



Date: June 23, 2026

Honorable Mayor and Council Members:

Author and title: Adam Petersen, Senior Planner

Title: Residences at Jibboom Project Amendment Appeal (Planning Application 2026-00000044/APL)

Jen Callaway, Town Manager

Recommended Action: That the Town Council adopt Resolution 2026-34 thereby taking the following actions:

1. Determine the project to be exempt from the provisions of the California Environmental quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act.);
2. Uphold the decision of the Planning Commission approving the Residences at Jibboom Project Amendment application for Development Permit Amendment, Use Permit Amendment, Minor Use Permit Amendment, Zoning Clearance Amendment, Tentative Map, Historic Design Review Amendment and Sign Plan Amendment, and granting 10 waivers of development standards for the project pursuant to State Density Bonus Law (Planning Application 2025-00000147/DP-AMD, UP-AMD, MUP-AMD, ZC-AMD, TM, HDR-AMD, SP-AMD);
3. Deny the appeal of the Planning Commission's decision to approve the Residences at Jibboom Project Amendment; and
4. Approve the Residences at Jibboom Project Amendment application for a Development Permit Amendment, Use Permit Amendment, Minor Use Permit Amendment, Zoning Clearance Amendment, Tentative Map, Historic Design Review Amendment and Sign Plan Amendment, and granting 10 waivers of development standards for the project pursuant to State Density Bonus Law based on the findings and subject to the conditions of approval.

Discussion

Summary of Appeal Request: On May 4, 2026, the Planning Commission approved the Residences at Jibboom Project Amendment Application (Planning Application 2025-00000147/DP-AMD, UP-AMD, MUP-AMD, ZC-AMD, TM, HDR-AMD, SP-AMD). On May 13, 2026, the appellants filed a timely appeal of the Commission's approval of the project. The appellants have challenged the Housing Accountability Act (HAA), findings for approval of grading and development on steep slopes, fire and emergency access findings, the environmental clearance of the project pursuant to CEQA, and the historic district compatibility findings. The appellants are requesting that the Town Council overturn the Commission's approval of the project and:

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

Project Summary: The applicant requests approval of land use entitlements for a Project Amendment to the Residences at Jibboom project. The Project Amendment proposes the development of 62 multi-family residential units (10 affordable for-rent units and 52 market rate for-sale units) and approximately 3,497 square feet (sq. ft.) of ground floor commercial space at the corner of Jibboom Street and High Street in Downtown Truckee (10012 Jibboom Street (APN 019-102-016), 10090 Jibboom Street (APNs 019-102-011, -012, -013, -014, -015 and -17) and an Unknown Address (APN 019-102-018)).

The project is comprised of a four-building design, described as Building A, Building B-C, and Building D, each of which has distinct architectural styles. The total floor area of the project is 95,264 square feet, of which 3,497 square feet is dedicated to commercial uses that front Jibboom Street. Parking is located on the street level, behind lobbies and commercial spaces, with residential uses located above the street level parking. The project includes 60 parking spaces, 11 of which are parallel parking spaces on Jibboom Street. The project would not reduce the number of parallel parking spaces currently existing on Jibboom Street and proposes landscaping in bulb-outs separating parallel parking spaces and along the eastern project frontage. The project includes dedicated long-term bicycle parking for 62 spaces, distributed throughout each building. The applicant requests approval of the following land use entitlements for the project:

- 1) **Development Permit Amendment** to revise the previously approved Residences at Jibboom project to increase the approved floor area from 89,312 sq. ft. to 95,264 sq. ft. and to increase the commercial space from the approved 3,339 sq. ft. to 3,497 sq. ft.;
- 2) **Tentative Map Amendment** to reconfigure the existing parcel boundaries;
- 3) **Historic Design Review Amendment** to grant a Certificate of Appropriateness for changes to the design of the structures in the Historic Preservation Overlay District;
- 4) **Use Permit Amendment** for expanding the disturbance of slopes 20 percent or greater by approximately 66 sq. ft.;
- 5) **Minor Use Permit Amendment** to approve changes to the location of on-street parking for the project;
- 6) **Zoning Clearance Amendment** to permit "Retail, general merchandise" commercial space; and
- 7) **Sign Plan Amendment** to approve changes to the location and design of proposed signage.

In addition to the above land use entitlements, the applicant is requesting approval of a 50 percent density bonus to increase the allowed number of residential units from 41 to 62 units, including 10 affordable units deed restricted to low-income households and 52 market-rate units.

As part of the density bonus, 10 waivers or reductions of development standards are requested. These waivers are summarized as follows:

- 1) **Density Bonus:** Twenty-one (21) additional units are approved beyond the maximum allowable gross residential density on site, for a total of 62 units.
- 2) **Reduction: Downtown Plan Commercial Frontage and Depth:** The applicant is requesting a reduction in both the commercial frontage requirement of 75% of the project along Jibboom Street to 53.3% and the commercial depth requirement of 30 feet to 10 feet as required by the Downtown Truckee Plan.
- 3) **Waiver: Building Height:** The applicant is requesting a waiver to the building height requirement of 50 feet or 3 ½ stories, whichever is less, to construct a four-story and 45-foot-tall building for

the proposed Building D.

- 4) Waiver: Light Trespass: The applicant is requesting a waiver to the light trespass requirement that direct illumination shall be confined to the property boundaries of the source to permit light to trespass beyond the property boundaries on Jibboom Street.
- 5) Waiver/Reduction: Site Landscaping Requirements: The applicant requests a waiver and reduction to the site landscaping standards as follows:
 - Waiving the five-foot (5') wide landscaping strip along Jibboom Street and reducing the landscaping strip along the eastern edge of the project on High Street.
 - Reducing the street tree planting requirement along Jibboom Street and the street tree planting requirement along the project boundary of High Street.
 - Waiving the shrub planting requirement along the project's Jibboom Street boundary and the project's northern boundary on High Street.
- 6) Waiver/Reduction: The applicant requests a reduction from the minimum parking stall dimensions for residential uses from 12 feet to approximately nine feet (9') in width.
- 7) Waiver/Reduction: Long term bicycle parking: The applicant requests a waiver to long term bicycle parking requirements as follows:
 - Building A: 15 long-term, vertically oriented, bicycle parking spaces in a dedicated storage room at the front of the structure. The aisle width is four feet (4'); the stall width is approximately one-foot, four-inches in width (1'-4") in width and three feet (3') in length; the racks are mounted to the internal building wall.
 - Waivers and reductions are requested to the aisle width, bicycle stall parking dimensions, and rack installation setback.
 - Building B-C: 32 long-term, vertically oriented, bicycle parking spaces in the garage of Building C. The aisle width, as measured from the edge of the parking spaces to the edge of the bicycle parking is six feet (6'); the stall width is approximately one-foot, four-inches in width (1'-4") in width and three feet (3') in length; the racks are mounted to the building wall.
 - Waivers and reductions are requested to the bicycle stall parking dimensions and rack installation setback.
 - Building D: 15 long-term, vertically oriented, bicycle parking spaces in a dedicated storage room at the rear of the garage, approximately 25 feet from a door to the entrance lobby. The aisle width is three-feet, eight-inches (3'8"); the stall width is approximately one-foot, four-inches in width (1'-4") in width and three feet (3') in length; the racks are mounted to the building wall.
 - Waivers and reductions are requested to the aisle width, bicycle stall parking dimensions, and rack installation setback.
- 8) Waiver/Reduction: Common Open Space: The applicant is requesting a waiver to the Common Open Space Requirement. The requirement is 10,250 sq. ft. of common open space (41 units x 250 sf.). The project provides two common recreational amenities – one Building A and one in Building B-C – in the form of a gas fire pit and barbecue/picnic area in each building. However, the total common open space areas, where these common recreational amenities are located, are 839 sq. ft. Further, the maximum dimension of the common open space areas in Building B-C is approximately 19 feet, which is less than the 20-foot minimum dimension required.
- 9) Waiver / Reduction: Private Exterior Space: The applicant requests a waiver to the private exterior

space for seven (7) units in Building A. The applicant requests a reduction in the area required for private exterior space for four units in Building B-C, reducing the requirement from 60 sq. ft. to 22 sq. ft. for two units in Building B and 23 sq. ft. for two units in Building C.

- 10) Parking Requirements. The project provides 50 off-street parking spaces and three (3) on-street parallel parking spaces.

Development Code Chapter 18.58.140.D.2 (Standards for Specific Land Uses – Mixed-Use Projects) requires mixed-use projects to provide one parking space per residential unit, guest parking of 25 percent of the required residential parking spaces, and a commercial parking requirement of one space for every 250 sq. ft. of commercial space. The resulting parking demand would be: $62 + (0.25 \times 62) + (3,497 \text{ sq. ft.} / 250 \text{ sq. ft.}) = 91 \text{ spaces}$.

However, State Density Bonus Law (SDBL) supersedes the parking requirements for the Development Code. State Density Bonus Law limits the amount of parking the Town can require for a density bonus housing project to one-half of a space per residential unit (0.5), and it excludes any guest parking requirement. Therefore, pursuant to SDBL, the Town cannot require more than 46 parking spaces for the entire project, none of which must be covered. Table 1 below presents an analysis of the parking requirements based on SDBL.

Table 1 – Parking Requirement Analysis

Use	No. Units	Required Parking Ratio Pursuant to Density Bonus Provisions	Spaces Required
Studio	12	0.5 space/unit	6
1 Bed Units	27	0.5 space/unit	14
2 Bed Units	11	0.5 space/unit	6
3 Bed Units	12	0.5 space/unit	6
Guest Parking		<i>*Inclusive of parking requirement for residential units pursuant to California Government Code Section 65915(p)(2)(A)</i>	0
Commercial	3,497 sq. ft.	1 space/250 sf.	14
Total Required Parking Spaces			46 spaces
On Site Provided			50 spaces
On-Street Parking Provided		4 spaces x 0.75 spaces per unit pursuant to Development Code Section 18.48.110.D.5 (Parking and Loading Standards – Downtown Parking)	3 spaces
Total Parking Surplus			7 spaces

The Planning Commission approved a previous version of the Residences at Jibboom project on September 17, 2024 (Town of Truckee Application #2024-00000014, Commission Resolution 2024-12). Although the previous entitlements are still valid, the applicant has submitted a Project Amendment application to amend features of the project.

As noted in the “Discussion/Analysis” section below, the applicant submitted a complete Preliminary Housing Development Application for the Residences at Jibboom project on August 29, 2023. Pursuant to State law, the preliminary application locks in the development standards in place at the time a complete submittal is received for future land use entitlements. Therefore, the project is subject to the requirements of the 2040 General Plan, Downtown Truckee Plan, and the Development Code dated June 22, 2023.

Location/Setting:

The proposed project is in the south-central area of the Town of Truckee, in the Downtown area along Jibboom Street. The 1.67-acre project site includes a total of eight existing parcels, including one parcel that is currently developed with a declassified historic resource (10012 Jibboom Street, APN 019-102-016) and seven vacant parcels (10090 Jibboom Street, APNs 019-102-011, -012, -013, -014, -015 and -17, and a parcel with no assigned address, APN 019-102-018). The project site is in the DMU (Downtown Mixed Use) zoning district and the Downtown Truckee Plan land use designation of the 2040 General Plan. The site is identified in Figure 1.

Figure 1 – Project Location



The project site is generally encompassed by urban uses, with residential uses to the north, a park to the east, and commercial uses to the south and west. The project site is a mixture of level property along Jibboom Street, with a retaining wall separating the level portion of the project site from areas on the north side of the project where slopes exceed 30 percent. Rock protection is located on this portion of the site where slopes exceed 30 percent. The residential uses to the north are located above the project on a hillside on High Street. Table 2 summarizes the existing and surrounding land uses, 2040 General Plan Downtown land use designations, and Downtown Truckee Plan (DTP), and Figure 2 shows the existing site conditions.

