

Project Name: 12640 Union Mills Road

Property Location: 12640 Union Mills Rd. – Truckee, CA  
Nevada County APN: 048-210-012-000  
Parcel Size: 40.1 ac.  
Zoning District: Rural Residential (RR) district RR-0.1  
General Plan Designation: Open Space & Recreation (OSR)

Friends of Tahoe Truckee Waldorf (FOTTW) respectfully submits the following application to amend the existing 1994 Use permit that is currently in place. Per the guidance from the Town of Truckee, FOTTW has been directed to base the request on the 1994 Use Permit as opposed to the 2001 or 2003.

As provided in the pre app, FOTTW is a nonprofit that was established to promote Waldorf educational opportunities. In short, we are the parent group that is spearheading the effort to find a permanent home for our growing student population. That permit location is identified at 12640 Union Mills Road. The Union Mills property is currently leased to the Golden Valley Charter Management association. Golden Valley is the organization that operates the public school.

On May 11, 2020 FOTWW submitted a pre application to better understand the Town position as it relates to the various Use Permits that exist on the Union Mills property. Since the Towns response, FOTTW's vision for the property has evolved. Specifically, the decisions to have a preschool on the property is no longer a consideration. The existing Little Gems preschool has a solid and permanent home at the existing site in Northstar.

FOTTW specifically is requesting an increase in the number of students allowed on campus. The current 1994 Use Permit allows for 44 students. Based on the Towns General Plan, Development Code, and the various related public utilities, FOTTW is confident the requested amendment is allowable under the Towns' and local utilities current guidance.

There is a tremendous sense of urgency to move this approval along. As you are aware the school is currently operating with a limited head count. We hope to have the Use Permit Amended in time to open with an increased onsite headcount for the 2021-2022 school year. We recognize the Town has been asking for the submission of the Use Permit to allow for sufficient time to move this project along. Please note we are a volunteer group trying to provide a public educational opportunity for our community and kids. We have limited experience in this space and limited resources. We are confident that we can work together to push this across the finish line prior to the start of the 2021-22 school year.

**Introduction:**

The Friends of Tahoe Truckee Waldorf (FOTTW), is the 501c3 non-profit organization created to support Waldorf initiatives in the Tahoe Truckee area and

the property owner of 12640 Union Mills Road. The FOTTW requests a minor modification to an existing Conditional Use Permit CUP 01-016/CUP that was heard on August 15, 2001. FOTTW feels this is the appropriate path considering the elimination of the preschool component, supporting documentation on the sewer and water connect and the “portable” classrooms clarification. The following narrative provides evidence that the proposed use is nearly the same as the existing use permit for 12640 Union Mills Road, which was given to a school doing business as Prosser Creek Charter School.

The FOTTW is requesting the minor modification to allow for school operations to begin as indicated beginning August 2021.

**Existing Facility Description:**

The existing building and associated facilities were constructed in 1995, operating as Prosser Creek Charter school from 1996 until 2005. Until being reopened March 2021, the property has been vacant for over 15 years. The facility has, power, septic, water, fire suppression, heating, internet/telecom, and parking.

The existing main building is 4,560 square foot building with five (5) classrooms and separate bathrooms for girls, boys, and staff.

In 2017, a 12 feet wide section of asphalt was overlaid on the existing 25 feet wide road base driveway which was used by the school. Additionally, multiple twenty-five-foot turn-out areas were built for passing. A paved circulation turn-around area approximately twenty-four feet wide, with a diameter of ninety feet provided access to the main building, modular buildings, and parking. There is a 12-car parking lot to the East of the main building. A gravel access road leads from this parking lot to the water tank and pump building. Additional areas have been paved previously, much of this pavement has since been removed. There is also an existing asphalt paved area south of the main building measuring 60’ by 100’ for additional parking and drop off.

**Proposed Facility Description:**

The FOTTW proposes adding 7,000 SF of building space for educational facilities including the use of five (5) modular buildings that were purchased from Truckee Elementary. The facilities would be clustered together to minimize coverage and would provide landscaping to screen the facilities from the I-80 corridor. Facilities to be placed in areas clustered with previous land coverage.

An additional 14 parking spaces will be added to accommodate two parking spaces per classroom including the five existing classrooms and up to eight additional classrooms.

