



APPEAL APPLICATION FORM

DEPARTMENT USE ONLY

APPLICATION NUMBER: 2024 - 00000044CDD FEE COLLECTED: \$ 1,241

APPEAL TYPE

☐ Appeal to Planning Commission☒ Appeal to Town Council

APPELLANT TO COMPLETE

APPELLANT NAME(S) Dan CockrumAPPELLANT EMAIL dancockrum@yahoo.com PHONE (209) 531-6882APPELLANT ADDRESS P.O. Box 2348 CITY Truckee STATE CA ZIP 96160

AGENT NAME(S) _____

AGENT EMAIL _____ PHONE _____

AGENT ADDRESS _____ CITY _____ STATE _____ ZIP _____

NAME OF PROJECT BEING APPEALED Residences @ Jibboom StAPPLICATION NUMBER OF PROJECT BEING APPEALED 2025-00000147PROJECT ADDRESS 10090 JIBBOOM ST. ASSESSOR'S PARCEL NO. 019-102-011 to -015, -016
019-102-017 & -018

APPELLANT'S SIGNATURE

DATE 5/13/24

If more than one appellant is listed on the application, please provide a list of appealing parties on a separate sheet.



APPEAL INFORMATION SHEET

GENERAL INFORMATION

This information sheet explains how an appeal may be filed, how the appeal will be processed, what fees you must pay, and what information you must submit as part of an appeal. If you have any questions after you have read this information, please contact the Planning Division.

WHAT DECISIONS MAY BE APPEALED?

Any land use decision made by the Community Development Director, Zoning Administrator or Planning Commission in accordance with the Town Development Code may be appealed by the applicant or other interested party. (Decisions made by the Town Council cannot be appealed.) The Truckee Development Code establishes an appeal period of ten (10) calendar days for any decision made by the Director, Administrator or Commission. The appeal must be filed within the 10-day appeal period. If the appeal period ends on a weekend or a Town government holiday, the appeal period is extended until the end of the next Town business day.

Land use decisions do not become effective for a period of time after the decision is made to provide time for the filing of an appeal. The land use decision becomes effective the day after the appeal period has ended unless an appeal has been filed or a Town Council member has requested the review of the land use decision. The land use decision shall be placed on hold pending the final decision on the appeal.

WHO MAY FILE AN APPEAL?

A land use decision may be appealed by the applicant or any interested person who submits a complete appeal request application. The Town Manager may appeal any decision of the Zoning Administrator or the Planning Commission. The Town Council, by majority vote, may appeal any decision of the Community Development Director, Zoning Administrator and Planning Commission. A Council member must request within the 10-day appeal period the opportunity to review and discuss the decision rendered by the Director, Zoning Administrator or Commission, and this request will be considered by the Council at their next available meeting. A majority vote of the Council is required to initiate the appeal.

HOW YOUR APPEAL WILL BE PROCESSED

The steps involved in reviewing your appeal are summarized below:

1. When an appeal has been filed with all information listed in the "Appeal Submittal Checklist" below, the Community Development Director will review the appeal to determine if it has been filed within the applicable appeal period and the information in the appeal request is complete. If the appeal has not been timely filed, the appeal will be rejected for processing. If the appeal is incomplete, the Director will notify the appellant of the information that is required to complete the appeal, and the appellant will have seven days to provide the additional information. If the appellant does not submit the additional information within seven days of being notified, the appeal will be rejected for processing.

2. When an appeal has been filed and determined to be timely and complete, the Director will schedule the appeal for consideration by the appropriate appeal body. Appeals of decisions by the Community Development Director are considered by the Planning Commission, while appeals of decisions by the Zoning Administrator and Planning Commission are considered by the Town Council.
3. If the land use decision being appealed originally required a public notice, a public hearing notice will be published in the newspaper and/or provided by mail to surrounding property owners and other interested parties. Town staff will then complete a staff report that includes a staff recommendation on the approval or denial of the appeal and the land use decision being appealed. The staff report on the appeal will be provided in writing to the appellant and applicant at least five days prior to the appeal hearing.
4. For those applications for which the Planning Commission or Town Council is the review authority, a sign(s) with the notice shall be posted on or near the location of the real property no later than 15 days after the application is determined complete. Please see Truckee Development Code Chapter 18.180 for more information.
5. At the appeal hearing, the appeal body will consider the staff report and all written and verbal input submitted on the appeal by the appellant, applicant and any other interested party. The appeal body may consider any issue involving the matter being appealed in addition to the specific grounds of the appeal. At the conclusion of the hearing, the appeal body may affirm, affirm in part, or reverse the land use decision of the original review authority. The appeal body may impose additional conditions that may address issues of the appeal.
6. Any decision made by the Planning Commission on an appeal may be appealed to the Town Council.