Table 2 – Project Site and Surrounding Setting

	Existing Uses	2040 General Plan Designation	Downtown Truckee Plan (subareas identified in parentheses)	Town of Truckee Zoning*
Project Site	Garage and undeveloped site, Hillside	Plan Area	Downtown Mixed-Use (Downtown Commercial Core)	Downtown Mixed-Use
North	Single Family Homes	Plan Area	Medium Density Residential (North Neighborhood Gateway)	Downtown residential Medium Density (DRM-14)
South	Commercial and Office uses	Plan Area	Downtown Mixed-Use (Downtown Commercial Core)	Downtown Commercial
East	Trout Creek Park and commercial uses	Plan Area	Open Space and High Density Residential (Downtown Commercial Core and North Downtown Residential)	Downtown Residential High Density (DRH-24)
West	Commercial Uses	Plan Area	Downtown Mixed-Use (Downtown Commercial Core)	Downtown Mixed-Use

Figure 2 – Existing Site Conditions



The project site is in the Commercial District Character Area. The Commercial District Character Area constitutes the business core of the historic downtown, which roughly stretches between Bridge Street and Spring Street. A portion of Jibboom Street lies in this Character Area. The Historic Design Guidelines identify the intersection of Bridge Street and Front Street (now known as Donner Pass Road) was the main corner in downtown Truckee. Development was most dense at this intersection, and a solid wall of buildings stretched between Bridge and Spring Streets. These buildings, however, were only on one side of Front Street. Storefronts aligned at the sidewalk edge and faced south to the railroad tracks and many hotels and depots located in that extensive right-of-way.

Front Street has a high concentration of historic buildings. Twenty-one of the twenty-two buildings located here are officially designated as historic structures. The vast majority of the structures seen along the street are two-story. However, four are three-story, three are one-story, and one (Sierra Tavern) is four stories tall. Ground-level floors orient to pedestrian views with large display windows and recessed entries highlighting the goods and services offered inside. Upper-story windows are vertically oriented, usually rectangular, and appear as smaller openings in a predominantly solid wall. A horizontal band of molding separates the ground floor from upper portions of the facade, and the entire building is capped with a parapet or decorative cornice. All of these elements combine to establish a linear emphasis on the street.

The Historic Design Guidelines for the Commercial District Character Area identify that Jibboom Street was not as densely developed as Front Street. Along Jibboom Street, many residential building types could be seen, especially along the eastern two-thirds of the street. These residences were widely spaced along the street, and more than likely had gable roof forms and front porches.

Project Site Information:

General Plan: Plan Area – Downtown Truckee Plan Area

Downtown Truckee Plan: Downtown Mixed-Use

Zoning District: DMU (Downtown Mixed-Use), with -HP (Historic Preservation) Overlay

Project Area: 1.67 acres (72,745 sq. ft.)

Utilities: Public sewer and water

Background

Project Processing and Review Scope

The scope of this project review is limited based on the project being submitted under the provisions of Senate Bill 330 (SB 330 – Housing Accountability and Housing Crisis Act), which limits a local agency's ability to deny housing development projects that comply with objective general plan, zoning and subdivision standards.

As defined in SB 330, a local agency is prohibited from “imposing or enforcing design standards established on or after January 1, 2020, that are not objective design standards.” An “objective design standard” is a “design standard that involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application.” SB 330 is an effort to “meaningfully and effectively curb the capability of local governments to deny, reduce the density for, or render infeasible housing development projects.” (§65589.5(a)(2)(K)) and effectively prevents cities from denying projects based on discretionary design review. An agency may only deny a project if there is a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

While a project submitted pursuant to SB 330 is subject to objective design standards for the determination of an approval, the Historic Preservation Advisory Commission (HPAC) reviewed the project related to the Historic Design Guidelines. The HPAC made a recommendation to the Planning Commission that the Historic Design Review Amendment entitlement request not be approved because the project was determined by the HPAC to be inconsistent with the Town of Truckee's Historic Design Guidelines. The HPAC could make this recommendation despite SB 330 constraining its purview to objective standards because the HPAC is an advisory body only and the HPAC is not confined to objective standards (as the Historic Design Guidelines include numerous subjective guidelines). However, a project's inconsistencies with Historic Design Guidelines would not constitute a basis for denial pursuant to SB 330.

Further, an SB 330 application is afforded other incentives, including the ability to apply zoning, design, and subdivision standards in effect at the time a Preliminary Application is deemed complete. The applicant submitted an SB 330 Preliminary Housing Development Application on August 7, 2023 (Town of Truckee Application #2023-00000108). Pursuant to SB 330, the Town of Truckee deemed the Preliminary Application complete on August 29, 2023, which locked in the zoning, design, subdivision and fee requirements that were in effect at that time for the duration of the entitlement process. Therefore, the Town of Truckee requirements that apply to the formal application include the 2040 General Plan and Downtown Truckee Plan adopted on May 9, 2023, and the Truckee Development Code in effect as of June 22, 2023.

On February 20, 2026, the Department of Housing and Community Development (HCD) determined that the proposed Project Amendment maintains the vested objectives, standards, and policies “frozen” on August 29, 2023, with the submittal of the Preliminary Application. HCD also determined (1) that the Town may continue to require that the application amendment be processed through the Major Change Amendment Application as this procedural requirement was in place on the date that vesting occurred and because the project qualifies as a Major Change Amendment and (2) The Town can continue to review and process the Project Amendment application, provided that the Town applies the objective policies and standards that were vested from the August 29, 2023, date.

Projects submitted pursuant to SB 330 are subject to a maximum number of hearings and specific findings for denial should an agency not approve the project. Projects submitted pursuant to SB 330 are afforded a maximum of five public hearings in which the public agency reviewing the project must decide to approve or deny the project. This Town Council hearing is the fourth hearing for the Project Amendment

request. The prior hearings consisted of one hearing before the Historic Preservation Advisory Commission, a continued Planning Commission Hearing, and the Planning Commission hearing on May 4, 2026.

The application, as noted above, requests a bonus in the amount of density afforded to the project site, pursuant to SDBL. Pursuant to the provisions of SDBL, projects are afforded waivers from development standards and a reduced parking requirement. Examples of these waivers to development standards include items like setbacks, height, commercial depth, and retail requirements. The application includes requests to waive development standards related to commercial depth, retail requirements, and landscaping requirements.

The HAA does not prohibit the Town from exercising its authority to condition the approval of a project. Instead, it provides limitations and conditions for the application of certain conditions. Specifically, the HAA limits the application of conditions that lower the residential density of the project. By “lower density,” this includes any conditions that have the same effect or impact on the ability of the project to provide housing. State law also prohibits local governments from rejecting or otherwise making infeasible through conditions of approval very low-, low-, or moderate-income types of housing development projects without making specific findings.

State Density Bonus Law (SDBL)

California’s Density Bonus Law (Gov. Code §§65915 – 65918) allows a developer to increase density over the otherwise maximum allowable gross residential density attributed to the site at the date of application. In exchange for the increased density, a certain number of the new dwelling units must be deed-restricted to affordable rents (Figure 5). Besides granting an increase in density, the SDBL requires local jurisdictions to grant incentives/concessions that provide cost reductions, waivers/reductions in development standards that would physically preclude the development of a project at the density permitted with the incentives granted, and a reduction of onsite parking requirements.

In reviewing a density bonus concession request, the review authority is required to grant a concession under Development Code Section 18.212.030 (Concessions and Incentives for Cost Reduction) unless the review authority makes one or more of the following findings based on substantial evidence:

- 1) The concession or incentive is not consistent with the applicable provisions of Section 65915 of the Government Code (Density Bonuses and Other Incentives).
- 2) The concession or incentive does not result in identifiable, financially sufficient, and/or actual cost reductions;
- 3) The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units;
- 4) The concession or incentive would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households;
- 5) The concession or incentive would have an adverse impact on any real property that is listed in the California Register of Historical Resources;
- 6) The concession or incentive would be contrary to state or federal law.

The SDBL also restricts the information a jurisdiction can request to “prove” the incentive/concession meets the SDBL requirements. For example, a 2021 appellate court case, *Schreiber v. City of Los Angeles*, determined that a jurisdiction cannot require an applicant to submit a pro forma or other

documentation to prove that a requested incentive/concession is required to reduce costs to make the housing development economically feasible. If a jurisdiction wants to deny an incentive/concession, the burden of proof lies with the jurisdiction, not the developer.

In reviewing a density bonus waiver or reduction request, the review authority is required to grant the waiver or reduction under Development Code Section 18.212.040 (Concessions and Incentives for Physical Development) unless the review authority makes one or more of the following findings based on substantial evidence:

- 1) The waiver or modification is not consistent with the applicable provisions of Section 65915 of the Government Code (Density Bonuses and Other Incentives);
- 2) The application of the development standard will not have the effect of physically precluding the construction of the proposed residential project at the densities or with the concessions or incentives permitted by this Chapter;
- 3) The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units;
- 4) The waiver or modification would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5, upon public health and safety or the physical environment for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households;
- 5) The waiver or modification would have an adverse impact on any real property that is listed in the California Register of Historical Resources;
- 6) The waiver or modification would be contrary to state or federal law.

Maximum parking requirements are also restricted by the SDBL. The SDBL prescribes special parking requirements for projects that provide 20 percent of housing for the low-income AMI and are within one half (0.5) mile of a major transit stop. Projects that meet these criteria are subject to a parking ratio of 0.5 spaces per unit.

The proposed project meets the criteria for a parking ratio of 0.5 spaces per residential unit. California Public Resources Code Section 21064.3 defines a major transit stop as any of the following:

- 1) An existing rail or bus rapid transit station.
- 2) A ferry terminal served by either a bus or rail transit service.
- 3) The intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

The Truckee Train Depot meets the criteria for an existing rail transit station because it is served by Amtrak, and the project is approximately one-quarter (0.25) miles to the train station. Additionally, the project proposes dedicating 24 percent of its housing to the low-income AMI. Therefore, the project is subject to the special parking requirement of 0.5 spaces per unit. Pursuant to Government Code Section 65863.2 (referred to as Assembly Bill 2097 from 2022), a public agency is prohibited from imposing or enforcing any minimum automobile parking requirement on a residential, commercial or other development project located within one-half mile of a major transit stop. A discussion on how the SDBL is applied to this project application can be found in the Development Code Consistency section below.

Historic Resources Designation and Historic Design Review

Historic Resources Designation

The Town Council adopted [Resolution No. 2024-053](#) on August 13, 2024, to re-designate the historic classification of the project site from a Category B (Contributing) resource to a Category D (Nonessential) resource. The Council's vote was 3-0 with two members absent. The adoption of Resolution No. 2024-053 was consistent with a recommendation made by the HPAC on July 10, 2024. At that hearing, HPAC recommended that the Town Council redesignate the historic classification of the project site from Category B to Category D.

The Town's Demolition Review requirements apply to historic properties with a Category A, B or C rating. The Demolition Review requirements in Development Code Section 18.33 do not apply to Category D rated sites and would therefore not apply to the project.

Historic Design Review Background

Pursuant to Development Code Section 18.77.030.C, a Historic Design Review application is required to be forwarded to the HPAC for review. The HPAC shall review the application in accordance with the requirements of this Section and the Historic Design Guidelines and forward a recommendation of approval, conditional approval, or denial to the review authority.

The HPAC reviewed the Historic Design Review Amendment on March 11, 2026. Development Code Section 18.26.010 directs HPAC to apply the Historic Preservation Overlay District Design Guidelines in Volume III of the Downtown Truckee Plan when evaluating projects. These Guidelines are also intended to assist property owners and project designers in understanding the Town's goals for attaining high-quality development that is sensitive to and compatible with the historic character of the Downtown area. The HPAC evaluated the project for consistency with the guidelines for New Construction in Chapter 13 and guidelines for the Commercial District Character Area in Chapter 15.

Chapter 13 (General Guidelines for New Construction) of the Historic Design Guidelines provides design guidelines for all new buildings in downtown Truckee to assist property owners in designing infill structures that are compatible with the existing downtown infrastructure. The basic principles for new construction relate to respecting the historic design character, setbacks, building alignment, scale and lot patterns.

