. Construction activities shall be scheduled to direct traffic flow to off-peak hours as much as practicable. **(MM-AQ-2)**
27. Asbestos. If naturally occurring asbestos (NOA) is identified during earthwork, the NSAQMD must be notified no later than the following business day and compliance with the statewide Asbestos Toxic Control Measure for Construction, Grading, Quarrying and Surface Mining Operations (Asbestos ATCM) would be required. In regard to surfacing materials, the project is required to comply with the statewide Asbestos Airborne Toxic Control Measure for Surfacing Applications (Surfacing ATCM), which prohibits the use of material containing 0.25% asbestos or greater for surfacing of areas such as pedestrian walkways and pavement. **(MM-AQ-3)**
28. Protection of Active Bird Nests. If ground disturbance activities take place during the breeding/nesting season (March through August), a preconstruction bird nest survey is required and shall be conducted by a qualified biologist no more than 15 days prior to initiation of proposed construction activities. If no active nests are identified during the preconstruction survey, no further actions or restrictions are required. If active nests are found on or immediately adjacent to the site, a nest avoidance plan shall be prepared and implemented with approval from the Town of Truckee and if the Town requests, CDFW. The avoidance plan shall identify appropriate nest buffer zones within which project activities will be precluded to ensure no harm or agitation of nesting birds occurs and a qualified biologist shall monitor the nest(s) and project activities to ensure the buffer zones are adhered to until the nesting birds have fledged. Once the nesting birds have fledged from active nests, there is no longer a need for a nest avoidance plan or to enforce any related nest buffer zones, and project activities could then proceed without any bird nest-related restrictions. **(MM-BIO-1)**
29. Dewatering Plan Prior to issuance of a building permit, a California licensed Geotechnical Engineer or Engineering Geologist shall prepare a Dewatering Contingency Plan (Plan) for any dewatering activities that may be required during construction activities. The Plan shall minimize impacts to water quality, including Alder Creek, by incorporation of water quality best management practices (BMPs), e.g. the use of sediment basins or holding tanks, energy dissipators, and/or sediment traps, that are designed and proven to protect water quality of receiving waters. The Dewatering Contingency Plan shall prioritize gravity flow techniques, where feasible, prior to use of pumping techniques and include BMPs for the management of any discharge water. The required BMPs shall be consistent with the most recent California Stormwater Quality Association Construction BMP Handbook for Dewatering Activities (NS-2) and include appropriate BMPs such as setbacks from surface waters and use of low flow rates for discharges. The plan shall be submitted to the Town of Truckee, Lahontan Regional Water Quality Control Board, and any other applicable State agencies, for review and approval prior to issuance of a grading permit. **(MM-HYD-1)**

Other Conditions of Approval

30. Cultural Resources: In the event that archaeological or cultural resources are discovered during any construction, all construction activities shall cease within 200 feet of the find unless a lesser distance is approved by the Community Development Director, and the Community Development Department shall be notified so that the extent and location of discovered materials may be recorded in a written report prepared by a qualified archaeologist, and disposition of discovered materials may occur in compliance with

State and Federal law. Construction shall not recommence until the Director authorizes construction to begin. **(Development Code Section 18.30.040)**

31. Cultural Resources: If human remains are encountered during construction, the County Coroner shall be notified. If the remains are determined to be Native American, the Coroner has 24 hours to notify the Native American Heritage Commission of the findings. **(Development Code Section 18.30.040)**
32. Prior to building permit issuance, the applicant shall complete the Lot Line Adjustment to create the 2.64-acre property between APNs 046-250-009, 046-250-007, and 046-250-005 as described in the architectural site plan. **(Planning Division)**
33. Exterior Lighting: Prior to building permit issuance, a lighting plan identifying locations, types, and lumens for all lights on site, including building and site lighting shall be submitted. All lights are required to be fully shielded and shall not trespass onto adjacent properties. The fixture design(s) shall be reviewed and approved by the Community Development Director for compliance with the Development Code and compatibility with the architecture. A photometric plan and/or a light output plan showing light overlap may be required if there appears to be lights close to property lines or if the Community Development Director determines that there is a potential excess of lighting. If the photometric study shows that light will trespass onto adjacent properties or the light output from the light fixtures overlap, the lighting plan shall be modified and/or light fixtures shall be removed. Timers and sensors are required to be used to ensure that excessive lighting is avoided. The lighting for the project, shall not exceed 264,000 lumens (100,000 lumens x 2.64 acres) and shall be limited to the minimum necessary to address building code or safety concerns as identified by the Chief Building Official or lighting specialist. Lights shall be color corrected with warm color temperatures, 3,000K or less. **(Planning Division)**
34. Utilities: All 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. **(Planning Division)**
35. Based on the commercial full-time employee equivalent (FTEE) calculation, the 8,652 s.f. increase in square footage from the existing lodge requires 0.61 workforce housing units. (8,652 s.f. / 500 s.f. = 17.3 FTEE; 17.3 FTEE x 3.5% = 0.61 workforce housing units required). The applicant shall either pay 61% of the affordable housing in-lieu fee adopted by the Town Council in effect at the time of building permit application or the applicant shall obtain and deed-restrict one existing market rate unit with the following orders of preference:
 - Component 1: Employees of Tahoe Donner Downhill Ski Lodge are required have the first right-of-refusal.
 - Component 2: Employees of Tahoe Donner are required to have the second right-of-refusal.
 - Component 3: If employees of Tahoe Donner refuse to rent the units, then 100% of the workforce housing units shall be affordable to low-income households.