FEES

The filing fee for an appeal to **Planning Commission is \$830.00**. The filing fee for an appeal to **Town Council is \$1,241.00**.

SUBMITTAL REQUIREMENTS

The items listed in the "Appeal Submittal Checklist" must be submitted as part of the application package in order for an appeal to be considered complete for processing. The signed checklist must also be submitted with the appeal. Your appeal will not be accepted if all of the items listed are not submitted.

Electronic files may be submitted by email (if less than 15 MB) or Dropbox to PlanningDivision@townoftruckee.gov. The application fee may be paid over the phone with a credit card, by mailing a check to the Planning Division, or via an in-person payment at Town Hall with cash, check or credit card. Checks must be made payable to the Town of Truckee.

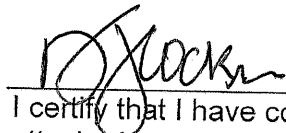
Applicant must fill out the checklist below by placing a check mark in the boxes listed under Column A (for Applicant) and signing below. Column S is for staff to verify that your submittal requirements have been met. Your application will not be accepted if all items listed below are

not submitted.

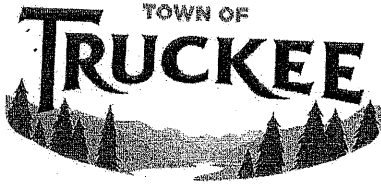
A S

- ☒ ☐ 1. Completed Appeal Application.
- ☒ ☐ 2. Appeal Request Form.
- ☒ ☐ 3. Filing fee. Checks must be made payable to the Town of Truckee; cash and credit cards are also accepted.

Applicant Signature:



I certify that I have completed and have included all material checked above in the attached application submittal.



APPEAL REQUEST FORM

Project Number/Name of Decision being Appealed: Residences at Jibboom Street
Appl # 2025-0000147/DP-MUP-ZC-TH-HDR-SP

Type of Decision: (i.e. similar use determination, use permit, tentative map, variance, etc.)

Final Approval

Description of Decision: Planning Commission approval of project on May 4,
2026, including all associated entitlements, findings, and
Conditions of Approval

I/we hereby appeal the decision as follows:

Appeal Description (**Attach additional sheets if necessary**):

1. Detail what is being appealed and what action or changes you seek. Specifically address the findings, mitigation measures, conditions and/or policies with which you disagree.
See Attached # 1
2. State why you are appealing—be specific. Reference any errors or omissions. Attach any supporting documentation.
See Attached # 2 with Exhibits
3. Please provide a summation of your arguments in favor of the appeal.
See Attached # 3
4. State the changes or action requested of the appeal body.
See Attached # 4

I/we certify that I/we are the: ☐ Legal owner(s) ☐ Authorized Legal Agent(s) ☒ Other Interested Persons

Name: Dan Cockrum Telephone: (209) 531-6882

Address: 10118 High St P.O. Box 2348 Truckee, CA 96160

Appellant(s) Signature: [Signature]

1) DETAIL WHAT IS BEING APPEALED AND WHAT ACTION OR CHANGES YOU SEEK

The appellant is appealing the **Planning Commission's May 4, 2026 approval** of the Residences at Jibboom Street project, including all associated findings, CEQA determinations, and Conditions of Approval. The appeal challenges the Commission's adoption of findings that are **unsupported by substantial evidence**, including:

- **Housing Accountability Act Findings** asserting the Town is prohibited from denying or reducing the project despite the absence of required objective health-and-safety documentation.
- **Development Code §18.36 Findings** asserting compliance with steep-slope, grading, drainage, snow-storage, and access standards without the required technical studies.
- **Fire and Emergency Access Findings** adopted without evidence demonstrating compliance with California Fire Code, TFPD standards, or Downtown Truckee emergency-access requirements.
- **CEQA Exemption Findings** adopted without conducting mandatory exceptions analysis or evaluating wildfire evacuation, steep-slope grading, or historic resource impacts.
- **Historic District Compatibility Findings** asserting consistency with Downtown Truckee Historic Design Guidelines despite the absence of required massing, scale, and streetscape analysis.

The appellant seeks the following actions:

- **Vacate the Planning Commission approval.**
- **Require submission of all missing objective technical documents** before any further action.
- **Require full CEQA review**, including wildfire evacuation analysis, steep-slope analysis, and historic resource evaluation.
- **Remand the project** for lawful review consistent with the Truckee Development Code, the Housing Accountability Act, and CEQA.