Chapter 15 of the Historic Design Guidelines provide design guidelines for the Commercial District Character Area. These include design guidelines for new buildings and specific guidelines that apply to Jibboom Street.

The HPAC voted unanimously (4-0) on March 11, 2026 to recommend denial of the Historic Design Review Amendment entitlement request. The HPAC recommended denial because the HPAC determined that the proposed design is inconsistent with the Historic Design Guidelines. The Commission deliberated and determined that the offset projection on the Jibboom Street façade of Building A, the brick projections on the second floor of on Building C, and the overall design of Building D did not reflect historic building designs in downtown Truckee as is required within the Design Guidelines. Similarly, the HPAC discussed that the proposed massing exceeded other historically designed buildings in downtown Truckee. The HPAC identified that the proposed yellow color of Building B is inconsistent with historic color patterns in the downtown. The applicant selected the yellow color for Building B because it reflected the historic train station. However, the HPAC identified that the yellow color of the train station is used for trains to be able to identify the station in winter storms. A detailed analysis of the project with respect to the Historic Design Guidelines is contained in the March 11, 2026 HPAC memo and meeting minutes included as links in Attachment 4 to this staff report. These documents provide further information regarding the inconsistencies HPAC found with the project related to the Historic Design Guidelines.

Although any action by the Town Council to approve or deny the appeal and the subsequent project amendment entitlements is subject to the requirements of SB 330 and must be based on objective

standards rather than subjective guidelines, HPAC's responsibility was to review the project for consistency with the Town's Historic Design Guidelines and provide a recommendation to the review authority on whether the project is consistent with the guidelines. The feedback from the HPAC could assist the Town Council in its review of the Historic Design Review Amendment request, even though a lack of consistency with the Historic Design Guidelines would not be a basis for denial of the project under SB 330.

Project Description:

The application requests an amendment to the approved Residences at Jibboom project (Town of Truckee Application 2024-00000014), which was approved by the Planning Commission on September 17, 2024 pursuant to Resolution No. 2024-12. Planning Commission Resolution No. 2024-12, along with the approved Residences at Jibboom project plans are available as attachments to the May 4, 2026 Planning Commission staff report packet. The May 4, 2026 staff report packet is included here as Attachment 3. The September 17, 2024 Planning Commission packet and Resolution 2024-12 are identified as Attachments 5 and 6 respectively to the May 4, 2026 staff report packet.

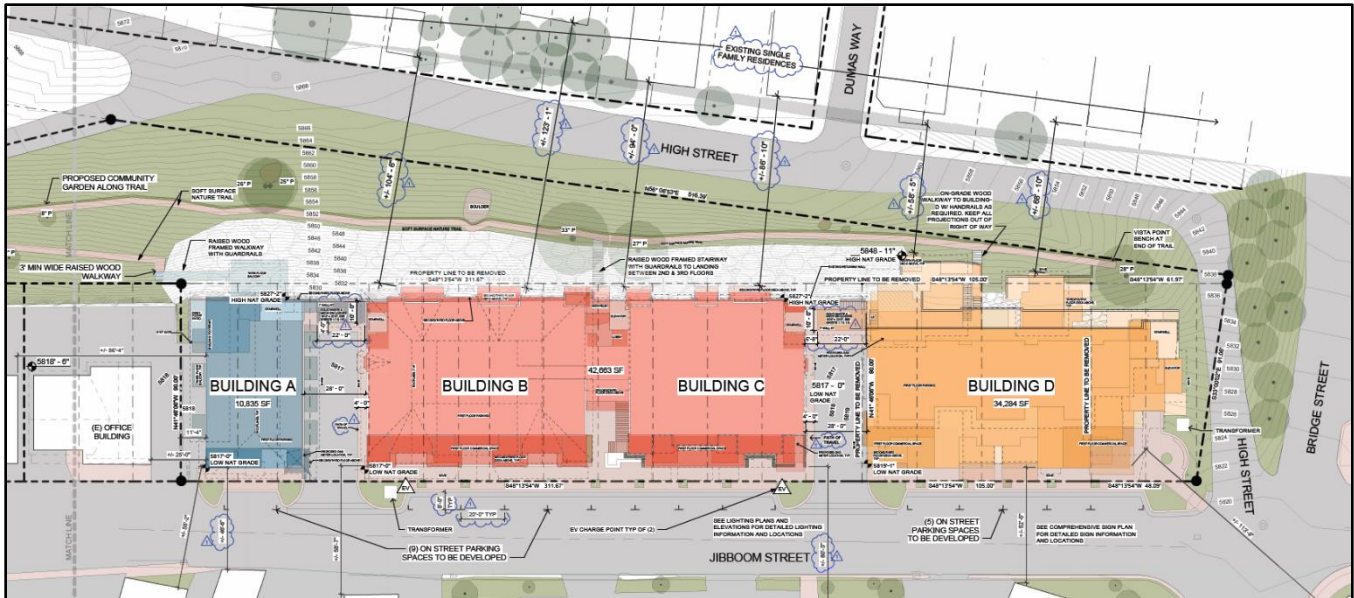
The Project Amendment includes multiple changes to the approved project, as shown in Attachment 1, Exhibit A, including but not limited to the following:

- Revisions to the architecture and massing across the four proposed buildings, including but not limited to changes in the front façade and roofline of Building A; changes to the exterior commercial entries and Jibboom Street façade of Building B-C; changes to the elevations of Building D.
- Shifting the location of Building B-C approximately 13 ft. to the east and moving the western edge of Building D approximately 13 ft. east.
- Eliminating the access easement on the west side of Building A, resulting in one row of parking with two tandem stalls under Building A.
- Approval of a new tentative map for subdividing the site
- Expansion of the square footage from an approved project comprised of 89,412 square feet to 95,264 square feet
- Expansion of Building D into slopes with a grade of 20 percent or greater.
- Increasing the amount of street level commercial space from 3,339 square feet to 3,497 square feet.
- Increasing the percent of commercial street frontage from 52 percent to approximately 53.3 percent of the length of the project site.
- Reducing the commercial store front depths from a minimum of approximately 11 feet to 10 feet.
- Reducing the number of studio units from 15 to 12
- Increasing the number of one-bedroom units from 23 to 27
- Reducing the number of two-bedroom units from 13 to 11
- Increasing the number of three-bedroom units from 11 to 12
- Removal of a second driveway accessing Building A Parking on the west side of the site.
- Changes to approved signage.
- Changes to the size of units:
 - Approved studio units are a minimum of 265 square feet, one-bedroom units are a minimum of 384 square feet, two-bedroom units are minimum of 614 square feet, and three-bedroom units are minimum of approximately 1,487 square feet
 - Proposed studio units are a minimum of 254 square feet, one-bedroom units are minimum of 406 square feet, two-bedroom units are a minimum of 994 square feet, and three-bedroom units are a minimum of 1,483 square feet.

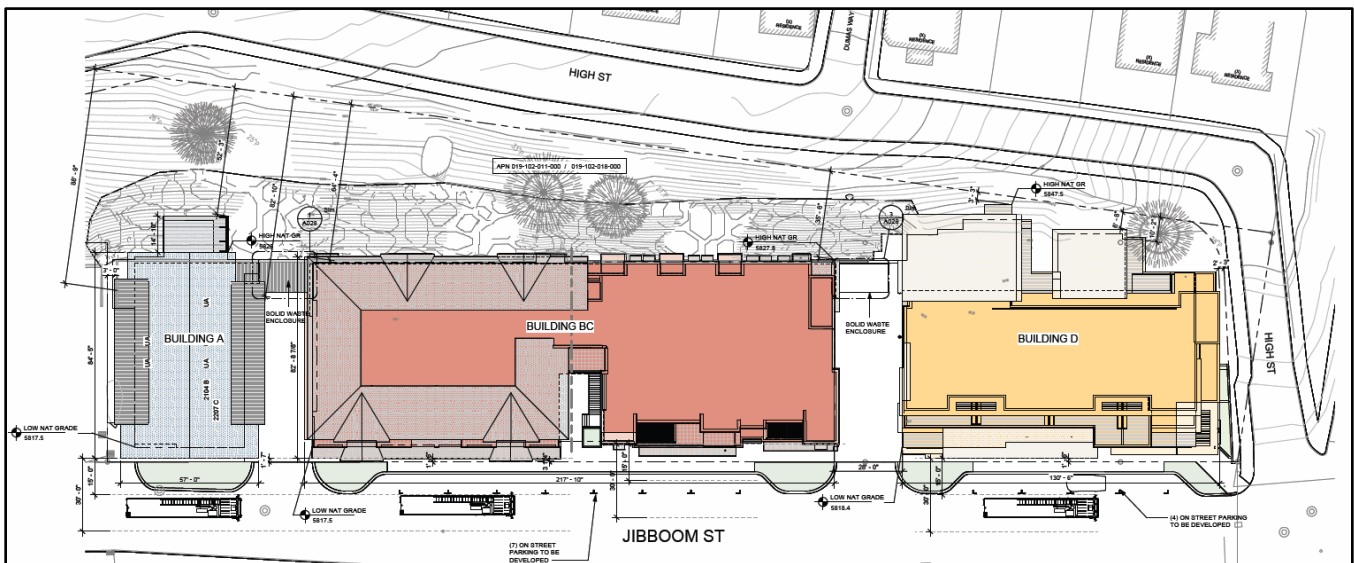
Changes to the approved site plan for the Project Amendment are shown in Figure 3.

Figure 3 – Project Site Plan

Approved Site Plan



Project Amendment Site Plan



The project is comprised of a four-building design, described as Building A, Building B-C, and Building D, each of which has distinct architectural styles. The total floor area of the project is 95,264 square feet, of which 3,497 square feet is dedicated to commercial uses that front Jibboom Street. Parking is located on the street level, behind lobbies and commercial spaces, with residential uses located above the street level parking. The project includes 60 parking spaces, 11 of which are parallel parking spaces on Jibboom Street. The project would not reduce the number of parallel parking spaces currently existing on Jibboom Street and proposes landscaping in bulb-outs separating parallel parking spaces and along the eastern project frontage. The project includes dedicated long-term bicycle parking for 62 spaces in each building. The following is a description of the buildings.

Building A is a three-and-a-half-story structure, containing 15 units, six of which are studio units reserved for low-income households, four one-bedroom unit for low-income households, and five one-bedroom market rate units. Unit sizes range from 254 square feet to 459 square feet. A 455 square foot deck is located at the rear of the third floor. The first floor contains one accessible unit, a lobby, bicycle parking, vehicle parking, and electrical room. Laundry facilities are located on the second and third floors. Third floor units have 61 square foot balconies. On the fourth floor is a mechanical attic. Building A is defined by its peaked roof, with a wood finish trim, asphalt shingle roof in pewter color. Brick veneer defines the base of the building, with wood shingles above it in a semi-solid stain hedgerow color. Windows are aluminum clad, with a bronze color, and decking is comprised of Trex decking with wood railings.

Building B-C is a three-story building, containing 32 units, 2,475 square feet of commercial space, parking behind the commercial space, and comprises two architectural styles. The project includes studio units and three-bedroom units that range in size from approximately 342 square feet to 1,116 square feet. Balconies are provided for each unit, which range in size from 22 square feet to 91 square feet. Access to the residential units is achieved from the eastern and western sides of the site, with a common lobby and elevator in the middle of the two buildings. Parking is achieved from the east and west side of the buildings via shared driveways. One driveway, shared by Building A and Building B provides access through a steel garage door on the west side of Building B. One driveway shared by Building C and Building D provides access to parking on the east side of Building C through a steel garage door.

Building B is symmetrical in style with defined peak roof features at the western and eastern side of the building, with sloped roofs between these two features, and gables over the commercial entrances. The applicant proposes brick veneer as a base, with horizontal wood siding painted yellow in color. Cedar wood trim, in a bark mulch color, is used to define units and building features. Windows are aluminum clad and balconies are framed with wood railings. The roof is asphalt shingles with a country grey color. Roof slopes range from 5.5/1 to 3/1.