Workforce housing units are required to be deed restricted to require them to be primary residences, require a six-month initial lease, prohibit short-term rentals, and require annual monitoring. The workforce housing units shall be deed restricted in perpetuity.

The deed restriction shall be in compliance with Chapter 18.210.090 (Affordable Housing Agreement) and submitted prior to temporary or final occupancy of the building permit for review and approval by the Community Development Director and Town Attorney. Payment of the affordable housing in-lieu fee shall be made prior to building permit issuance. **(Planning Division)**

36. Six bicycle parking spaces are required to be installed during summer from May 1 to October 31 each year. The six spaces shall be shown on the plans prior to building permit issuance. **(Planning Division, as amended by the Planning Commission)**
37. Prior to final certificate of occupancy, the bicycle parking spaces shall be installed. Each bicycle parking space shall include a stationary parking device, mounted to the ground to adequately support the bicycle. Each bicycle space shall be a minimum of two feet in width and six feet in length and have a minimum of seven feet of overhead clearance; shall be conveniently located and generally within proximity to the main entrance of a structure or located in the parking lot close to where summer day camp pick-ups and drop-offs occur; and be separated from motor vehicle parking spaces or aisles by a fence, wall or curb, or by at least five feet of open area, marked to prohibit motor vehicle parking. **(Planning Division, as amended by the Planning Commission)**
38. Any mechanical equipment, including individual air conditioning units or generators shall be screened from public view and designed to complement the adjacent building design. Screening shall be compatible in color and materials of adjacent buildings. All flashing, vents and gutters shall be painted in a color to blend with adjacent building colors. **(Planning Division)**
39. Any utility meters or transformers shall be screened from public view and designed to complement the adjacent building design. Screening shall be compatible in color and materials of adjacent buildings and shall be shown on the plans prior to building permit issuance. **(Planning Division)**
40. Prior to building permit issuance, any/all roof-mounted and ground-mounted equipment shall be shown on the plans for review and approval. Roof-mounted equipment shall comply with the height requirements of the applicable zoning district. Prior to final occupancy, any/all roof-mounted and ground-mounted equipment shall be screened with an architectural compatible design, in accordance with Development Code Section 18.30.110.D. **(Planning Division)**
41. Solid Waste and Recycling: Prior to building permit issuance, a final solid waste plan shall be approved by the Planning Division to verify that the project is in compliance with Development Code Section 18.30.150 (Solid Waste/Recyclable Material Storage), including but not limited to minimum solid waste and recyclable material storage area requirements, and in compliance with State of California requirements for food waste. The applicant shall provide a copy of a "will-serve" letter or equivalent from Tahoe Truckee Sierra Disposal (TTSD) to ensure that the final solid waste and recycling collection plan will be serviced by TTSD. The proposed storage areas are required to be located within 250 feet of an access doorway to the commercial units which they are intended to serve and should accommodate storage of all mixed waste, recyclables and

cardboard. The storage areas shall be properly screened and resistant to wildlife. Storage areas are required to be compatible with the project and surrounding structures and land uses. The applicant shall pay to have the project site serviced as frequently as necessary to ensure there is no stockpiling of food byproducts, garbage, packaging materials, etc. and to reduce potential impacts on adjacent properties in terms of odors, wildlife nuisances, etc. The solid waste and recyclables storage areas shall be kept tidy and free from loose debris at all times. If an alternative organic recycling plan is requested, approval from the Town's Solid Waste and Recycling Division and Tahoe-Truckee Sanitation Agency and any other applicable agencies is required. The solid waste and recycling receptacle area(s) shall be designed to divert drainage from adjoining roofs and pavement around the receptacle. The solid waste and recycling container shall be screened or walled to prevent off-site transport of trash, including transport by wind. The solid waste and recycling receptacle(s) shall also be covered when not in use or during storm events. **(Planning Division, Development Code Section 18.30.150)**

