

**Town of Truckee
California**

PLANNING COMMISSION RESOLUTION 2022-15

**A RESOLUTION OF THE TOWN OF TRUCKEE PLANNING
COMMISSION APPROVING MARTIS VALLEY QUARRY 2-YEAR
REVIEW AND PROJECT AMENDMENT**

WHEREAS, the Nevada County Planning Commission approved Conditional Use Permit U83-10, approving an open-pit dry harvest mining operation and an asphalt batch plant subject to the conditions of approval, on August 11, 1983; and

WHEREAS, the Town of Truckee became the lead agency for all mining operations within its jurisdiction to confirm compliance with the Surface Mining and Reclamation Act of 1975 when the Town incorporated on March 23, 1993; and

WHEREAS, in 2017, the Town of Truckee conducted the 5-Year review of the Martis Valley Quarry as required under the prior Use Permits and amended a pre-existing condition temporarily requiring two consecutive 1-Year reviews in 2018 and 2019; and

WHEREAS, in 2018, the Planning Commission held the first of two 1-Year reviews and found the quarry to be in compliance with its conditions of approval; and

WHEREAS, in 2019, the Town of Truckee received a request to return to a five-year review cycle following completion of the 2019 1-year review; and

WHEREAS, in 2019, the Planning Commission held the second of two 1-Year reviews and found the quarry to be in compliance with its conditions of approval; and

WHEREAS, in 2019, the applicant and the Town of Truckee agreed to one additional 1-year review; and

WHEREAS, in 2020, the applicant and the Town of Truckee agreed to an additional 2-year review; and

WHEREAS, the Planning Commission was the original review authority for the project and is responsible for all review processes; and

WHEREAS, a 10-day public review period was provided to allow Federal, State, and local agencies, interested persons and organizations, and other members of the public to review and comment on the project; and

WHEREAS, a public notice was published in the *Sierra Sun* and mailed to property owners within 500 feet of the project site informing the public of the date, time, and location of the public hearing regarding the 2-Year review and Project Amendment; and

WHEREAS, the Planning Commission held a public hearing on the matter at its regularly scheduled meeting beginning on November 15, 2022 and continued the item to date and time certain on December 20, 2022 at 5:00 p.m.;

WHEREAS, the Town of Truckee canceled the Planning Commission public hearing

regularly scheduled on December 20, 2022 and continued the item to the public hearing regularly scheduled on January 17, 2023.;

WHEREAS, the Planning Commission held a public hearing on the matter at its regularly scheduled meeting beginning on January 17, 2023 and considered all information and public comment related thereto;

THEREFORE BE IT RESOLVED, the Planning Commission hereby takes the following actions on Application No. 2014-00000008 (Martis Valley Quarry 2-Year Review and Project Amendment):

1. Approves a Project Amendment for Use Permit U83-10 subject to the conditions of approval as set forth in Exhibit A (Conditions of Approval) attached hereto and incorporated herein; and
2. Determines the project exempt from further environmental review in accordance with Section 15061(b)(3) of the California Environmental Quality Act Guidelines. The Planning Commission finds and determines that this exemption is appropriate in light of the nature of the project, which can be determined to have no environmental impact.

BE IT FURTHER RESOLVED, the Planning Commission adopts the findings set forth in Exhibit B (Findings), in support of approval of these actions.

The foregoing Resolution was introduced by Commission Member _____ and seconded by Commission Member _____ a Regular Meeting of the Truckee Planning Commission held on the 17th day of January 2023 and adopted by the following vote:

AYES:

NOES:

ABSENT:

Dave Gove, Chair
Town of Truckee Planning Commission

ATTEST:

Kayley Metroka, Administrative Technician

Attachments:

Exhibit A - Conditions of Approval
Exhibit B - Findings

**RESOLUTION 2022-15
EXHIBIT A**

**APPLICATION NO. 2014-00000008
MARTIS VALLEY QUARRY 2-YEAR REVIEW AND PROJECT AMENDMENT**

DRAFT CONDITIONS OF APPROVAL

U83-10 Conditions of Approval

The following conditions of approval are determined to be necessary by the Planning Commission as part of the 2-Year Martis Valley Quarry Mine Review process. All other conditions of approval listed under Resolutions 2002-16, 2017-01, and 2020-20 remain in effect.