Building C is comprised of more rectangular forms with a flat, parapet roof. The commercial entry on Jibboom Street is defined by horizontal board formed concrete while the residential units above use brick veneer in a metallic black color with vertical score lines. The eastern and western pillars of the structure are comprised of brick veneer in a simon (a reddish color) blend color. Balconies are enclosed with two-and-a-half-inch flat steel bar posts.

Building D is comprised of eclectic architectural forms, contains 1,022 square feet of commercial space at the ground level, a lobby and elevator at the east end of the building, and 15 units. The architecture is primarily rectangular, with recesses and projections across the elevations. The roof is a flat roof at the fourth level and sloped roof above the fourth story. There are two one-bedroom lofts, one two-bedroom loft, four two-bedroom units, and eight three-bedroom units. Unit sizes range from 917 square feet to 1,516 square feet. All units have balconies which range in size from 60 square feet to 352 square feet. Building materials vary from corrugated metal, perforated metal panels, aluminum storefronts, tongue and groove cedar siding measure one by six inches, with wood soffits. Decking is comprised of timbertech brand with wood railings. Windows are proposed by aluminum clad.

Table 3 – Project Unit and Commercial Area Summary*

	Building A	Buildings B-C	Building D	Total
Studio	6	6		12
One-Bedroom	9	16	2	27
Two-Bedroom		6	5	11
Three-Bedroom		4	8	12
Total Residential Units	15	32	15	62
Commercial Space (sq. ft.)		2,475	1,022	3,497

* No changes are proposed in the number of units per building between the entitled Residences at Jibboom and Residences at

	Building A	Buildings B-C	Building D	Total
--	------------	---------------	------------	-------

Jibboom Project Amendment.

Table 4 – Unit Distribution Comparison

	Approved Project	Project Amendment	Net Change
Studio	15	12	-3
One-Bedroom	23	27	+4
Two-Bedroom	13	11	-2
Three-Bedroom	11	12	+1
Total Residential Units	62	62	0

The proposed Project Amendment expands the square footage of the Residences at Jibboom project. Table 5 presents the changes to the square footage of the buildings from the approved design to the proposed project amendment and Table 6 presents a comparison between the conditioned area and unconditioned area between the approved project and the proposed project.

Table 5 – Project Square Footage Comparison

	Approved Design Sq. Ft.	Proposed Project Sq. Ft.	Net Change Sq. Ft.
Building A			
First Floor	402	1,696	1,294
Second Floor	2,577	3,474	897
Third Floor	2,535	3,475	940
Fourth Floor			
Interior Common Area	1,820		-1,820
Unconditioned Space	4,752	4,482	-270
Total	12,086	13,127	1,041
Building B-C			
First Floor		100	
First Floor Conditioned Area	2,330	3,761	1,431
First Floor Commercial Area		2,475	
Second Floor Conditioned Area	9,820	13,831	4,011
Third Floor Conditioned Area	9,820	13,832	4,012
Interior Common Area	5,228		
Unconditioned Area	15,621	14,437	-1,184
Total	42,819	45,961	3,142
Building D			
First Floor Conditioned Area	1,109	2,295	1,186
First Floor Commercial Area		1,022	
Second Floor	6,436	7,192	756
Third Floor	7,572	8,484	912
Fourth Floor	4,875	6,791	1,916
Common Area	1,809		
Unconditioned Area	12,706	11,414	-1,292
Total	34,507	36,176	1,669

Table 6 – Conditioned and Unconditioned Area Comparison

	Approved Design Sq. Ft.	Proposed Project Sq. Ft.	Net Change Sq. Ft.
Building A			
Conditioned Area	7,334	8,645	1,311
Unconditioned Area	4,752	4,482	-270
Total	12,086	13,127	1,041
Building B - C			
Conditioned Area	27,198	31,424	4,226
Unconditioned Area	15,621	14,356	-1,184
Total	42,819	45,961	3,142
Building D			

Conditioned Area	21,801	24,762	2,961
Unconditioned Area	12,706	11,414	-1,292
Total	34,507	36,176	1,669
Total Building Area	89,412	95,264	5,852

Due to the relocation of Building D, the proposed project would result in greater slope disturbance on slopes of 20 percent to 30 percent and slopes exceeding 30 percent. Table 7 below presents a comparison of the entitled project to the proposed project for slope disturbance.

Table 7 – Slope Amendment

	Entitled Building D Footprint	Percent Building D Footprint Per Slope	Proposed Building D Footprint	Project Amendment	Percent Building D Footprint Per Slope
< 20% Slope	4,089 sq. ft.	38.4%	3,640 sq. ft.	-449 sq. ft.	35.5%
20% - 30% Slope	914 sq. ft.	8.6%	963 sq. ft.	49 sq. ft.	9.4%
> Than 30%	5,633 sq. ft.	53%	5,650 sq. ft.	17 sq. ft.	55.1%

Architecture

Changes to all building elevations are proposed as part of the Project Amendment. These changes are summarized as follows for each building.

Architectural Changes to Building A:

- The main roof is now a gable roof across the entire building with the hip roof at the street facade removed, which eliminates the asymmetry between the front and back of the building.
- The massing at the street facade has changed based on the unit floor plan changes with the pop out moved from the south-east corner to the south-west corner with the tower element removed and the south-west pop out integrated under the main roof.
- The guardrails at the balconies have changed from solid walls to horizontal wood rails.
- At the west elevations, the opening to the garage has been walled in so that access to the parking is only from the east side and an easement on the neighboring property will no longer be needed to access parking on the site.
- At street elevation, an additional entrance to the separate bike storage room has been added.
- Removal of the western driveway that bisected the western property, resulting in removal of a row of parking.

Architectural Changes to Buildings B-C:

- The massing has changed based on the unit floor plan changes and overall increase of the building length toward the east.
- Entrances to the commercial spaces on the ground floor have been adjusted to match owner's programming of the spaces with entrances aligned with upper floor massing and roof features above.
- Fenestration ratio at the east wing has been slightly increased to provide appropriately sized windows.

Architectural Changes to Building D:

- The massing has changed based on the unit floor plan changes and overall reduction of the building length.
- Reducing the depth that the "eyebrow" projects over the sidewalk at the first floor.
- The fourth-floor step back is reduced. Originally the fourth floor stepped back approximately 30 feet from the front façade; the proposed amendment steps back the fourth floor by approximately 15 feet.

- Reducing the step backs of the second and third floors. The approved project steps back residences from the front façade by approximately 10 feet; the project amendment proposes reducing this step back to eight feet (8 ft.).
- The common deck amenity area on the fourth floor was eliminated.
- Changes in fenestrations and programming of materials.
- Reconfiguring the location of clerestory windows extending above the top of the fourth floor.

Figures 4 through 6 present the approved project elevations followed by the proposed project elevations.

Figure 4 – Building A Elevations

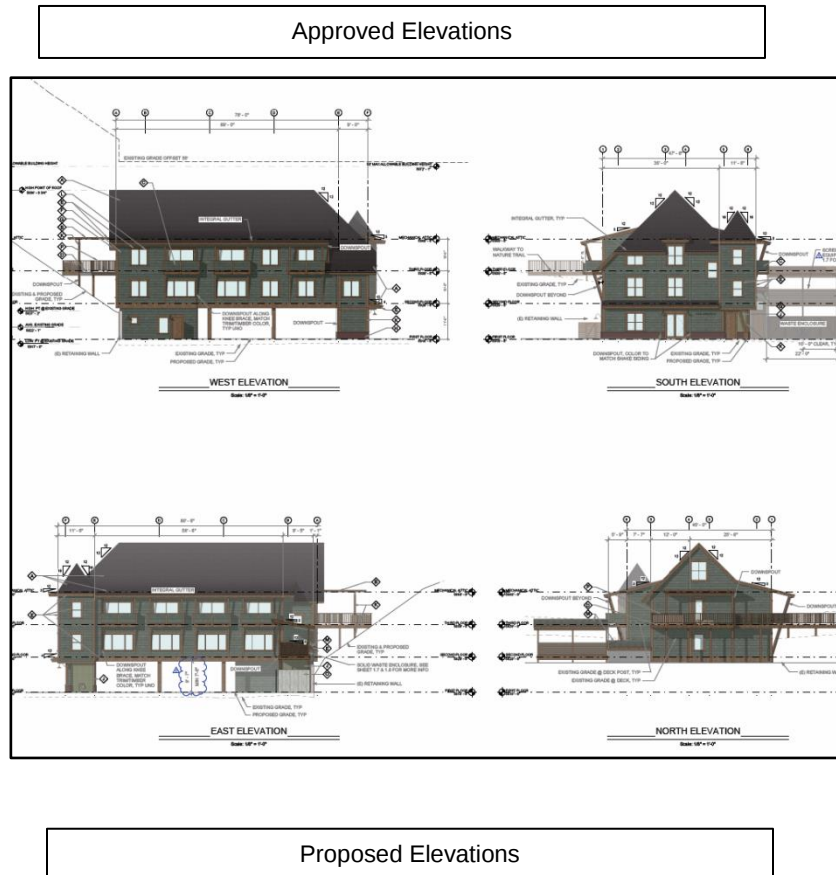




Figure 5 – Building B-C Elevations



Proposed Elevations



Figure 6 – Building D Elevations

Approved Elevations



Proposed Elevations



Detailed analysis of the project can be found in the Planning Commission staff report. The Planning Commission staff report, Planning Commission Resolution 2023-11, minutes, and additional public comment can be found at the following links.

Planning Commission staff report, May 4, 2026:

<https://portal.laserfiche.com/Portal/DocView.aspx?id=59941559&repo=r-6a91ddbc>

Resolution 2026-08:

<https://portal.laserfiche.com/Portal/DocView.aspx?id=59948716&repo=r-6a91ddbc>

Minutes, May 4, 2026:

Minutes from the May 4, 2026 Planning Commission hearing have not been formally adopted.

Public comment:

<https://portal.laserfiche.com/Portal/Browse.aspx?id=59941556&repo=r-6a91ddbc>

Overview of Appeal Process

In accordance with Development Code Chapter 18.140 (Appeals), any determination or action by a Town decision maker can be appealed and Planning Commission decisions are appealable to the Town Council. The decision of the Council shall be final on all matters unless an appeal is filed with the Superior Court of the County of Nevada within 30 days after the decision of the Council. At the hearing, the appeal body may consider any issue involving the matter being appealed, in addition to the specific grounds for appeal. In accordance with Section 18.140.030.E (Filing and Processing of Appeals, Action), the appeal body may, by resolution, affirm, affirm in part, or reverse the action, the decision, or determination of the original review authority. When reviewing the appeal, the appeal body may:

- (a) Deny the permit or entitlement, even though the appeal only requested relaxation or elimination of one or more of the conditions imposed on the permit or entitlement; or
- (b) Impose additional conditions that may address other issues or concerns than the original subject of the appeal.

The appellants and other interested parties shall not present new evidence or testimony at the appeal hearing unless the party can demonstrate, to the satisfaction of the appeal body, that new information:

- (a) Was not previously available to the party; or
- (b) The party could not have participated in the review process because they could not have known about the review process.

If new or different evidence is presented on appeal, the Town Council, may, but shall not be required to, refer the matter to the original review authority for further consideration.

What information is provided during consideration of an appeal?

In addition to the appellants' submittal requesting the Town Council overturn the Planning Commission's decision, the Town Council will receive a copy of the original application submittal and the Planning Commission staff report reviewed during consideration of the project. The Town Council will be reviewing the Residences at Jibboom Project Amendment without consideration of the Commission's previous action – as if the project is being heard for the first time; this process is called a de novo review (Latin for "from the new"). Accordingly, the Council will need to make a required series of findings in order to approve or deny the project, in addition to deciding to grant or deny the appeal.