The roadway would be widened to the town of Truckee standards for a shared driveway. The driveway would be paved 24’ consisting of a section at least 2” of AC

on a minimum of 4" of compacted base. Improvements would include appropriate storm water treatment accommodations.

### **Disturbance Areas:**

Below is a summary of areas previously disturbed and proposed to be disturbed.

#### **Existing Disturbance Areas**

Main School Building	4,560 SF
Pavement Entrance Road and parking lot driveway	49,635 SF
Paved Area	6,000 SF
Water tank, pump house and access road	1,615 SF
Leach field 1 (behind main building)	4,030 SF
Leach field 2	10,830 SF
Rehab repair of existing leach filed	
<b>Total Existing</b>	<b>76,670 SF</b>

#### **Proposed Disturbance Area**

Proposed classroom facilities	7,000 SF
24' Road improvements	21,560 SF
Pathways	2,300 SF
<b>Total Disturbed Area</b>	<b>30,860 SF</b>

The existing and proposed disturbance areas combine together for 107,530 SF or 2.4 Acres of disturbed area. At 40.10 acres if allowed 10% of the property to be disturbed would allow for 4.01 acres of disturbed area.

### **Site Access:**

The one-mile long Union Mills Road provides service to three State public services, three commercial business and four residencies. The three State operated services are located on the South side of Union Mills Road directly adjacent to I-80; the State Agriculture Inspection Station, Caltrans sand facility, CHP I-80 station and related parking and office space. Three commercial operations have access via Union Mills Road. A commercial firewood business, excavation General Contractor storage yard for heavy equipment and materials and Piping Rock Equestrian Center that offers horseback riding instruction and boarding facilities. All three operations are located on the North side of Union Mills Road. Four residential properties are located on the entirety of Union Mills Road. Three of the residential properties are on five-acre lots and one is located on a forty-acre lot. The property frontage is directly adjacent to I-80 and the back of the property borders Forest Service Land.

### **Proposed Site Access:**

The existing paved road will be widened to 24' with a 2' gravel shoulder. Engineering standards will comply for a Local Public Road for an Average Daily Trip (ADT) of 499 or fewer vehicles. The roadway widening will begin on Union Mills

road where the road currently narrows down to 12' and will extend to the school. The private driveway past the school turnout will not be paved.

**Proposed Facilities:**

The project includes initial placement of five modular buildings that will tie into the existing infrastructure. The modular units were secured from TTUSD. These portables were used as Truckee Elementary classrooms. The cosmetic exterior of the units will be designed to meet the functional, and aesthetic needs of the property complementing the look and feel of the existing building. The portable buildings will be set on permanent foundations. Up to two additional portable units may be installed in the future to accommodate the growing classroom needs. 7,000 SF of additional classrooms will be added as the school grows.

The existing 60'x100' asphalt pad will be converted to add 14 extra parking spaces increasing parking facilities to accommodate twenty-six cars.

The school will follow the TTUSD school district school schedule. Hours of operations including office hours and school operations are anticipated between 7am to 6 pm. Summer Camps will operated during non-school year schedule. Additional school-related events may occur in the evenings and on weekends.

**Playground Area:** The play area will be defined in an area that will provide sunshine, fresh air and ample play area for the young learners while minimizing the impact of noise to the neighbors. Although the school has a fenceless open layout, play areas will be clearly defined by boundary markers. The guiding philosophy of the school supports place-based natural settings for children to explore and play. A basic tenet of the school is the teaching of eco-literacy and as such, care for the environment. As such the play areas will be designed with an intention to blend into the natural setting and built with minimal impact to the land.

**Workforce housing:**

The School currently employs 11 full time employees operating under the CUP 94/022. With the additional classrooms under this permit we project hiring 6 more employees bringing the total to 17. While we don't think we have to meet the requirements for work force housing currently. We recognize and support the need of workforce housing in our community and support future use of the property at 12640 Union Mills and the use of its facilities to meet future workforce housing needs for the school and the community.

Per Section 18.216.040 – Workforce Housing Requirements of the Town of Truckee Development Code:

"A. Workforce Housing Required. All commercial, industrial, institutional, recreational, residential resort, and other non-residential projects not exempt under Subsection G shall include or provide workforce housing as set forth in this Chapter."