2) STATE WHY YOU ARE APPEALING

The appeal is filed because the Planning Commission's approval contains **material errors, omissions, and unsupported findings**, including:

- **Incomplete Administrative Record:** Required objective studies—wildfire evacuation, steep-slope analysis, grading and drainage plans, fire-access compliance, snow-storage calculations, and CEQA-required technical studies—were not included in the record.

Approval without these documents violates Development Code completeness requirements and SB 330.

- **Incorrect Application of the Housing Accountability Act:** The Commission incorrectly concluded that the HAA prohibits denial. Under Gov. Code §65589.5(d)(2), the Town may deny or reduce density where a project creates specific, adverse, unmitigable health and safety impacts. The Town did not evaluate these impacts.
- **CEQA Errors:** The Town relied on a CEQA exemption without conducting the required exceptions analysis and without evaluating wildfire evacuation, steep-slope grading, or historic resource impacts.
- **Unsupported Findings:** Multiple findings assert compliance with objective standards despite the absence of evidence in the record.

Supporting documentation includes:

- Hazard-based standards matrices (Exhibit A)
- Missing-evidence inventory (Exhibit B)
- Fire access and evacuation requirements (Exhibit C)
- Historic District compatibility analysis (Exhibit D)
- CEQA exceptions analysis (Exhibit E)

3) SUMMATION OF ARGUMENTS IN FAVOR OF THE APPEAL

The Planning Commission's approval cannot stand because it is **legally defective, procedurally flawed, and unsupported by substantial evidence**. The administrative record lacks the objective technical documentation required to demonstrate compliance with the Truckee Development Code, the Housing Accountability Act, and CEQA. Without wildfire evacuation analysis, steep-slope analysis, fire-access documentation, grading and drainage plans, snow-storage calculations, and historic resource evaluation, the Town cannot lawfully adopt findings of compliance.

The CEQA exemption is invalid because the Town did not conduct the mandatory exceptions analysis and did not evaluate potentially significant impacts related to wildfire evacuation, steep-slope grading, and historic resources in the Downtown Truckee Historic District.

The Town's application of the Housing Accountability Act was incorrect; the HAA does not compel approval where objective health-and-safety standards cannot be met or evaluated.

For these reasons, the Town Council must grant the appeal, vacate the approval, and require a complete, evidence-based review.

4) CHANGES OR ACTION REQUESTED OF THE TOWN COUNCIL

The appellant respectfully requests that the Town Council:

1. **Grant the appeal.**
2. **Vacate the Planning Commission's May 4, 2026 approval** of the Residences at Jibboom Street project.
3. **Direct staff to require all missing objective technical documents**, including wildfire evacuation analysis, steep-slope analysis, fire-access compliance documentation, grading and drainage plans, snow-storage calculations, and CEQA-required studies.
4. **Require full CEQA review**, including evaluation of wildfire evacuation, steep-slope grading, and historic resource impacts.
5. **Apply all mandatory objective standards** of the Truckee Development Code and California Fire Code.
6. **Remand the project** for lawful, evidence-based review consistent with the Development Code, the Housing Accountability Act, and CEQA.

EXHIBIT A

Hazard-Based Standards Matrix

1. Wildfire & Evacuation Standards

Standard / Requirement	Source	Required Evidence	Provided?	Notes
Wildfire evacuation analysis	Truckee CWPP; Evacuation Annex	Modeled evacuation clearance times; cumulative impact analysis	Missing	No evacuation modeling; no cumulative analysis for Downtown evacuation bottleneck
Fire-flow availability	CFC §507; TFPD Standards	Fire-flow calculations; hydrant spacing map	Missing	No fire-flow report; hydrant spacing not demonstrated
Aerial apparatus access	CFC §503.2.4	26-ft clear width; 15-ft vertical clearance; ladder reach diagram	Missing	No ladder reach diagram; no vertical clearance analysis
Fire-lane access and width (20 ft minimum)	CFC §503.2.1	Turning templates; width measurements	Missing	Jibboom Street narrows below 20 ft in winter; driveways are tight; no access analysis provided

2. Steep-Slope & Grading Standards

Standard	Source	Required Evidence	Provided?	Notes
Ensure that development on slopes $\geq 30\%$ minimizes hillside impact	Dev. Code §18.36.040(C)	Slope map; grading plan; cut/fill volumes	Missing	No detailed slope map; no grading plan
Grading impacts on stability	CEQA; Dev. Code Ch. 18.30	Detailed Geotechnical report; slope stability analysis	Missing	Minimal geotechnical analysis, no details provided, or evidence of soil boring and pit analysis
Drainage and runoff control	Dev. Code §18.30.050	Drainage plan; stormwater calculations	Missing	No drainage plan submitted or analysis of snow impact and ice formation

Exhibit A cont'd

3. Snow-Impact & Winter Access Standards

Standard	Source	Required Evidence	Provided?	Notes
On-site snow-storage capacity	Dev. Code §18.30.160	Analysis to demonstrate that heated driveways are calculated to meet the intent of the code	Missing	No calculations; snow shedding appears to encroach into fire lanes
Winter fire-apparatus access	CFC §503; TFPD	Winter narrowing analysis	Missing	No winter access analysis, especially with on-street parking

EXHIBIT B

Missing-Evidence Inventory

Objective Documentation Absent from the Administrative Record and not made available to commissioners

This inventory lists **all required documents** that were not included in the commissioner's packet at the time of Planning Commission approval.