To approve the application on the same terms as the Planning Commission, thereby denying the appeal, the Council will need to make the findings set forth in draft Resolution 2026-34 (Attachment 1) and outlined below. Should the Council wish to grant the appeal, the Council may need to amend the existing findings in support of the appeal.

Appeal of the Planning Commission Approval

On May 13, 2026, the appellants submitted a timely appeal of the Planning Commission's action to approve the Residences at Jibboom Project Amendment application. The primary issues are identified below under headings and subheadings, accompanied by numbered staff responses corresponding with each issue raised by appellants' comment. The appellants' application submittal can be found in Attachment 2.

Dan Cockrum Comments

Appellants' Comment: *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 Section 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 [CFC], [Truckee Fire Protection District] 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:

- *Grant the appeal*
- *Vacate the Planning Commission's May 4, 2026 approval of the Residences at Jibboom Street project.*
- *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.*
 - *Require submission of all missing objective technical documents before any further action.*
- *Require full CEQA review, including evaluation of wildfire evacuation, steep-slope analysis, and historic resource impacts.*
- *Apply all mandatory objective standards of the Truckee Development Code and California Fire Code.*
- *Remand the project for lawful review consistent with the Truckee Development Code, the Housing Accountability Act, and CEQA.*

Staff Response:

As identified in the responses below to each topic area, there was no missing or lacking objective health-and-safety information. The Residences at Jibboom Project Amendment application included all required documentation. A response to these introductory comments can be found in the responses as follows:

- *Housing Accountability Act Findings – See Response to Comment No. 1.*
- *Development Code Section 18.36 and Snow Storage – See Response to Comment No. 2*
- *Fire and Emergency Access – See Response to Comment No. 3*
- *Historic District Compatibility Findings – See Response to Comment No. 4*
- *CEQA Exemption Findings – See Response to Comment No. 5*

Appellants' Comment: *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 Section 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)*

Staff Response:

With respect to the administrative record, the Response to Comments No. 1 through 5 below will demonstrate that the Residences at Jibboom Project Amendment contained all required technical studies, CEQA studies and analysis, and objective analysis required by the Development Code. Staff notes that Attachment 2 in the May 4, 2026 Planning Commission staff report contained a comprehensive analysis of the Residences at Jibboom Project Amendment related to the June 22, 2023 Development Code.

The Planning Commission's approval of the Residences at Jibboom Project Amendment was not based on a prohibition of denial under the provisions of the California Government Code. Instead, the project amendment was determined to not result in a specific adverse impact on the public health and safety, and that the project amendment was consistent with the objective goals, policies, and standards in the 2040 General Plan, the Downtown Truckee Plan, and the June 22, 2023 Development Code.

As discussed in Response to Comment No. 5, none of the exceptions in CEQA Guidelines Section 15300.2 apply to the project amendment.

As identified in Resolution No. 2026-08, the approval of the project contained findings for each requested entitlement and was based on the provision afforded the project amendment by State law as well as the objective goals, policies, and standards in the 2040 General Plan, Downtown Truckee Plan, and the June 22, 2023 Development Code.

Staff notes that Responses to Comments may combine certain exhibits from the appellant's appeal letter for purposes of clarity.

Appellants' Comment: *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.

Staff Response:

The May 4, 2026 Planning Commission hearing was conducted in accordance with all Town procedures prescribed by the Development Code and pursuant to State law, including adequate public notice, public comments, deliberations, and voting. As discussed in the response to comments below, the Planning Commission was afforded and provided all evidence required to decide on the project amendment, and objective technical documentation is not missing from the record.

As discussed in Response to Comment No. 5, none of the exceptions in CEQA Guidelines Section 15300.2 apply to the project amendment, and this staff report contains necessary exceptions analysis prescribed by CEQA Guidelines Section 15300.2.

While the Housing Accountability does not compel approval of a project, as demonstrated in the May 4, 2026 Planning Commission staff report, attachments, and findings, the project is consistent with objective goals, policies, and standards in the 2040 General Plan, Downtown Truckee Plan, and the June 22, 2023 Development Code. All technical analyses and documents required for the project were provided, and the project amendment did not demonstrate a specific, adverse impact upon the public health or safety. Therefore, there were no grounds under State law for the Planning Commission to deny the project, and the approval was made based on the findings included in Resolution No. 2026-08.

COMMENT NO. 1: HOUSING ACCOUNTABILITY ACT FINDINGS

Appellants' Comment No. 1: *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.*

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.*

Staff Response No. 1: Staff will provide detailed responses with respect to the statement about the absence of required objective health-and-safety documentation in the corresponding topic areas.

Government Code, §65589.5, subdivision (j)(1) requires that when a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision

regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

1. The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density; and
2. There is no feasible method to satisfactorily mitigate or avoid the adverse impact, other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density. Feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Under California Government Code Section 65589.5(d)(2), a "**specific adverse impact**" is a significant, quantifiable, direct, and unavoidable impact based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

In most actions, a local government is tasked with making findings or determinations based on "substantial evidence." Under the substantial evidence standard, local government is merely required to find reasonable, adequate evidence in support of their findings, even if the same or even more evidence supports a finding to the contrary. Findings or determinations based on a "**preponderance of the evidence**" standard require that local governments weigh the evidence and conclude that the evidence on one side outweighs, preponderates over, is more than the evidence on the other side, not necessarily in the number or quantity, but in its convincing force upon those to whom it is addressed. Evidence that is substantial, but not a preponderance of the evidence, does not meet this standard.

The Planning Commission's approval of the Residences at Jibboom Project Amendment was not based on a prohibition of denial under the provisions of the California Government Code. Instead, the project amendment was determined to not result in a specific adverse impact on the public health and safety, and that the project amendment was consistent with the objective goals, policies, and standards in the 2040 General Plan, the Downtown Truckee Plan, and the June 22, 2023 Development Code.

While the Housing Accountability does not compel approval of a project, as demonstrated in the May 4, 2026 Planning Commission staff report, attachments, and findings, the project is consistent with objective goals, policies, and standards in the 2040 General Plan, Downtown Truckee Plan, and the June 22, 2023 Development Code as presented in the attachments to the May 4, 2026 Planning Commission staff report. All technical analyses and documents required for the project were provided, and the project amendment did not demonstrate a specific, adverse impact upon the public health or safety. Further, the studies requested of the appellant are not required for the Town to decide on the project because those studies are not required by Town ordinances, application forms, reviewing departments and agencies. Therefore, there were no grounds under State law for the Planning Commission to deny the project, and the approval was made based on the findings included in Resolution No. 2026-08.

COMMENT NO. 2: STEEP SLOPE ANALYSIS, DEVELOPMENT CODE CHAPTER 18.36 FINDINGS, AND SNOW STORAGE

Appellants' Comment No. 2: Development Code Section 18.36 findings asserting compliance with steep-slope, grading, drainage, snow-storage, and access standards without the required technical studies.

Unsupported Findings: Multiple findings assert compliance with objective standards despite the absence of evidence in the record.

Exhibit A: Hazards-Based Standards Matrix

Steep Slope and Grading Standards

Standard/Requirement	Source	Required Evidence	Provided?	Notes
<i>Ensure that development on slopes > or = to 30% minimizes hillside impact</i>	<i>Development Code Section 18.36.040(C)</i>	<i>Slope map; grading plan; cut/fill volumes</i>	<i>Missing</i>	<i>No detailed slope map; no grading plan</i>
<i>Grading impacts on stability</i>	<i>CEQA; Development Code Chapter 18.30</i>	<i>Detailed geotechnical report; slope stability analysis</i>	<i>Missing</i>	<i>Minimal geotechnical analysis, no details provided, or evidence of soil boring and pit analysis</i>
<i>Drainage and runoff control</i>	<i>Development Code Section 18.30.050</i>	<i>Drainage plan; stormwater calculations</i>	<i>Missing</i>	<i>No drainage plan submitted or analysis of snow impact and ice formation</i>

Snow-Impact and Winter Access Standards

Standard/Requirement	Source	Required Evidence	Provided?	Notes
<i>On-site snow storage capacity</i>	<i>Development Code Section 18.30.160 [sic, 18.30130]</i>	<i>Analysis to demonstrate that heated driveways are calculated to meet the intent of the code</i>	<i>Missing</i>	<i>No calculations; snow shedding appears to encroach into fire lanes</i>
<i>Winter fire-apparatus access</i>	<i>CFC Section 503; TFPD</i>	<i>Winter narrowing analysis</i>	<i>Missing</i>	<i>No winter access analysis, especially with on-street parking</i>

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.

Steep-Slope and Grading

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

- *Slope stability analysis*

Snow-Storage and 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*

Staff Response No. 2

Staff notes that a map showing the range of slopes on which proposed development would occur are found in the plan set on sheets G005 and sheet C4.0. These sheets identify the slopes where development would occur on slopes less than 20 percent, 20 percent to 30 percent, and greater than 30 percent.

Cut and fill details are on sheet C3.0, which estimates that there are approximately 4,465 cubic yards of cut and 902 cubic yards of fill. Sheet C3.0 is the preliminary grading, drainage, and utility plan.

Development Code Section 18.36.030 identifies the required “application content” when a project requests approval of a use permit for grading on slopes. Specifically, that Section states that “land use permit and subdivision applications for projects proposed within hillside areas shall include all information and materials required by Section 18.70.040 (Application Preparation and Filing), and all additional information required by the Director on the basis of site topography.” The Residences at Jibboom Project Amendment application package included all information required by Section 18.70.040. The entitlement request information sheets identify all required information and technical studies to be submitted with the application package. This information includes the following:

- Traffic Study (General Plan Mobility Element Policy M-4.4)
- Cultural Resources Analysis (Section 18.30.040);
- Geotechnical Study (Section 18.96.010.B);
- Noise Analysis (for CEQA compliance)
- Biological Assessment Study (for CEQA compliance)
- Wetland Delineation (for CEQA compliance)
- Preliminary Grading, Drainage, and Stormwater Information

Staff determined that the application package contained all required information identified in the application submittal checklists as well as what is required in the Development Code on February 10, 2025. While a slope stability analysis is not specifically required in the application submittal checklists nor specifically identified in Development Code Chapter 18.36, a geotechnical report submitted for the project addresses slope stability.

The applicant has submitted a geotechnical report prepared by a licensed geologist and engineer in accordance with accepted geotechnical engineering practices. The geotechnical report concluded that the site is not anticipated to have highly plastic, potentially expansive, or compressible soil conditions. The potential for liquefaction and lateral spreading at the site is considered low. A representative of the geotechnical firm will be onsite during construction to observe subsurface conditions encountered in footing excavations and provide additional recommendations, as needed. As part of the building permit review process, the geotechnical study concluded that design criteria for soil nail walls and/or other methods of cut stabilization will be required of the project. Building retaining walls will be evaluated for consistency with the Building Code during the building permit review process which will ensure slope stability. The project includes one, exposed retaining wall that faces internal to the site, setback from High

Street that will not exceed four feet in height. This wall is consistent with the Development Standards in Section 18.30.120.F.6. The geotechnical report was included in the Planning Commission's May 4, 2026 packet in the attachment to the Planning Commission packet initially approving the Residences at Jibboom Project on September 17, 2025. Further, the Residences at Jibboom Project Amendment is conditioned to provide a design level geotechnical report with its building permit submittal.

The applicant submitted a preliminary drainage report with the entitlement set. The preliminary drainage report included calculations and sizing for stormwater treatment and attenuation of the respective design storms. The Engineering Division reviewed preliminary drainage report with the entitlement plan set. The Engineering Division determined that the preliminary drainage report was satisfactory for conditioning the project amendment and accordingly imposed a condition of approval for a final drainage report and detailed design of the stormwater system prior to building permit issuance.

