

**TOWN OF TRUCKEE
ZONING ADMINISTRATOR
PLANNING APPLICATION #2023-00000116/ZC-MUP-SP
TRUCKEE OVERHEAD DOOR ZONING CLEARANCE AND MINOR USE PERMIT**

FINDINGS

ZONING CLEARANCE AND MINOR USE PERMIT FINDINGS

- 1. The proposed project is allowed by Article II (Zoning Districts and Allowable Land Uses) within the applicable zoning district with the approval of a Zoning Clearance and complies with all applicable provisions of this Development Code, the Municipal Code and the Public Improvement and Engineering Standards.**

An “office, business and professional” use and “multi-family residential dwelling, in commercial/industrial project” are allowed in the Neighborhood Commercial (CN) zoning district. With the incorporation of the recommended conditions of approval, the project complies with all applicable provisions of the Truckee Development Code, Town Municipal Code and PIES. This finding is supported by the discussion contained in the “Discussion and Analysis” section of the May 1, 2024 Zoning Administrator staff report.

- 2. The proposed project 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.**

The project site is located in the Neighborhood Mixed Use land use designation which allows neighborhood-serving commercial uses, such as restaurants, offices, and small retail, as well as multi-family residential. This designation requires mixed-use development and allows horizontal mixed use and vertical mixed use. The designation supports the development of mixed-use centers in residential neighborhoods to increase local services and reduce vehicle trips. The Neighborhood Mixed Use land use designation allows six to eight dwelling units per acre and a maximum floor area ratio of 0.6.

For a project size of 0.29 acres (or 12,500 s.f.), requires at least one residential unit and allows up to two residential units. The overall project, with both commercial and residential square footage, cannot exceed 7,500 s.f. of gross floor area. With one residential unit proposed and 3,021 s.f. of gross floor area, the project complies with the required uses as well as the intensity and density requirements of the General Plan.

The project is not part of a Specific Plan or Master Plan, the Trails and Bikeways Master Plan, and is not subject to the Truckee Tahoe Airport Land Use Compatibility Plan. The project is not subject to the Particulate Matter Air Quality Management Plan due to the size of the project.

- 3. If applicable, 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.**

The project is approximately 30.5 feet in height and uses metal and wood materials. The project is consistent with the size and scale of the adjacent properties and appropriate setbacks, screening, and landscaping are proposed as part of the project.

- 4. The Zoning Clearance and Minor Use 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.**

The Zoning Administrator has determined the development to be exempt pursuant to 15332 (In-Fill Development) of the California Environmental Quality Act, as supported by the discussion contained in the "Discussion and Analysis" section of the May 1, 2024 Zoning Administrator staff report. Section 15332 (In-Fill Development Projects) of the CEQA Guidelines. Section 15332 (In-Fill Development Projects) applies to projects that are consistent with the general plan designation and all applicable policies as well as with applicable zoning designation and regulations, occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, the project 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, and the site can be adequately served by public utilities and public services. The 0.29-acre project site is located within the incorporated Truckee town limits with access to public utilities and services, is consistent with the 2040 general plan Neighborhood Mixed Use land use designation and the Neighborhood Commercial zoning district, and is substantially surrounded by urban uses. No impacts to traffic, noise, air quality, water quality, or habitat for endangered, rare or threatened species have been identified.

- 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.**

There are adequate provisions for public and emergency vehicle access, fire protection, sanitation, water, and public utilities and services. The access is off of Donner Pass Road, an existing public road, and utilities and agencies, including the Truckee Fire Protection District, have been notified of the project and no objections have been filed. With incorporation of the conditions of approval, approval of the project would not be detrimental to public health and safety.

- 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.**

The project site is suitable for the type and density/intensity of the development being proposed. The project provides adequate setbacks from adjacent residential uses, required screening, and landscaping. The project is proposing an adequate amount of parking required by the Development Code. The project is being served by Donner Pass Road, a publicly maintained road.

- 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.**

The Nevada County Environmental Health Department and the Truckee Fire Protection District reviewed the application submittal for compliance with special agency requirements and identified no concerns. At this time, the project does not propose to transport, use or dispose of hazardous materials.

- 8. The size and operating characteristics of the proposed development would be compatible with the existing and future land uses in the vicinity.**

The proposed project is an office use that is identified as an allowed use within the Neighborhood Commercial Zoning District with residential above. The project is located adjacent to other neighborhood commercial uses and residences. Excessive noise, air pollution, traffic, or other impacts are not anticipated as part of this project.

- 9. The proposed development would not be detrimental to the public health, safety, or welfare of the Town, or injurious to the property or improvements in the vicinity and zoning district in which the property is located.**

The proposed development is a new office building with a residential unit above, which are low impact uses that are consistent with the intent of the Neighborhood Commercial zoning district. The project is consistent with the development standards of the zoning district and surrounding uses. Required screening and landscaping will be incorporated into the project. With incorporation of the conditions of approval, the proposed project will not be detrimental to the public health, safety, or welfare of the Town or injurious to the property or improvements in the vicinity and zoning district in which it is located. This finding is supported by the discussion contained in the "Discussion and Analysis" section of the May 1, 2024 Zoning Administrator staff report.

- 10. The design, location, size, and operating characteristic of the proposed development would be compatible with existing and future land uses in the vicinity.**

The proposed project is an office use that is identified as an allowed use within the Neighborhood Commercial Zoning District with residential above. The project is located adjacent to other neighborhood commercial uses and residences. Excessive noise, air pollution, traffic, or other impacts are not anticipated as part of this project. With incorporation of the conditions of approval, the project will be compatible with the existing and future land uses in the vicinity. This finding is supported by the discussion contained in the "Discussion and Analysis" section of the May 1, 2024 Zoning Administrator staff report.

SIGN PLAN FINDINGS

- 11. 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.**

The proposed wall sign is for an office use that is part of a mixed-use project with a residential unit above. An office use with a residential use is an allowed use within the Neighborhood Commercial (CN) zoning district. With incorporation of the conditions of approval, the project complies with the Development Code, Municipal Code, and Public Improvement and Engineering Standards. No Comprehensive Sign Program exists for the project site.

- 12. 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.**

The 22.7 s.f. sign is a metal sign with individually mounted LED backlit stainless steel letters. The sign is consistent with the requirements for size, height, materials, and location. The sign is appropriate for the size and scale of the building and does not impair the design and architectural integrity and character of the surrounding area. The proposed materials are consistent with the materials found on the proposed building. With incorporation of the condition of approval that requires that the stainless steel lettering not be shiny or reflective, the sign is consistent with the sign standards of the site. The project is not located within the -HP (Historic Preservation) overlay district.

- 13. Deviations. The review authority will approve deviations to the sign standards of this Chapter, including sign area, number of signs, location, height, and/or material, only if all of the following findings below are made in addition to the two findings above:**

- a. The Sign Plan application is for a single sign or single business.**
- b. The requested deviation is based on site-specific conditions or design features, including business entry location, site visibility, architectural style, building mass and/or historic resource compatibility, that are unique to the applicable property.**
- c. The requested deviation is the minimum necessary to create a superior Sign Plan with the highest quality signs that are well-integrated with the overall building/project and are compatible with existing and future land uses in the vicinity; and**
- d. If the property is located within the Historic Preservation (-HP) overlay district, deviations to the sign standards of this Chapter shall be subject to Historic Design Review in accordance with Chapter 18.77.**

No deviations are requested.