"G. Exemptions. The following development projects shall be exempt from the requirements of this Chapter:

1. Residential development projects which do not include a resort, commercial, or community amenity use that will generate employees.
2. Development projects that generate less than seven full-time equivalent employees as determined in accordance with Subsection C.
3. The conversion of non-residential floor space from one use to another use whereby the new use generates the same or less number of full-time equivalent employees than the previous use.
4. Development projects that are the subject of a development agreement currently in effect with the Town or approved prior to the effective date of this Chapter where such agreement expressly precludes the Town from requiring compliance with this Chapter. TRUCKEE MUNICIPAL CODE - TITLE 18, DEVELOPMENT CODE Workforce Housing 18.216 January 7, 2021 VII-48
5. Development projects which have received approval of the land use and development permit application prior to the effective date of this Chapter, except the development project shall comply with any conditions regarding affordable housing that were imposed at the time of approval of the land use and development permit.

### **Noise Measurements**

Noise Measurements at 12640 Union Mills Road reported sound levels near I-80 to be between 72 and 79 dB. Near the school building noise levels without students were measured between 48 and 62 dB. Noise studies will be done during outdoor time. Sound levels will be considered during the property design to keep noise levels below 70 dB.

### **Parking on site:**

Parking Spaces: 26

ADA Spaces: 2 (included in number above)

### **Electrical Service:**

The parcel has service through two 120/240 transformers fed by the Truckee-Donner Public Utility District (TDPUD). The property is currently being serviced by these connections. Each transformer feeds a 600 Amp exterior switchgear. The main building, the pump house, and parking lot lighting is fed off of one of the 600 Amp panels. The second panel will service the portables, the future recommissioned sewer lift station, and the proposed parking lot lighting.

FOTTW desires to install a roof top solar array in the future to reduce the carbon foot print of the school.

**Gas Service:**

There is no public gas service in the project area. The heating for the main building and the portables will be serviced by propane tanks on site. Gas for the main building will be from two propane tanks located on a cement pad located to the West of the main building.

**On Site Sewage Treatment:**

The site is currently using an existing 1,348 Gallons Per Day (GPD) gravity septic system permitted through Nevada County. This CUP modification proposes the recommission the second 2,475 GPD pressure dosed septic system that was abandoned in 2006, per the condition of the 2003 CUP. This will be done under permit with Nevada County Department of Environmental Health (NCDEH).

Lahontan Water Quality Board allocates sixteen Equivalent Dwelling Units (EDU's) to the parcel each EDU has a capacity for 250 GPD for untreated septic systems. 12640 Union Mills Road can handle a total available 4,010 GPD for untreated sewage safely without any environmental health concerns.

A Tenant Improvement project was done on the main building in 2020 to remove the shower, bathroom and cafeteria from the main building. This greatly reduces the daily load of the septic system.

The TSD has written a letter to the Town of Truckee on April 23, 2003 that they do not plan on servicing the parcel at 12640 Union Mills Road. Further correspondence in 2020 to the Town of Truckee have stated that they still have no intention on serving this parcel. It is not a mandatory connection within 200' of service. TSD has directed the FOTTW to work directly with NCDEH.

NCDEH regulates all wastewater systems under 10,000 GPD in the area of 12640 Union Mills Road. In correspondence with NCDEH they have recommended that the FOTTW activate the second septic system and the continued use of the septic systems on the property can be done safely without any environmental health concerns. The FOTTW will work with NCDEH to ensure that the septic systems are used and managed in a responsible manner. A requirement to connect to TSD is not necessary for safe operation and would place an unreasonable special hardship on the property owners.

**On Site Water:**

Water is provided by the FOTTW Water system. This water system was created in March of 2021 as a Non-Transient / Non-Community Water system. This system is regulated by NCDEH Operating under the Facility ID: FA0005994. The FOTTW water system has been approved by the California Water board and the California Department of Drinking Water as well as Nevada County. This water system is only authorized to provide water to 12640 Union Mills Road.

The water system has a capacity to meet a Peak Hourly Demand (PHD) of 2,160 Gallons Per Hour. The water system also has a capacity to meet a Maximum Daily Demand (MDD) of 1,611 Gallons Per Day. These numbers will be metered and tracked daily and submitted to Nevada County Monthly. Additional storage capacity will be added to the domestic water system to increase the PDH and MDD.