Development Code Section 18.36.040.C (Preservation of steep slopes) provides objective standards related to hillside development. While this section of the Development Code specifically prohibits development on slopes of 30 percent or greater, noting those slopes "shall be permanently preserved as open space," Section 18.36.040.C.b provides flexibility to the decision making body on granting a Use Permit for development on slopes of 30 percent or greater. Section 18.36.040.C.b and .c state that:

- Section 18.36.040.C.b (Hillside Development Standards – Standards for Hillside Development) "May authorize grading and structures on slopes exceeding 30 percent only if the Commission finds there is not sufficient area on the parcel with slopes less than 30 percent to accommodate a reasonable development, and measures have been incorporated into the development to minimize disturbance of the terrain;" and
- Section 18.36.040.C.c (Hillside Development Standards – Standards for Hillside Development) "Projects located in the Historic Preservation (-HP) Overlay District on [Zoning Map Sheet #25](#) or in the FAR Incentive Infill Area on Zoning Map Sheet #28 shall be provided additional flexibility to construct on slopes exceeding 20 percent and 30 percent for the purpose of achieving desired infill only if the review authority determined the development to be appropriate on the site and in keeping with the standards and criteria of this Chapter."

The project site does not have sufficient area to accommodate Building D without encroaching onto slopes exceeding 30 percent. Buildings A through C are predominantly located on portions of the project site with slopes 20 percent or less and have maximized developable potential of these areas without encroaching onto slopes 30 percent or more. Further, the project has minimized the portion of Building D encroaching on the slopes exceeding 30 percent. Findings for approval of a Use Permit for approval of hillside development (Development Code Section 18.36.060 (Hillside Development – Criteria for Use Permit Approval)) are contained in the May 4, 2026 Planning Commission staff report). Staff's position is that the findings for approval of the Use Permit Amendment for hillside development can be made in the affirmative and there are no items from the appeal that would constitute a denial of the Use Permit Amendment for hillside development.

Development Code Section 18.30.130.B.1 requires snow storage in the amount of 50 percent of unenclosed parking area, including circulation drives and aisles, with a snow load of 200 pounds per square foot or less. The snow load on the project site is 174 pounds per square foot according to Town of Truckee Building Division data. Therefore, 50 percent of the area of circulation drives and aisles needs to be provided for snow storage. The project proposes using hydronic heating of the circulation drives and aisles as indicated on sheet C.1. The Engineering Division has noted that hydronic heating is an acceptable form of snow storage. The area of asphalt added Jibboom Street is 2,530 square feet. The total snow storage area onsite is 4,445 square feet, which

includes the circulation drive aisles. The percent change between the asphalt area and the snow storage area is approximately 57 percent of the area required for snow storage. Therefore, the percent difference between 57 percent and 50 percent is approximately 114 percent, which is demonstrated on sheet C1.0 and is shown in Attachment 2 to the May 4, 2026 Planning Commission staff report.

Planning Division staff routed project plans to the Truckee Fire Protection District (TFPD) for review and comments. The TFPD comments did not identify any deficiencies related to winter fire-apparatus access nor inconsistencies with respect to the CFC Section 503, which were included in the Planning Commission May 4, 2026 packet in Attachment 9. Therefore, the information provided demonstrates compliance with Development Code requirements for snow storage and evidence has not been provided that snow storage and winter fire-apparatus access would result in a specific adverse impact from the project amendment.

All plan sheets were provided in the Planning Commission's May 4, 2026 packet, included in Attachment 1, Exhibit A. The plans have also been available online since approximately February 10, 2026 at the following link: <https://www.townoftruckee.gov/646/The-Residences-at-Jibboom>.

COMMENT NO. 3: FIRE AND EMERGENCY ACCESS FINDINGS

Fire and Emergency Access Findings adopted without evidence demonstrating compliance with California Fire Code [CFC], [Truckee Fire Protection District] TFPD standards, or Downtown Truckee emergency-access requirements.

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.*

Staff Response No. 3

As discussed in the response to comments in the below items, the Planning Commission's decision was based on a complete administrative record with evidence required from respective agencies and applicable plans. The studies identified in the appeal for wildfire evacuation are not required by either the Truckee Fire Protection District nor Planning Division application forms and Town codes.

COMMENT NO. 3a:

Exhibit A: Hazards-Based Standards Matrix

Standard/Requirement	Source	Required Evidence	Provided?	Notes
<i>Wildfire evacuation analysis</i>	<i>Truckee CWPP; Evacuation Annex</i>	<i>Modeled evacuation clearance times; cumulative impact analysis</i>	<i>Missing</i>	<i>No evacuation modeling; no cumulative analysis for Downtown evacuation bottleneck</i>
<i>Fire-flow availability</i>	<i>CFC Section 507; TFPD Standards</i>	<i>Fire flow calculations; hydrant spacing map</i>	<i>Missing</i>	<i>No fire-flow report; hydrant space not demonstrated</i>

<i>Aerial apparatus</i>	<i>CFC Section 503.2.4</i>	<i>25-ft. clear width; 15-ft. vertical ladder clearance; ladder reach diagram</i>	<i>Missing</i>	<i>No ladder reach diagram; no vertical clearance analysis</i>
<i>Fire-lane access and width</i>	<i>CFC Section 503.2.1</i>	<i>Turning templates; width measurements</i>	<i>Missing</i>	<i>Jibboom Street narrows below 20-ft. in winter; driveways are tight; no access analysis provided</i>

Staff Response No. 3a

The goal of the Truckee Fire Protection District Community Wildfire Protection Plan (CWPP) is to improve the community's wildfire-mitigation capacity while working with government and local agencies to identify high fire risk areas and prioritize areas for mitigation and emergency preparedness. This CWPP serves as a framework and wildfire mitigation roadmap to 1) identify and prioritize future wildfire protection projects and 2) foster a community-wide collaborative approach to reduce wildfire risk and hazards to life, property, and natural resources. Future planning and implementation of necessary mitigation measures for wildfire protection are discussed in Chapter 5 of the CWPP. However, the CWPP does not provide requirements for project level analysis.

Chapter 5 of the CWPP identifies project recommendations and implementation guidance for different mitigation measures, or the CWPP "action plan." However, these project recommendations and implementation guidance for mitigation measures are directed towards agency actions as opposed to development project analysis. For example, in Table 5.5, Recommendations for Creating Fire-Adapted Communities, Truckee Fire Protection District, the Town and local law enforcement are directed to identify evacuation plans and routes, but there is no requirement for a development level project analysis for evacuation modeling.

The TFPD reviewed the entitlement plan set as part of the standard routing procedures the Planning Division implements to ensure projects comply with responsible agencies' codes and guiding documents. The TFPD did not identify any inconsistencies with the CWPP in their comments nor identify evacuation or cumulative analysis for a "Downtown bottleneck." Truckee Fire Protection District comments for the proposed project are included in Attached 9 to the May 45, 2026 Planning Commission staff report.

The 2040 General Plan includes measures and programs that commits the Town to reducing wildfire and evacuation risks. The density, with approval of the additional units afforded pursuant to State Density Bonus Law, of the proposed development is consistent with the density evaluated in the Town's 2040 General Plan. The environmental review of the General Plan evaluated whether build out would interfere with an adopted emergency evacuation plan. It was determined that build out would not cut off or modify existing evacuation routes in a manner that would impede emergency evacuation or response. Additionally, 2040 General Plan Policy SN-6.7 commits the Town to maintain and regularly update the Town's emergency plans to respond to changing needs and characteristics of the community, and Policy SN-6.9 requires the Town to work with transit providers to integrate regional transportation evacuation plans into regional transit plans. The 2040 General Plan Action SN-6.B requires that the Town coordinate with Nevada County to update the Nevada County Local Hazard Mitigation Plan with evacuation routes and their

capacity, safety, and viability under a range of emergency scenarios. This would inform the work under 2040 General Plan Action SN-6.D to create a plan for extreme congestion and evacuation situations. The successful implementation of these policies and associated actions is anticipated to reduce the potential for impacts on emergency evacuation routes.

Development projects, including build out of uses contemplated under the 2040 General Plan, would be subject to all applicable Town regulations, reviews, and requirements pertaining to emergency response, emergency access, and maintaining emergency evacuation routes. Emergency access for any development project is subject to review by the Town of Truckee and responsible emergency service agencies. Planning staff routed the Residences at Jibboom Project Amendment to affected agencies and departments, including the Truckee Fire Protection District, Caltrans, Police Department, Engineering Division, Building Division, and the Town's emergency operations staff. These agencies, departments, and divisions did not identify that the project would impede, impact, or otherwise adversely affect evacuation routes. Therefore, the project would not adversely affect emergency evacuation routes.

The project was exempt from the preparation of any traffic study. Trip generation was not prepared for the Residences at Jibboom project because a traffic impact analysis was not required for the project. A traffic impact analysis is not required for the project because Truckee 2040 General Plan Policy M-4.4 exempts projects from level of service analysis in the Downtown. Further, the project does not trigger a residential and non-residential Vehicle Miles Traveled (VMT) analysis. As indicated in the Town of Truckee's VMT Thresholds of Significance document prepared April 19, 2022, the Residences at Jibboom Project is in the Residential and Non-Residential CEQA VMT Exemption Zones identified in Figures A and B, respectively. Therefore, the Residences at Jibboom Project Amendment was exempt from preparing a traffic study that would have included trip generation and an evaluation of the transportation impacts due to Town adopted policies.

Neither the Building Division nor the Fire Protection District identified issues or deficiencies with respect to emergency access to the site and building nor onsite evacuation concerns related to the project. The project is designed to afford ladder truck access for the Truckee Fire Protection District and would be constructed consistently with the Building Code and the California Fire Code. Compliance with the Building Code and Fire Code would ensure emergency access from first responders and the ability to evacuate the building and site.

The Planning Commission adopted Resolution No. 2026-08, which includes a Truckee Fire Protection District condition of approval requiring that the project comply with the California Fire Code. Truckee Fire Protection District requirements are identified in Condition May No. 80 in Attachment 1, Exhibit C, of the May 4, 2026 Planning Commission staff report. Implementation of this condition of approval as part of the building permit review process ensures that all requirements of the CFC are satisfied. As part of the building permit review, the TFPD and Truckee Donner Public Utility District will review plans for compliance with water pressure, hydrant spacing, and aerial ladder truck access. Where needed, hydrants may be added along Jibboom Street as part of the building permit review. Further, the applicant proactively demonstrated compliance with aerial ladder truck access on sheets G002 and G005, contained in the Planning Commission staff report. These sheets demonstrate adequate access to the buildings from Jibboom Street. These sheets also demonstrate that the access driveways onsite provide 15 feet of vertical clearance across the 24-foot-wide drive aisle. The TFPD did not identify a need for a turning template, nor a deficiency or inconsistency with these driveways for fire lane access requirements. As noted, the TFPD comments did not identify any deficiencies related to winter fire-apparatus access nor inconsistencies with respect to the CFC Section 503.

COMMENT NO. 3b:

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.

Fire and 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*

Wildfire and Evacuation

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

Exhibit C: Fire Access and Evacuation Requirements

Objective Standards the Project Must Demonstrate Compliance With

1. *California Fire Code (CFC) Requirements*
 - a. *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*
 - b. *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*
 - c. *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*

Staff Response No. 3b

As noted, project plans demonstrated compliance with access requirements by providing driveways with 15 feet of vertical clearance along the 24-foot-wide aisles. Project plans identify Jibboom Street as a firefighting frontage with aerial ladder truck access, and fire-flow calculations and hydrant spacing are determined as part of the Building Permit review process pursuant to TFPD condition of approval no 80. The TFPD did not identify a need for specific winter access analysis, and TFPD comments and compliance determination is provided in the Attachment 9 to the May 4, 2026 Planning Commission staff report and in Condition of Approval No. 80 in Resolution No. 2026-08. In addition to Truckee Fire Protection District's Condition of Approval, approval by TFPD and compliance with the California Fire Code will further occur during the building permit review process. The TFPD is required to review the building permit for compliance with the California Fire Code, and a building permit cannot be issued until TFPD determines that the project is consistent with the California Fire Code.