42. An area for the washing/steam cleaning of equipment and accessories which is self-contained, equipped with a grease trap and properly connected to a sanitary sewer is required unless an alternative equivalent is approved by the Nevada County Environmental Health Department. If the washing area is located outdoors, the area shall be covered, paved, have secondary containment and be connected to the sanitary sewer or other appropriately permitted disposal facility. **(Planning Division, Development Code Section 18.30.050)**
43. All building materials, except for the poly ash/synthetic siding, and colors shall be consistent with the approved plan set, and as described in the June 20, 2023 Planning Commission staff report. The poly ash/synthetic siding shall be smooth and shall not have a faux wood grain. **(Planning Division)**
44. Sign: One wall with three external night sky light fixtures is approved, as shown on the approved plan set. No other signs are approved for this project. **(Planning Division)**
45. No temporary signage is approved with this project. Any future temporary signage shall be required to apply for a Temporary Sign Permit for review and approval. **(Planning Division)**
46. 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)**
47. Prior to building permit issuance, the applicant shall provide a tree protection plan in compliance with Development Code Section 18.30.155 (Tree Preservation). **(Development Code Section 18.30.155)**
48. If fire pits are proposed, fire pits shall be fired with propane or natural gas. No wood burning appliances are approved as part of this project. **(NSQAMD and Planning Division)**

49. Survey: Prior to building permit issuance, a survey shall be submitted that shows topography and easements on the property. (**Planning Division**)
50. Final Landscaping Plan: The project shall provide landscaping in accordance with Chapters 18.40 and 18.42 and Section 18.30.155 of the Development Code, and as follows:
- Prior to building permit issuance, the applicants shall submit a final landscaping plan for review and approval by the Community Development Director that is substantially consistent with the landscaping plan in the approved plan set. However, all landscaping shall have a mixture of sizes where 20% of the trees are 24-inch box and 80% are #15; 80% of the shrubs are required to be #5 and 30% may be #1. All plants shall be drought tolerant and appropriate for the Truckee climate. Native plants are preferred. The final landscape plan shall include the irrigation design plan.
 - Prior to issuance of a temporary or final certificate of occupancy, the applicant shall submit documentation of compliance with Development Code Section 18.40.060 (Water Efficient Landscape Ordinance), including all required Water Efficient Landscape Worksheets including Worksheet A (Maximum Allowed Water Allowance) and Worksheet B (Certificate of Completion) for review and approval by the Community Development Director.
 - Prior to issuance of a temporary or final certificate of occupancy, the applicant shall submit to the Planning Division a complete maintenance plan and contract, ensuring proper maintenance of all landscaping and irrigation, to be approved by the Community Development Director. The property owner shall be responsible for maintaining all plantings and irrigation, and in any case where required plantings have not survived, the property owner shall be responsible for replacement with equal or better plant materials.
 - At least one week prior to issuance of a temporary or final certificate of occupancy, the applicant shall request an on-site inspection from the Planning Division for all landscaping and irrigation, and the applicant shall submit a landscape inspection fee in the amount established by the Town Fee Schedule at the time of the request (currently \$291). All landscaping shall be installed in accordance with the final landscape plan and these landscape conditions prior to issuance of a temporary certificate of occupancy OR installation of the landscaping shall be guaranteed by a performance guarantee or other acceptable security prior to issuance of a temporary certificate of occupancy and installation shall be completed prior to issuance of a final certificate of occupancy.
 - 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**)
51. The applicant shall pay all 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**)