**Fire Protection:**

The FOTTW water system provides both potable water as well as water for fire flow. The system provides the onsite fire hydrant with nearly 1,000 GPM of fire flow out of a 90,000-gallon water tank.

The Truckee Fire Protection District has inspected the existing facilities and have approved for operations. The TFPD has made recommendations to improve the defensible space. Those improvements will be made in the summer of 2021.

The main building has a functioning fire sprinkler system. The proposed access road and drop off area will be designed in accordance with the California Fire Code section 503 to provide for adequate access to the fire hydrant and buildings.

Project to comply with current fire and building code for occupational classification "Educational Group E." During design we will consider the following criteria: water supply, proper egress, fire sprinklers, fire alarm system, fire extinguisher location, building access, apparatus access, and emergency gas and electric shutoff.

**Solid Waste:**

An enclosure will be designed to provide a minimum of 162 cu. ft. and confirm with the design requirements outlined in section 18.30.150 - Solid Waste/Recyclable Materials Storage of the development code. The project will incorporate a solid waste and recycling enclosure meeting size requirements of Table 3-5 in the relevant section of the development code.

**Grading and Drainage:**

Currently all on site drainage is treated and infiltrated. All future construction would also treat and infiltrate the storm water through BMP's and engineered systems.

**Environmental:**

An existing CEQA (SCH # 2001072059) is in place on the parcel. The findings are for a negative declaration of environmental impact and that the parcel may be used for a school with a student count up to 500 students. The CEQA is on file with the Town of Truckee.

**Forestry:**



Trees removed from the property will be done in accordance with California Department of Forestry and Cal Fire regulations. A Timberland Conservation Permit and or Timber harvesting plan will be acquired for tree removal.

**Geotechnical:**

A geotechnical report was generated for the construction of the existing Main building as well as for the previous portables. This report was written by Joslin Geotechnical and is dated Sep 12, 2001. This is on file with the Town of Truckee.

**Enrollment Projection: Students**

**2020-2021:** 44 students

**2021-2022:** 160 students

**2022-2023:** 200 students

**2023-2024:** 230 students

**2024-2025:** 240 students

Compliance with the Town of Truckee General Plan

Per the letter from the town dated Nov 6, 2020, it is referenced that General Plan Land Use Policy 4.3 requires that sewer be provided for all commercial uses. It is the opinion of the applicant that their proposed use of a school is not defined as a commercial use. Rather, the use is defined by the Development Code definition of Schools.

**Commercial Designation is as follows:**

“Commercial [C] This land use designation is applied to existing and planned areas of commercial uses. The Commercial designation is applied based on location of existing commercial uses and the suitability of areas for places for commercial uses in areas close to the Town core. Land Uses Allowed: Land uses allowed in this designation are the full range of commercial uses, including retail, offices, hotel/motel/inn uses, service commercial, mixed commercial (office, retail, service)/residential uses, and large multi-family residential development. Live-work residential uses are also permitted in this designation.”

The school is not a commercial use. It is a public service use and defined as “Schools. Public and private educational institutions as defined below. The definition of Schools per the Town of Truckee Development Code is as follows:

“Schools. Public and private educational institutions, including:

- boarding schools
- business, secretarial, and vocational schools
- community colleges, colleges and universities
- elementary, middle, and junior high schools
- establishments providing courses by mail
- high schools
- military academies
- professional schools (law, medicine, etc.)



- seminaries/religious ministry training facilities

Also includes specialized non-degree granting schools offering instruction in:

- art
- ballet and other dance
- computers and electronics
- drama
- driver education
- language
- music

Also includes facilities, institutions and conference centers that offer specialized programs in personal growth and development, such as fitness, environmental awareness, arts, communications, and management. Does not include pre-schools and child day care facilities (see "Child Day Care Facilities")."

This determination is further supported by the Development Code zoning district of RR where schools are a listed use requiring a Conditional Use Permit.

Specifically, schools are identified with public /institutional references throughout the General Plan and then implemented through the Development Code. Specifically, "Public/Institutional". Existing (non-open space) public/institutional land uses in Truckee include schools, government and utilities offices and facilities, the Tahoe Forest Hospital, and a number of churches and religious institutions. A number of these uses are concentrated along the west end of Donner Pass Road in the Gateway Area; Truckee's Town Hall and Police Department are both accommodated within the office/light industrial area near the Airport, while other community serving facilities are located within neighborhood areas."