As noted, the project is exempt from traffic impact analysis that would include an evaluation of the cumulative impacts from the project. Further, neither TFPD nor the Development Code or Planning Division application forms require the submittal of wildfire evacuation modeling, clearance times, or CWPP consistency.

Based on this information, documents were not absent from the administrative record because they were either not required, or agency and department review during the entitlement process and compliance with conditions of approval ensures the project complies with all applicable codes and regulations. Therefore, the information provided to the Planning Commission demonstrates compliance with objective standards in the 2040 General Plan, Development Code, and TFPD Condition of Approval No. 80 requires compliance with the California Fire Code. Evidence has not been provided that fire and emergency access items identified in the appeal would result in a specific adverse impact from the project amendment, and the project amendment appeal cannot be supported.

COMMENT NO. 4: HISTORIC DISTRICT COMPATIBILITY FINDINGS

Historic District Compatibility Findings asserting consistency with Downtown Truckee Historic Design Guidelines despite the absence of required massing, scale, and streetscape analysis.

EXHIBIT D

Historic District Compatibility Analysis

Objective Standards Under the Downtown Truckee Historic Design Guidelines

1. *Massing and Scale*
 - a. *New buildings must be subordinate to contributing structures*
 - b. *Massing must reflect historic rhythm and pattern*
 - i. *No massing comparison provided*
2. *Streetscape and Rhythm*
 - a. *Façade articulation must match historic storefront rhythm*
 - b. *Step-backs required above two stories*
 - c. *Roof forms must reflect historic patterns*

- i. *No streetscape analysis provided*
- 3. *Materials and Architectural Character*
 - a. *Materials and colors must be compatible with historic palette*
 - b. *Large, monolithic façades are prohibited*
 - i. *No materials analysis provided*
- 4. *HPAC Review*
 - a. *Findings and recommendations of HPAC must be considered*
 - i. *No Discussion conducted of HPAC review or findings*

Staff Response No. 4

The Historic Preservation Advisory Commission (HPAC) reviewed the project amendment at the March 11, 2026 hearing. As the Department of Housing and Community Development confirmed in an email to Planning Division staff on February 20, 2026, the project amendment is afforded the same provisions in the Government Code that the September 17, 2024 entitlement was afforded. This includes the provision that any decision made on the project must be based on objective standards instead of subjective design guidelines. Further, these provisions subject the project to the Town's policies, plans, and ordinances in effect when the preliminary application was deemed to have submitted the necessary information required by the California Government Code. Therefore, the project amendment application was subject to the Development Code in effect on June 22, 2023, and the June 22, 2023 Development Code did not contain objective design standards. As a result, the HPAC's review of the Historic Design Review Amendment entitlement request was limited to an evaluation of the project based on the 2040 General Plan, Downtown Truckee Plan, including the Historic Design Guidelines, and the June 22, 2023 Development Code.

While a project submitted pursuant to SB 330 is subject to objective design standards for the determination of approval or denial, HPAC was permitted to review the Historic Design Review Amendment entitlement request relative to the Historic Design Guidelines and make a recommendation to the Planning Commission on the project's consistency or inconsistency with the Design Guidelines. Since HPAC is an advisory body, the Commission's purview was not confined to objective standards. However, a project's inconsistencies with Historic Design Guidelines would not constitute a basis for denial pursuant to SB 330.

The HPAC reviewed the project related to the applicable Historic Design Guidelines in Chapter 6 (Individual Building Components), Chapter 13 (New Construction Historic Design Guideline Evaluation), and Chapter 15 (Jibboom Street Historic Design Guidelines). The precise wording of these guidelines is identified in the March 11, 2026 HPAC memo included as Attachment 4 to this report. Staff notes the difference in wording between the March 11, 2026 HPAC staff memo and the appellant's language. The applicable Historic Design Guidelines in Chapters 6, 13, and 15 are subjective in nature, which included an evaluation of the massing and scale, streetscape façades and rhythm, and materials. The HPAC voted unanimously (4-0) on March 11, 2026 to recommend denial of the Historic Design Review Amendment entitlement request. The HPAC recommended denial of the Historic Design Review Amendment entitlement request because the HPAC determined that the proposed design is inconsistent with the Historic Design Guidelines.

Details concerning the HPAC's evaluation of the project amendment are identified in the May 4, 2026 staff report to Planning Commission on page 15 of Item 7.1. The Planning Commission has latitude regarding deliberating on projects, and the Commission is not required to discuss a previous review body's findings or recommendations. As the decision-making body, the Planning Commission determined that there was not a "specific adverse impact" related to the Historic

Design Review Amendment entitlement request to deny the project. Instead, the Planning Commission adopted Resolution No. 2026-08, making the findings in the affirmative after reviewing the entirety of the record to approve the Historic Design Review Amendment request. Therefore, evidence has not been provided that the historic district compatibility analysis would result in a “specific adverse impact”, and the appeal should be denied.

COMMENT NO. 5: CEQA EXCEPTIONS ANALYSIS

Exhibit E

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))*
 - a. *Downtown Truckee has known evacuation constraints*
 - b. *Multiple projects contribute to cumulative evacuation impacts--> No cumulative analysis provided*
2. *Unusual Circumstances (§15300.2(c))*
 - a. *The project is located in:*
 - i. *A Very High Fire Hazard Severity Zone*
 - ii. *Adds significant population and vehicles to downtown*
 - iii. *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))*
 - a. *Project is within the Downtown Truckee Historic District*
 - b. *Potential impacts to historic character --> No historic resource analysis provided*
4. *Location Exception (§15300.2(a))*
 - a. *CEQA exemptions cannot be used in mapped hazard areas*
 - b. *Site is in a Very High Fire Hazard Severity Zone --> No location exception analysis provided*

Staff Response No. 5

The Planning Commission determined the Residences at Jibboom Project Amendment to be exempt from the provisions of CEQA per the Class 32 exemption for In-Fill Development Projects (Section 15332 of the CEQA Guidelines).

Guidelines Section 15300.2(a) (Location) only identifies that the exception applies to Class 3, 4, 5, 6, and 11 Categorical Exemptions. The Residences at Jibboom Project Amendment is subject to a Class 32 Categorical Exemption. Therefore, exception 15300.2(a) does not apply to the project.

Guidelines Section 15300.2(b) (Cumulative Impact) identifies that categorical exemptions cannot be used when there is a cumulative impact. As discussed, project analysis related to traffic and evacuation effects of the Project Amendment was not required because the 2040 General Plan policy M-4.4 established that level of service analysis no longer applied to the downtown. Therefore, there cannot be cumulative transportation impacts from the project.

Guidelines Section 15300.2(c) (Significant Effect) identifies that categorical exemptions shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The Residences at Jibboom Project Amendment is consistent with the density established for the site with approval of the density bonuses afforded the project under State Density Bonus Law. Therefore, Town planning

documents have expected and planned for the population growth and adopted measures to plan for transportation infrastructure improvements. Public streets in the project area have been designed consistent with Town standards. While the project amendment will add parking, the parking proposed is consistent with the parking standards afforded the project under State Density Bonus Law. Further, parking is not a topic analyzed in CEQA. Therefore, the project amendment would not result in a significant effect due to population, vehicles in downtown, right of way width, and on-street parking.

The exception in Section 15300.2(c) identifies that a Categorical Exemption cannot be used when there is a reasonable possibility of a significant effect on the environment due to an unusual circumstance. The appeal identifies that the project amendment is in a Very High Fire Hazard Severity Zone. While being in a Very High Fire Hazard Severity Zone has the potential to affect the project, this is the environment's effect on a project. The exception states the opposite of this: it is for a significant effect from the project on the environment.

Guidelines Section 15300.2(f) (Historical Resources) identifies that categorical exemptions shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The exception is limited in its application. It is confined to the significance of a historical resource, and the project site does not contain a historical resource.

The Town Council adopted [Resolution No. 2024-053](#) on August 13, 2024, to re-designate the historic classification of the project site from a Category B (Contributing) resource to a Category D (Nonessential) resource. The Council's vote was 3-0 with two members absent. The adoption of Resolution No. 2024-053 was consistent with a recommendation made by the HPAC on July 10, 2024. At that hearing, HPAC recommended that the Town Council redesignate the historic classification of the project site from Category B to Category D.

The Town's Demolition Review requirements apply to historic properties with a Category A, B or C rating. The subject property has a Category D rating. Therefore, demolition of the structure onsite will not be subject to the Demolition Review requirements in Development Code Section 18.33.

As noted, while the HPAC determined that the project amendment was inconsistent with the Historic Design Guidelines and could not recommend approval of the Historic Design Review Entitlement, there was no evidence provided or findings that that the project amendment would result in a substantial adverse change in the significance of a historic resource. Further, the project amendment does not result in changes to surrounding structures' historic character defining features and their classifications on historic inventories. Therefore, the project amendment would not result in a substantial adverse change in the significance of a historical resource.

FINDINGS:

Due to the appeal, the Council is now the decision maker for the Residences at Jibboom Project Amendment. While the Planning Commission made findings to approve the project on May 4, 2026, the Council will need to make its own findings to approve or deny the project. The enclosed Resolution includes findings in support of approval of the project and denial of the appeal. Should the Council find merit in the appeal and wish to modify or deny the project, Town staff will prepare a revised Resolution and/or revised findings.

The Town Council may approve or conditionally approve the requested entitlements only if all of the following findings can be made:

DEVELOPMENT PERMIT AMENDMENT AND ZONING CLEARANCE AMENDMENT FINDINGS

1. The proposed development is allowed by Article II (Zoning Districts and Allowable Land Uses) within the applicable zoning district with the approval of the applicable land use permit and complies with all applicable provisions of this Development Code, the Municipal Code and the Public Improvement and Engineering Standards.
2. The proposed development is consistent with the General Plan, any applicable Specific Plan and/or Master Plan, the Trails Master Plan, the Truckee Tahoe Airport Land Use Compatibility Plan and the Particulate Matter Air Quality Management Plan.
3. The proposed development is consistent with the design guidelines, achieves the overall design objectives of the design guidelines and would not impair the design and architectural integrity and character of the surrounding neighborhood.
4. The Development Permit approval is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potential significant adverse effects upon environmental quality and natural resources that would not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted.
5. There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water and public utilities and services to ensure that the proposed development would not be detrimental to public health and safety. Adequate provisions shall mean that distribution and collection facilities and other infrastructure are installed at the time of development and in operation prior to occupancy of buildings and the land and all development fees have been paid prior to occupancy of buildings and the land.
6. The subject site is:
 - Physically suitable for the type and density/intensity of development being proposed;
 - Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards and other features required by this Development Code; and
 - Served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.
7. The proposed development is consistent with all applicable regulations of the Nevada County Environmental Health Department and the Truckee Fire Protection District for the transport, use and disposal of hazardous materials.

USE PERMIT AMENDMENT FINDINGS FOR HILLSIDE DEVELOPMENT AND MINOR USE PERMIT AMENDMENT FINDINGS

Use Permit Amendment Findings for Hillside Development

1. Natural topographic features and appearances are preserved by means of landform grading so as to blend constructed slopes into the natural topography and through restrictions on successive padding and terracing of building sites;
2. Major natural topographic features as identified in General Plan Community Character Element Figure CC-1 "Scenic Resources," including prominent slopes, ridgelines, bluffs, drainage courses, intermittent water courses or swales, watershed areas, vernal pools, view corridors and scenic vistas are retained;
3. Prominent landmark features - significant rock outcroppings, prominent trees and woodlands, and other areas of special natural beauty are preserved and enhanced;
4. The use of varying setbacks, building heights, foundation designs and compatible building forms, materials and colors serve to blend buildings into the terrain;
5. Sites and buildings are clustered on more gently sloping terrain so as to reduce grading alterations on steeper slopes;
6. Buildings are designed, located and arranged to avoid a continuous intrusive skyline effect and which afford view privacy and protection;
7. Vegetation is preserved and planted to protect slopes from soil erosion and slippage and minimize the visual effects of grading and construction of hillside areas;

8. Streets and improvements are designed to minimize grading alterations and harmonize with the natural contours and character of the hillsides;
9. The project is designed to address safety issues by reducing the risk of injury, loss of life and property damage from earthquakes, landslides and other geologic hazards associated with construction near steep slopes, cliff edges and escarpments.