Other Agencies

52. The project shall comply with all requirements of Nevada County Department of Environmental Health t (NCDEH).

53. The commercial food facility/retail space will require an annual permit from Nevada County Department of Environmental Health (NCDEH). As such, please submit a plan review application, applicable fees, and design/plans for the construction of the food facility/retail space. The plan review should include 2 sets of equipment specifications, specific design of the commercial kitchen, retail area, storage areas, janitorial areas, plumbing, electrical, etc. **(NCDEH)**
54. The applicant and/or facility operator must adhere to all applicable codes and regulations regarding the storage of hazardous materials and the generation of hazardous wastes set forth in California Health and Safety Code Section 25500 – 25519 and 25100 – 25258.2 including the electronic reporting requirement to the California Environmental Reporting System (CERS). The applicant and/or facility operator must 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). The applicant and/or facility operator shall secure and annually renew the permit for this facility within 30 days of becoming subject to applicable regulations. Routine compliance inspections, conducted by NCDEH inspectors, will occur at the facility once every three years. Compliance inspections are typically unannounced inspections during regular business hours: Monday– Friday, 8:00am – 5:00pm. **(NCDEH)**
55. The applicant shall comply with all requirements of the Truckee Donner Public Utility District Water Department, including, but not limited to, the following:
- The existing water service lateral to the ski area base lodge is located along the western side of the structure. According to the drawings included with the routing, the point of service will be relocated to the northeasterly corner of the parcel. The District has no objection to this planned relocation but the District will require that the existing service lateral is abandoned at the main.
 - The existing structure is served by a 1.5” water meter. Proposed plans shall contain sufficient information to determine the domestic water requirements for the new structure and to evaluate whether the existing meter has sufficient capacity.
(TDPUD)
56. The applicant shall comply with all requirements of the Truckee Donner Public Utility District Electric Department. **(TDPUD)**
57. The proposed development will require the Owner/Developer to execute a Development Agreement with the District for installation of electric infrastructure necessary to establish permanent electric service. The scope of modifications required, and the associated costs, will be determined following review of specific project information. The routing of the Electric facilities will also be determined as part of this process. The Owner/Developer will also need to plan and coordinate with District personnel for the removal of existing energized electric infrastructures serving the existing building prior to demolition. **(TDPUD)**
58. Removed. Placeholder to keep numbering intact.

59. Truckee Fire has adopted the 2019 California Fire Code with amendments. This project would be subject to abiding by those documents. We also have a locally adopted defensible space ordinance in conjunction with PRC 4291. The development would need to establish and maintain defensible space in perpetuity. Mitigation fees would need to be paid at the appropriate rate prior to permit issuance. The access road on the north side of the structure needs to be widened from 17 feet to 20 feet as discussed and agreed upon in a predevelopment meeting. Page (28) 4 of 6 on the Civil Plan packet still shows a width of 17 feet. This is per CFC 2019 Appendix D. **(TFPD)**
60. As determined by the Community Development Director in coordination with the District Fire Marshal, the project shall comply with all applicable Truckee Fire Protection District ordinances and requirements related to the construction or installation of physical infrastructure, facilities, and improvements and the payment of mitigation fees for the construction of facilities and the purchase of equipment. These ordinances and requirements may include, but not be limited to, roads and driveways, installation of fire hydrants and extinguishers, minimum fire flow, fire department access and safety, automatic sprinkler and alarm system for the building, driveway and width, and paving specifications, wildland fire protection, and payment of fire mitigation fees. The physical infrastructure, facilities, and improvements shall be installed at the time of development and completed prior to temporary occupancy of buildings and the land, and the mitigation fees shall be paid in accordance with adopted Council rules for administration of the mitigation fee program. The project must also have Fire Protection Water in accordance with Section 507 of the Fire Code and Fire Apparatus access in accordance with Section 503 of the Fire Code. **(TFPD)**
61. The project shall comply with all requirements of the Truckee Sanitary District, including, but not limited to the following: All private downstream sewer infrastructure is required to be a minimum of 6" in diameter. The Truckee Sanitary District will require an updated map on the infrastructure. **(TSD)**
62. The National Pollutant Discharge Elimination System (NPDES) stormwater program regulates stormwater discharges from construction activities that disturb one or more acres of soil, or whose projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity, Order 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-006-DWQ (Construction General Permit). If the Project disturbs less than one acre, but more than 10,000 sf of soil, a small construction general permit may be required, unless the Town of Truckee oversees construction stormwater best management practices for the Project. **(Lahontan)**
63. Project documents and information has been presented that the excavation for the construction will likely need dewatering. If dewatering is necessary, a permit for that discharge may be necessary and additional information will be required. **(Lahontan)**
64. Pursuant to Section 21089 of the California Public Resources Code and Section 711.4 et seq. of the California Fish and Wildlife code, fees in the amount of \$2,764 (Department of Fish and Wildlife fee) and \$50.00 (County Clerk fee) shall be submitted to the Planning Division within five (5) working days of approval of the project. A check in the amount of \$2,814.00 shall be made payable to the County of Nevada and submitted to the Town Planning Division. No grading or building permits shall be issued until the fees are paid. The fees are required to be collected on behalf of the Department of Fish and

Wildlife and are not for Town purposes. The fee is subject to change January 1.
(Department of Fish and Wildlife)