The project site is located within the zone district of RR-0.10 (Rural Residential District – 1 dwelling unit per 10 acres)

"RR (Rural Residential) District. Per the Development Code, the RR zoning district identifies areas intended for rural living, including the keeping of animals, with supporting corrals and barns. Parcels in the RR zoning district are appropriate for clustered infill development away from environmentally sensitive areas, and to preserve open space. The density of development for this zoning district generally includes properties with a minimum area of five acres for each dwelling unit. The RR zoning district is consistent with the RC-10, RC-5, RES and OSR classifications of the General Plan."

Per Table 2-2 *Allowed Uses and Permit Requirements for Residential Zoning Districts*, of the Development Code, a Conditional Use Permit is required for the consideration of the proposed project for an elementary, middle and junior high school. The Planning Commission, the review authority, may approve a Use Permit application, with or without conditions, only if all of the following findings can be made:

## Findings and Supporting Information

A. The proposed development is:

1. Allowed by Article II (Zoning Districts and Allowable Land Uses) within the applicable zoning district with the approval of a Use Permit and complies with all other applicable provisions of this Development Code, the Municipal Code and the Public Improvement and Engineering Standards; and

Applicant Response: Schools are a special use in the RR zone district and required approval of a Conditional Use Permit.

2. 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.

**Applicant Response:** This finding can be made in that the proposed increase in students is consistent with the Open Space General Plan designation. Per the Town of Truckee General Plan: "Open Space Recreation [OSR] This land use designation is applied to areas where developed recreational uses would be compatible with the natural resources in the area. This designation is intended to minimize suburban and rural residential sprawl; to protect significant vistas, wildlife movement corridors, biological resource areas; and to accommodate recreational uses. Lands designated OSR serve as a buffer between the more intensive development in the Gray's Crossing Specific Plan Area and the RC/OS uses in the eastern portion of Town. This designation differs from the RC/OS designation in that it allows for more intensive, clustered recreational/residential development where appropriate. Land Uses Allowed: Land uses allowed under this designation are recreational uses that are compatible with the natural surroundings, such as skiing, camping, existing and currently approved golf courses, horseback riding, as well as clustered residential or lodging uses."

"Non-residential uses found to be compatible with maintaining open space values, and residential uses are also permitted within this designation. An average Floor Area Ratio (FAR) of 0.2 shall apply to non-open space lands."

"Zoning districts to implement this category shall accommodate recreational development with necessary support services and shall protect open space values."

The school is designed to be compatible with the natural environment and provide educational opportunities from the natural environment and its open spaces that it provides. The layout of the school and the operation of the school is designed to be compatible with the movement of wildlife that will continue to move through the area, the nature biological resources found on the project site, etc. The school's footprint will not exceed the maximum 10 percent disturbance area for the construction and operation of the school. The unique location of the school will also

provide opportunities for education of the natural environmental, wildlife, and biological resources of which the site itself provides – further educating our youth of the importance of these very resources. Additionally, the school will also provide recreational opportunities by utilizing the natural environment that exists. For example, nature hikes will be provided to the students around the campus, natural balance beams will be incorporated with down trees, existing boulders will be used for bouldering, etc. The school will be less intense than the operations of a golf course, require less disturbance and incorporates a clustered design of the campus to ensure the spirit and intent of the Open Space Recreation General Plan Land Use Designation is achieved.

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

**Applicant's Response:** This finding can be made in that the site is operating as a school. The site has operated as a school previously. There have been no known incompatibilities with the operation of the school. The additional students will require more classroom floor area however the addition of the structures will continue to be compatible with the existing operations and land uses in the vicinity. Further the additional floor area of the operation of the increased number of students will continue to comply with the General Plan goals and policies and will be consistent with the development standards of zoned district RR

C. 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;

**Applicant's Response:** This finding can be made in that it can be demonstrated by the existing operations, that the increased number of students 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 that the site is 40 acres in size; adequate to accommodate the use and the proposed number of students. The project will continue to comply with the maximum allowance of 10 percent disturbance. The operation of a school will be compatible to the existing residences within the project's vicinity and the Piping Rock commercial operation – which also provides classes, lessons, camps, etc. similar to the use of the school and its proposed operations. The school will be complimentary to the Piping Rock operations.

