



Date: May 13, 2025

Honorable Mayor and Council Members:

Author and title: Alfred Knotts, Transportation Program Manager

Title: North Balloon Track Drainage Easement Abandonment, 11010 Church Street; Assessor's Parcel Number 019-421-026

Jen Callaway, Town Manager

Recommended Action:

Adopt Resolution No. 2025-36 approving abandonment of a portion of the Drainage Easement (DE) located within Assessor's Parcel Number (APN) 019-421-026 at 11010 Church Street that was created by the Truckee Railyard Phase 2 Final Map (Final Map 2019-00000114), Nevada County Recorded Document No. 2020-0012178), as outlined in this staff report.

Discussion:

In 2009, the Railyard Master Plan was approved by Town Council for development from Donner Pass Road to Glenshire Drive. The Truckee Railyard Phase 1 Final Map was recorded on April 1, 2019 and the Truckee Railyard Phase 2 Final Map, which encompasses the balloon track portion of the development, was recorded on June 5, 2020 (Final Map No. 2019-00000114, Nevada County Recorded Document No. 2020-0012178, in book 9 of Subdivisions at Page 21, relevant pages included in **Attachment A**). This final map recorded a drainage easement around the Federal Emergency Management Agency (FEMA) Floodplain associated with Trout Creek at the time. The drainage easement was recorded to restrict development until such time that the creek was restored and the floodplain re-mapped.

In 2023, the Town completed Trout Creek Restoration Reaches 4 and 5 and, upon completion, applied for a Letter of Map Revision (LOMR) with FEMA to revise the floodplain limits in this area to reflect the limits of the restoration area and associated newly modeled 100-year floodplain. On April 2, 2024, FEMA issued a "LOMR Determination Document" associated with Case No. 23-09-0444P to formally revise the 100-year floodplain and Flood Insurance Rate Map. This LOMR was approved and became effective August 19, 2024, and is included as **Attachment B**. The restored creek is now entirely within the "Trout Creek Easement" that was recorded as a part of the Railyard Phase 1 Final Map recorded April 1, 2019 (Final Map, Nevada County Recorded Document No. 2018-000004278, in book 9 of Subdivisions at Page 17, relevant pages included in **Attachment C**) and so the drainage easement that was mapped in 2020 based on the previous FEMA floodplain extent is no longer necessary. Therefore, staff is recommending abandonment of the 2020 Drainage Easement (DE, highlighted in **Attachment A**).

This abandonment is being proposed pursuant to Development Code Section 18.87.030.B (Minor Public Service Easement Vacation), which states "...request for the vacation of a public service easement may be approved, with or without conditions, by the Town Council by resolution without public hearing or notice only if the conformity of the request with the General Plan has been considered and one of the following findings can be made:"

1. The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the requested vacation, and the easement is not

necessary for present or prospective public use.

2. The date of dedication or acquisition of the easement is less than five years, and more than one year, immediately preceding the requested vacation, the easement was not used continuously since that date, and the easement is not necessary for present or prospective public use; or
3. **The easement has been superseded by relocation, there are no other public facilities located with the easement, and the easement is not necessary for present or prospective public use.**

There are no other public facilities in the drainage easement proposed to be abandoned that require the drainage easement to remain and the easement is not necessary for public use. Therefore, staff recommends the Council approve the easement abandonments based on Finding No. 3 by adopting the attached Resolution 2025-36 (**Attachment D**). The easement is proposed to be abandoned concurrent with recordation of Final Map 2024-00000083 (draft provided in **Attachment E**) that will further subdivide the northern portion of the balloon track.

Priority:

<input type="checkbox"/> Enhanced Communication	<input type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input checked="" type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/> Core Service

Fiscal Impact:

There are no fiscal impacts to the Town associated with the approval of the abandonment of the Drainage Easement.

Public Communication:

Notice of this abandonment has been provided as part of the posting of the public notice for the May 13, 2025 Council meeting agenda.

Town staff has also been working in close coordination with TDA representatives in preparation of this Staff Report.

Attachments:

Attachment A – Railyard Phase 2 Final Map

Attachment B – FEMA - Letter of Map Revision Determination Document

Attachment C – Railyard Phase 1 Final Map

Attachment D – Draft Resolution 2025-36

Attachment E – Draft Final Map 2024-00000083