

TOWN OF TRUCKEE
California

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**

WHEREAS, the Tahoe Donner Downhill Ski Lodge was established in the early 1970s as Truckee's only downhill ski hill; and

WHEREAS, the Town could not locate the original conditional use permit for the Tahoe Donner Downhill Ski Area but substantial evidence in the record including historic building permits supports the finding that the project was reviewed and approved by Nevada County in the 1970s; and

WHEREAS, the Town has record of multiple land use applications acknowledging and/or amending the Tahoe Donner Downhill Ski Area use since 1997; and

WHEREAS, the existing operations of the Tahoe Donner Downhill Ski Area are considered the baseline for the project; and

WHEREAS, the Town of Truckee received a Development Permit application to demolish a 15,838 s.f. lodge building and constructing a new 24,490 s.f. lodge building located at 11585 Snowpeak Way (also addressed as 11603 Snowpeak Way; APN 046-250-009), a Minor Use Permit for disturbance of land or for development located within 200 feet of a wetland area, and a Sign Plan for a wall sign; and

WHEREAS, the Planning Commission is responsible for the review and consideration of Development Permits and any associated land use permits, including Minor Use Permits; 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 on August 16, 2022; and

WHEREAS, an Initial Study was prepared for the project, the Initial Study concludes the project is consistent with the development density established by the existing zoning and 2025 General Plan policies and will not have a significant effect on the environment upon incorporation of project-specific mitigation measures, and a Mitigated Negative Declaration is proposed for the project; and

WHEREAS, a 30-day public review period was provided on the Mitigated Negative Declaration to allow Federal, State, and local agencies, interested persons and organizations, and other members of the public to review and comment on the adoption of a Mitigated Negative Declaration on May 19, 2023; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was published in the *Sierra Sun* on May 26, 2023 and mailed to property owners directly adjacent to the project site informing the public of the availability of the Mitigated Negative Declaration on May 19, 2023; and

WHEREAS, public notice was published in the *Sierra Sun* on June 9, 2023, mailed to property owners within 500 feet of the project site and emailed directly to any interested person who requested electronic notification on June 6, 2023 informing the public of the date, time, and location of the public hearing for consideration of the approval or denial of the Development Permit and Minor Use Permit; and

WHEREAS, the Planning Commission held a public hearing on the matter at its regularly scheduled Planning Commission meeting beginning and ending on June 20, 2023, and accepted public comment related thereto;

WHEREAS, on June 20, 2023, the Planning Commission voted to continue the public hearing to a date and time uncertain; and

WHEREAS, public notice was published in the *Sierra Sun* on September 15, 2023 and mailed to property owners within 500 feet of the project site and emailed directly to any interested person who requested electronic notification on September 14, 2023 informing the public of the date, time, and location of the public hearing for consideration of the approval or denial of the Development Permit, Minor Use Permit, and Sign Plan; and

WHEREAS, the Planning Commission held a public hearing on the matter at its Planning Commission meeting beginning and ending on September 27, 2023, and considered all information and public comment related thereto;

WHEREAS, the applicant submitted a timely appeal of the Planning Commission's approval requesting further environmental review; and

WHEREAS, the Town Council is responsible for the review and consideration of appeals of Planning Commission's determinations; and

WHEREAS, public notice was published in the *Sierra Sun* on November 3, 2023 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 consideration of the approval or denial of the Development Permit, Minor Use Permit, and Sign Plan; and

WHEREAS, the Town Council held a public hearing on the matter at their regularly scheduled Town Council meeting beginning and ending on November 14, 2023, and considered all information and public comment related thereto.

NOW THEREFORE BE IT RESOLVED, the Town Council hereby takes the following actions on Application 2023-00000138 (Tahoe Donner Association Downhill Ski Lodge Replacement):

1. Adopt an Initial Study/Mitigated Negative Declaration with associated Mitigation Monitoring and Reporting Program (Exhibit B) for the project, based upon the following findings:
 - a. The Town Council, in its capacity as Lead Agency, has prepared a Final Initial Study and Mitigated Negative Declaration for the project, which includes the original Initial Study/Mitigated Negative Declaration and Responses to Comments.

- b. The Town Council has independently reviewed and analyzed the Mitigated Negative Declaration and other information in the record and the mitigation measure incorporated into the Conditions of Approval (Exhibit C) and Mitigation Monitoring and Reporting Program (MMRP) would avoid or substantially lessen any significant environmental effects as identified in the Mitigated Negative Declaration (MND) to a less than significant level; and
 - c. The MMRP accurately reflects the mitigation measures contained in the MND.
 - d. The Final IS/MND and MMRP were prepared in accordance with all legal requirements, including all public notice and comment period requirements set forth in CEQA and the CEQA guidelines.
- 2. Uphold the decision of the Planning Commission in approving the Tahoe Donner Downhill Ski Lodge;
 - 3. Deny the appeal of the Planning Commission's decision to approve the Tahoe Donner Downhill Ski Lodge; and
 - 4. Approve the Tahoe Donner Downhill Ski Lodge Replacement Development Permit, Minor Use Permit and Sign Plan, including demolition of the existing 15,838 s.f. lodge and construction of a 24,490 s.f. downhill ski lodge, as shown in Exhibit A, based on the findings set forth in Exhibit D and subject to the conditions of approval as set forth in Exhibit C.

The foregoing resolution was introduced by _____, seconded by _____, at a regular meeting of the Truckee Town Council, held on the 14th day of November, 2023 and adopted by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Lindsay Romack, Mayor

Kelly Carpenter, Town Clerk

Exhibit A: Approved Plans

Exhibit B: Initial Study/Mitigated Negative Declaration with Responses to Comments and Mitigation Monitoring and Reporting Program

Exhibit C: Conditions of Approval

Exhibit D: Findings