D. 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;

**Applicant's Response:** Through the preparation of an Addendum, it will be found that there are no potential significant adverse effects upon environmental quality and with the incorporation of the mitigation measures, any significant impacts identified will be reduced to a less than significant level. Additionally, the Addendum will find that there are no significant impacts associated with the project that cannot otherwise be mitigated or are mitigated by the incorporation of the existing mitigation measures applied to the project by the previously adopted Mitigated Negative Declaration.

E. The site for the proposed use is:

1. Physically suitable for the type and density/intensity of development being proposed;

**Applicant's Response:** As mentioned above, the site is a large parcel. The project's development complies with the required development standards, including meeting the open space requirements and provide for adequate on-site parking and circulation which can be demonstrated that the project site is physically suitable to accommodate the proposed increase of the number of students. Therefore, this finding can be made.

2. 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

**Applicant's Response:** The parcel consists of 40 acres. The school proposes to utilize less than 10 percent of the parcel to provide for the school, in accordance with the development standards and the allowances of the General Plan. As mentioned above, the site will be able to accommodate the proposed project, including providing for on-site circulation, on-site parking, etc. for the continued operations of the school.

3. Served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.

**Applicant's Response:** Union Mills Road is adequate in width and pavement type to carry the quantity and type of traffic generated by the school in that, it can be demonstrated by the existing conditions and operations of the school. Union Mills Road provides access to a variety of uses: residential uses, the Agricultural and CHP Station, Piping Rock (horse stables, riding lessons, camps, etc.). The additional students proposed with this CUP Modification will not create an inadequacy of Union Mills Road nor its intended access to the project site nor create a conflict with the existing surrounding uses.

F. 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.

**Applicant's Response:** There are adequate public services and utilities to ensure that the proposed project will be not detrimental to the public health and safety of the occupants of the school and/or of surrounding uses. Adequate provisions are installed currently that support the current operations of the school. The school will be required to upgrade the existing, operating, septic system to accommodate the request for additional students. This will not create a detrimental on any account. Further, the need for the school to hook-up to the public sewer system is not required in that there is already a working septic system in place – which has been deemed adequate for the distribution and collection for the existing and proposed occupancies. Further, General Plan Land Use Goal LU-4 states the following:

General Plan Land Use Goal: LU-4

“Goal LU-4 Coordinate land development with provision of services and infrastructure.

Policies:

- P4.1 Work with all special districts, including the Tahoe-Truckee Unified School District, to ensure that development within the Town is coordinated with provision of services.
- P4.2 Cooperate with special districts to plan for and identify suitable future sites for needed facilities, including schools, fire stations, solid and liquid waste disposal sites, and utilities infrastructure, so that the local population can be safely and efficiently served, while minimizing potential environmental impacts.
- P4.3 Approve rezoning and development permits only when adequate services are available, or when a program to provide services has been approved by the applicable District and the Town of Truckee. Standards of services for new development applicable to this policy are shown in Table LU-6. Require that sewer be provided for all new residential subdivisions creating more than four lots, and all new commercial and industrial uses. Existing legal lots and new subdivisions of four or fewer lots in areas currently without sewer may be developed with residential uses using septic systems with the approval of the appropriate health and environmental agencies. Such lots may be required to establish connections to the sewer system if they are located in close proximity to existing or future sewer lines.”

The goal of Land-Use 4 is to coordinate land development with provision of services and infrastructure. Policy 4.2 specifically stated that the Town cooperate with special district to plan for and identify suitable future sites for needed facilities, including schools.

This finding can be further made in that the applicants are proposing to increase the student enrollment to an existing school. General Plan section 4.11 Public Services C. Schools 2. Existing Settings

Total enrollment in Truckee area schools was 2,848 students in 2002, while capacity was for 2,685 students. TTUSD projects that there will be 3,013 students in the Truckee area by school year 2009-2010. These enrollment projections show increases well beyond existing capacity and it is therefore reasonable to assume that new or expanded facilities would be required. TTUSD is currently in the process of updating their Facilities Master Plan to address the need for expanded facilities. As part of the process, the District will re-assess enrollment projection and capacity data, so as to better evaluate district-wide need for schools. This assessment would take into account future population growth that would occur under the 2025 General Plan.