1. Fire & Emergency Access

- Fire apparatus turning-movement diagrams
- Fire-lane width measurements
- Aerial apparatus ladder reach analysis
- Fire-flow calculations
- Hydrant spacing map
- Winter access analysis
- TFPD written approval or compliance determination

2. Wildfire & Evacuation

- Wildfire evacuation modeling
- Cumulative evacuation impact analysis
- Evacuation clearance time comparison
- CWPP consistency determination

3. Steep-Slope & Grading

- Detailed Slope map
- Grading plan
- Cut/fill calculations
- Detailed Geotechnical report
- Slope stability analysis

4. Snow-Storage & Winter Operations

- Snow-storage calculations
- Snow-storage plan
- Demonstration that heated driveways present an acceptable snow storage alternate and snow and ice will not obstruct fire access

Exhibit B cont'd

5. CEQA Documentation

- CEQA exceptions analysis
- Wildfire impact analysis
- Historic resource analysis
- Traffic/evacuation analysis
- Cumulative impact analysis

EXHIBIT C

Fire Access & Evacuation Requirements

Objective Standards the Project Must Demonstrate Compliance With

1. California Fire Code (CFC) Requirements

CFC §503.2.1 — Fire Apparatus Access Roads

- Minimum 20-ft unobstructed width
- All-weather surface
- Maximum grade limits
- Turning radii meeting apparatus specifications → **No evidence provided**

CFC §503.2.4 — Aerial Fire Apparatus Access

- 26-ft clear width
- 15-ft vertical clearance
- Proximity to building for ladder deployment → **No evidence provided**

CFC §507 — Fire Flow

- Fire-flow calculations based on building size and construction type
- Hydrant spacing and capacity → **No evidence provided**

2. Truckee Fire Protection District (TFPD) Standards

- Access from High Street due to steep slopes
- Access from Jibboom Street during periods of high volume on-street parking
- Winter access requirements
- Fire-lane signage and striping
- Snow-removal requirements → **No evidence provided**

3. Evacuation Requirements

- Modeled evacuation clearance times
- Cumulative evacuation impacts
- Downtown bottleneck analysis
- Consistency with Truckee Evacuation Annex → **No evidence provided**

EXHIBIT D

Historic District Compatibility Analysis

Objective Standards Under the Downtown Truckee Historic Design Guidelines

1. Massing & Scale

- New buildings must be **subordinate to contributing structures**
- Massing must reflect **historic rhythm and pattern** → **No massing comparison provided**

2. Streetscape & Rhythm

- Façade articulation must match historic storefront rhythm
- Step-backs required above two stories
- Roof forms must reflect historic patterns → **No streetscape analysis provided**

3. Materials & Architectural Character

- Materials and colors must be compatible with historic palette
- Large, monolithic façades are prohibited → **No materials analysis provided**

4. HPAC Review

- Findings and recommendations of HPAC must be considered → **No Discussion conducted of HPAC review or findings**

EXHIBIT E

CEQA Exceptions Analysis

Why the CEQA Exemption Is Invalid

The Town relied on a CEQA exemption without conducting the mandatory **§15300.2 Exceptions Analysis**. Each exception applies here.

1. Significant Cumulative Impacts (§15300.2(b))

- Downtown Truckee has known evacuation constraints
- Multiple projects contribute to cumulative evacuation impacts → **No cumulative analysis provided**

2. Unusual Circumstances (§15300.2(c))

The project is located in:

- A Very High Fire Hazard Severity Zone
- Adds significant population and vehicles to downtown
- A constrained historic district with narrow streets and heavy on-street parking. These constitute “unusual circumstances.” → **No analysis provided**

3. Scenic / Historic Resources (§15300.2(f))

- Project is within the Downtown Truckee Historic District
- Potential impacts to historic character → **No historic resource analysis provided**

4. Location Exception (§15300.2(a))

- CEQA exemptions cannot be used in mapped hazard areas
- Site is in a Very High Fire Hazard Severity Zone → **No location exception analysis provided**