Minor Use Permit Findings for On Street Parking

As required by Development Code Section 18.48.110.D (Parking and Loading Development Standards – Downtown Parking), the following findings are required for approval of on-street parking:

1. The review authority shall find that the on-street parking does not currently exist or the condition of the parking is substantially below Town standards.
2. The review authority shall find that the on-street parking will not hinder future improvement plans for the street, will not result in traffic safety hazards, and will not unduly interfere with traffic flow.

TENTATIVE MAP FINDINGS

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with all applicable provisions of the Subdivision Map Act, the General Plan, any applicable Specific Plan and/or Master Plan, the Development Code, the Trails Master Plan, the Particulate Matter Air Quality Management Plan, and the Public Improvements and Engineering Standards.
2. The site is physically suitable for the type and density/intensity of development being proposed.
3. There are adequate provisions for public and emergency vehicle access, sanitation, water, and public utilities and services to ensure that the proposed development would not be detrimental to the public health and safety.
4. There is available capacity in community sewer and/or water systems serving the subdivision or the subdivision will be served by on-site septic systems and/or private wells that comply with Nevada County Department of Environmental Health regulations.
5. Distribution and collection facilities for sewer and water and other infrastructure are installed to lot boundaries; and
6. Recreation development fees are paid prior to map recordation.
7. The Tentative Map approval is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potential significant adverse effects upon environmental quality and natural resources, including fish, wildlife, and their habitat that would not be properly mitigated and monitored, unless a Statement of Overriding Considerations is adopted.
8. The subdivision will not be detrimental to the public health, safety, or welfare of the Town, or injurious to the property or improvements in the vicinity in which the property is located.
9. The proposed subdivision, together with the provisions for its design and improvement, will not conflict with easements, acquired by the public at large for access through or use of, property within the proposed subdivision unless alternate easements for access or use will be provided and the alternate easements will be substantially equivalent to ones previously acquired by the public.
10. The discharge of sewage from the proposed subdivision into the community sewer system will comply with the requirements prescribed by the Lahontan Regional Water Quality Control Board.
11. It is in the interest of the public health and safety, and it is necessary as a prerequisite to the orderly development of the surrounding area, to require the construction of improvements either prior to, or within a specified time after recordation of the Parcel Map, where road improvements are required (see Section 18.92.030 - Access, Circulation, Streets).

CERTIFICATE OF APPROPRIATENESS – HISTORIC DESIGN REVIEW AMENDMENT – FINDINGS

1. The project, including its character, scale and quality of design, are consistent with the purpose of this Chapter and all applicable development standards and historic design guidelines;

2. With regard to a designated historic resource, the proposed work will neither adversely affect the significant architectural features of the designated historic resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and its site;
3. With regard to any property located within the District, the proposed work conforms to the historic design guidelines for the district and does not adversely affect the character of the district;
4. In case of construction of a new improvement, addition, building, or structure upon a designated historic resource site, the exterior of such improvements will not adversely affect and will be compatible with the use and exterior of existing designated historic resources, improvements, buildings, natural features and structures on said site.
5. The proposed project is consistent with the General Plan, the Downtown Specific Plan and any applicable master plan.

SIGN PLAN AMENDMENT FINDINGS

1. The proposed sign is for a use that is allowed by Article II (Zoning Districts) and complies with all applicable provisions of this Chapter, the Development Code, the Municipal Code, the Public Improvements and Engineering Standards, any applicable Specific Plan or Master Plan, and any applicable Comprehensive Sign Program;
2. The proposed sign is consistent with the design guidelines and historic design guidelines (for signs in the -HP district), achieves the overall design objectives of the guidelines, and would not impair the design and architectural integrity and character of the surrounding neighborhood.

Compliance with CEQA: The California Environmental Quality Act (Section 21000, et. seq. of the California Public Resources Code, hereafter CEQA) requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” The proposed project is a project under CEQA.

The project is exempt from the provisions of CEQA per the Class 32 exemption for In-Fill Development Projects (Section 15332 of the CEQA Guidelines). The Class 32 exemption can be applied to projects that meet the following criteria:

- Consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations
 - *Analysis: Except for the allowances requested by the applicant and permitted pursuant to SDBL, the project is consistent with the Truckee 2040 General Plan and June 2023 Development Code. A 2011 case, Wollmer v. City of Berkeley, clarified the use of the CEQA infill exemption for density bonus projects. In this case, an opponent challenged the use of the urban infill exemption on the grounds that the modifications and waivers of development standards, as required to be granted under SDBL, meant that the project was not consistent with existing zoning. The court rejected that argument, finding that the modifications required by the SDBL did not disqualify the project from claiming the exemption.*
- Located within town limits on a project site of no more than five acres and is substantially surrounded by urban uses
 - *Analysis: The project is in the town of Truckee, on a site that is 1.67 acres in size. The project site is substantially surrounded by urban uses. As discussed in the Setting section of this staff report, the project is encompassed by residential uses to the north and east and commercial uses to the south and west.*

- Project site has no value as habitat for endangered, rare or threatened species
 - *Analysis: The project site was previously developed with a motel use, which has been demolished since 2015. The project site was also previously used for parking and is in an urban environment on disturbed and graded soil. The site is void of grasslands or vegetation, except for the occasional pine tree, that would support endangered, rare, or threatened species. Therefore, because the project site was previously used for a motel and parking lot, has been roughly graded and previously disturbed, lacks vegetation, and is in an urban environment, the site has no value as habitat for endangered, rare, or threatened species.*
- Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality
 - *Analysis: The project is in the Residential CEQA VMT (Vehicle Miles Traveled) Exemption Zone and has been determined to have a less-than-signification transportation impact. Further, the project is exempt from Level of Service (LOS) Analysis as the Downtown area is exempt from LOS analysis.*

The project will be subject to all standard conditions of approval and agency regulations with respect to air quality, noise and water quality. The project does not include wood burning appliances and will require a dust suppression plan. The project meets all stormwater requirements as determined by the Engineering Division. The project is required to meet construction noise standards and AB1307 clarifies that the effects of noise generated by the occupants of a development are not a significant effect on the environment per CEQA standards.
- The project can be adequately served by all required utilities and public services.
 - *Analysis: The project has been reviewed by all utilities and public service agencies, and agencies and special districts have not identified an inability to provide utilities and public services. Final “will-serve” letters are required prior to building permit issuance.*

As identified in this staff report, none of the exceptions in CEQA Guidelines Section 15300.2 apply to the project.

Staff Recommendation: Staff recommends denial of the appeal of Planning Commission approval of the application and also recommends Council approval of the proposed Residences at Jibboom Project Amendment. The appeal of the Planning Commission’s decisions has not identified new information not previously considered by the Planning Commission. As documented in this report, the Planning Commission was provided with information required by State law, the Town of Truckee Development Code, Town of Truckee application forms, and information required by outside agencies and internal departments. This information did not identify that the project amendment would have a specific adverse impact, as defined as a significant, quantifiable, direct, and unavoidable impact based on objective, identified written public health or safety standards, policies, or conditions. As demonstrated in the May 4, 2026 Planning Commission staff report and attachments, the Residences at Jibboom Project Amendment is consistent with objective goals, policies, and standards in the 2040 General Plan, Downtown Truckee Plan, and the June 22, 2023 Development Code.

The 2040 General Plan, Downtown Truckee Plan, and Development Code are intended to guide development in fulfilling the vision articulated in the 2040 General Plan. That vision is for Truckee to be a welcoming, inclusive, and thriving mountain town with a diverse community, strong four-season economy, and a healthy environment. The proposed project is consistent with the objective standards of the 2040 General Plan, Downtown Truckee Plan, and Development Code, pursuant to the waivers

requested under SDBL. The requested waivers meet the standards for approval. If the Town Council disagrees with granting waivers/reductions, the decision must be based on the findings discussed earlier in the SDBL section of this staff report (Development Code Sections 18.212.030 and 18.212.040 – Density Bonuses, Concessions and Incentives – Concessions and Incentives for Cost Reductions and Concessions and Incentives for Physical Development, respectively).

The appeal did not identify a significant, quantifiable, direct, and unavoidable impact based on objective, identified written public health or safety standards, policies, or conditions. Therefore, it is staff’s position that the Town Council deny the appeal of the Planning Commission’s approval of the Residences at Jibboom Project Amendment.

Similarly, the conditions for disapproval of a housing development project as prescribed by California Government Code Section 65589.5 do not exist for the Project Amendment. Substantial evidence has not been furnished that the project would result in a specific, adverse impact upon the public health or safety unless the project is disapproved or approved based upon the condition that the project be developed at a lower density. Specifically, this evidence of a “specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies or conditions. Accordingly, with incorporation of the proposed conditions of approval and approval of waivers from development standards, staff recommend that Town Council find the project exempt from CEQA pursuant to Section 15332, uphold the Planning Commission adoption of Resolution 2026-08, deny the appeal of the Planning Commission’s adoption of Resolution 2026-08, and approve the Residences at Jibboom Project Amendment.

Priority:

☐	Enhanced Communication	☐	Climate and Greenhouse Gas Reduction	☒	Housing
☐	Infrastructure Investment	☐	Emergency and Wildfire Preparedness	☐	Core Service

Fiscal Impact: The cost of submitting this appeal is paid for by the appellants through a fixed-fee application. However, the cost of processing the appeal has surpassed the amount of the fixed fee, which includes preparation of the staff report, public noticing for the hearing and staff’s attendance at the hearing. Because the fixed-fee application has not been adequate to cover the Town’s expenses to process the appeal, the remaining costs are borne by the Town’s General Fund, through the Planning Division. If the appeal is granted, the Town Council may authorize the refund of the appeal fees.

Public Communication: The public hearing notice was published in the *Sierra Sun* on June 12, 2026 and mailed on June 10, 2026 to all property owners within the 500 feet of the project site, as shown on the latest current tax roll of Nevada County. Staff also sent an email notice of this hearing on February 28, 2024 to community members that have specifically requested updates on the project. Public comment submitted for the appeal can be found at the Additional Information and Public Comment link of the website: <https://portal.laserfiche.com/Portal/Browse.aspx?id=59703305&repo=r-6a91ddbc>

The applicant’s attorney has submitted a comment letter, which is included as Attachment 5 to this staff report.

Attachments:

- Attachment 1: Draft Resolution 2026-34 – Upholding the Planning Commission decision and denying the appeal on the Residences at Jibboom Project Amendment
- Exhibit A: Approved Plans
 - Exhibit B: State Density Bonus Law Modifications
 - Exhibit C: Conditions of Approval
 - Exhibit D: Findings

Attachment 2: Appellant appeal submittal

- Attachment 3: Planning Commission staff report, Resolution 2026-08, minutes, and additional public comment can be found at the following links.
- Planning Commission staff report, May 4, 2026:
<https://portal.laserfiche.com/Portal/DocView.aspx?id=59941559&repo=r-6a91ddbc>
- Resolution 2026-08:
<https://portal.laserfiche.com/Portal/DocView.aspx?id=59948716&repo=r-6a91ddbc>
- Minutes, May 4, 2026:
Minutes from the May 4, 2026 Planning Commission hearing have not been formally adopted
- Public comment:
<https://portal.laserfiche.com/Portal/Browse.aspx?id=59941556&repo=r-6a91ddbc>
- Attachment 4: Historic Preservation Advisory Commission March 11, 2026 Staff Memo:
<https://portal.laserfiche.com/Portal/DocView.aspx?id=59926260&repo=r-6a91ddbc>
- March 11, 2026 Minutes:
<https://portal.laserfiche.com/Portal/DocView.aspx?id=59950891&repo=r-6a91ddbc>
- Attachment 5: July 16, 2026 Correspondence from Patterson & O'Neill, PC