32. Every two years following the 2022 2-Year review, the Conditional Use Permit shall be brought back by the applicant for a Planning Commission public hearing review of the conditions. The 2-year review shall be held on or before December 1st of that year. During the 2-Year reviews, the Planning Commission may modify, eliminate and/or add new conditions necessary to continue the Use Permit if the Commission determines the operation of the Martis Valley Quarry under the existing conditions is shown to be detrimental to public health, safety, or welfare. The mining operation will not be required to stop during the review. The operator shall submit a request for the review to the Town of Truckee on or before February 1st of the year. Failure to submit a timely annual review request shall result in cessation of operations until such a request is submitted to the Town of Truckee. ***(As modified by the Planning Commission on December 20, 2022)***

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EXHIBIT B

APPLICATION NO. 2020-00000126

MARTIS VALLEY QUARRY 1-YEAR REVIEW AND PROJECT AMENDMENT

DRAFT FINDINGS

USE PERMIT AMENDMENT FINDINGS

1. **The proposed development is allowed within the subject zoning district with the approval of a Use Permit and complies with all applicable provisions of the Development Code, Town Municipal Code, and Public Improvement and Engineering standards (PIES).**

Mining operations and the asphalt batch plant have been approved uses since 1983 and the Town verifies compliance with the Conditions of Approval and Development Code on an annual basis through the required annual inspection. This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 20, 2022 Planning Commission staff report.

2. **The proposed development is consistent with the General Plan, any applicable Specific Plan, the Trails Master Plan, and the Particulate Matter Air Quality Management Plan.**

The General Plan acknowledges the importance of continued productivity of mineral resources while preserving the Town's natural beauty. The applicant has submitted a reclamation plan, which restores previously mined areas to their natural state and is inspected annually to confirm the requirements of the reclamation plan are met. The applicant is required to obtain a Permit to Operate from the Northern Sierra Air Quality Management District and comply with all District's air quality requirements. This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 20, 2022 Planning Commission staff report.

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

Mining operations and asphalt batch plant are an existing and allowed use, and the area of mining operations is decreasing. The original approval identifies setback, noise, and operating requirements that the applicant must abide by, which is verified during the annual inspection. The asphalt batch plant and associated facilities have not been moved since their initial installation in 1984. This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 20, 2022 Planning Commission staff report.

4. **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 original approval for Conditional Use Permit U83-10 and subsequent 5-year review application in 2002 that includes a list of conditions to ensure that mining operations and its indirect effects are not detrimental to the public health, safety, or welfare of the Town. These conditions are reviewed by the Planning Commission during the 2-year review process. The addition of seven new conditions and modifications/improvements in 2017 to six existing conditions further make the operation compatible with neighboring uses. However, the odor nuisance issues remain. Staff believes that remaining on a 2-year review cycle will provide time for NSAQMD to further investigate odor emissions and ensure that the finding can be continued to be made. This finding is supported by the discussion contained in the "Discussion and Analysis" section of the December 20, 2022 Planning Commission staff report.

5. **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.**

There are no proposed changes to the characteristics of the mine and asphalt plant. The applicant is required to reclaim previously mined areas to their original state.

6. **The 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 project is exempt from CEQA review pursuant to Section 15061(b)(3) of the CEQA Guidelines. There are no proposed changes to any mining operations other than changes intended to mitigate environmental impacts.

7. **The site for the proposed use 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 site has been utilized for mining operations since the mid 1950's and has been an approved use since 1983 along with the asphalt batch plant. This finding is supported by the discussion contained in the "Discussion and Analysis" section of December 20, 2022 Planning Commission staff report.

8. **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.**

All public utilities and the Truckee Fire Protection District were notified and no concerns were raised.

9. **The proposed development is consistent with all applicable regulations of the Nevada County Department of Environmental Health and the Truckee Fire Protection District for the transport, use, and disposal of hazardous materials.**

The applicant is required to obtain permits from corresponding agencies that regulate air quality, water supply and well construction, and wastewater discharge and provide verification to staff. Nevada County Department of Environmental Health and Truckee Fire Protection District has been notified and no concerns were raised.