The Town had the foresight to recognize what we are currently experiencing, rapid population growth. This school year saw a record increase in number of students. While COVID decreased the in school participation we can anticipate more students and crowding in the public school system. Per the Section 4.11 the Town was anticipating an increased need even before the impact of COVID has had on our population.

The applicants have diligently pursued the continued requirements of the required special districts and agencies applicable to the proposed project. Specifically, the Truckee Sanitary District rules and regulations mandate sewer hook-up if the project site is within 200' of existing service. The project site is not within that distance and they are not requiring sewer service.

Secondly, the Nevada County Department of Environmental Health has confirmed that the school can increase its number of students and operate on the existing septic systems with improvements, etc.

And lastly, the Lahontan Regional Water Quality Control Board had previous concerns with regards to nitrogen however, mitigation measures were put in place to mitigate these impacts to less than significant.

It is the opinion of the applicant that we are applying for a CUP to operate a school facility. According to the Truckee Town Code a school is not defined as a commercial use, and, per the items listed above, the project as proposed has 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 and specifically, does not require the need to connect to the public sewer system.

G. 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.

| **Applicant's Response:** As noted above, the Nevada County Environmental Health Department has concluded that the project, as proposed, is consistent with the required regulations of their Department. Further, the school does not propose the transport, use and/or disposal of hazardous materials.



## **Project Description and Letter of Justification**

### **GOLDEN VALLEY TAHOE SCHOOL**

#### **Project Description**

##### **Project History**

The Friends of Tahoe Truckee Waldorf (FOTTW) is a 501c3 non-profit organization created to support Waldorf initiatives in the Tahoe Truckee area and is currently leasing facilities to the existing Golden Valley Tahoe School located at 12640 Union Mills Road. The existing school building is 4,560 square feet in size and accommodates five (5) classrooms and separate bathrooms for girls, boys, and staff. The site is served with an on-site wastewater system and an on-site potable water system served by an existing well, both systems have been approved by the Nevada County Department of the Environmental Health. Fire flow is provided by an existing on-site 90,000-gallon water storage tank with a backup generator. Operation of the site as a school has occurred for several years. First under the provisions of a 1994 Use Permit for the Cedar Smoke School and later under a 2001 Use Permit for an expansion of the then Prosser Creek Charter School. The operation of the Prosser Creek Charter School was discontinued in 2005. The facility was reactivated in 2021 as the Golden Valley Tahoe School operating under the 1994 Use Permit.

##### **Proposed Use(s)**

Friends of Tahoe Truckee Waldorf is requesting a new Use Permit to allow for the expansion of student population capacity from 44 to 240 students, install seven (7) modular classroom buildings that allow for five (5) classrooms and an administration room, for a total of 7,000 S.F. of new classroom space, and increase the school staff by 6 from the current 11 full-time employees to 17 full-time employees. In addition, the plan proposes to widen the existing 12-foot paved driveway access to a 24-foot paved roadway along with stormwater treatment facilities, increase the parking capacity by 13 new stalls for a total of 22 parking stalls, and install walking pathways, landscaping, and lighting to the parking areas. The 13, additional new parking spaces will be added to meet the zoning code requirement of two parking spaces per classroom for the five (5) existing classrooms and five (5) additional classrooms. The five (5) modular buildings have been purchased from Truckee Elementary School District. The modular buildings will be clustered together to minimize site coverage resulting in approximately 2.25 acres of site coverage.

The school operating hours will follow the Tahoe Truckee Unified School District schedule. Hours of operations including office hours and school operations are anticipated between 7 am to 6 pm Monday-Friday. Summer Camps will operate during the non-school year schedule. Additionally, occasional school-related events may occur in the evenings and on weekends.

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Student enrollment is planned to increase over a five-year period from the current 44 students to the expected enrollment of 240 as outlined below.

### **Enrollment Projection: Students**

**2020-2021:** 44 students

**2021-2022:** 160 students

**2022-2023:** 200 students

**2023-2024:** 230 students

**2024-2025:** 240 students

### **Existing and Proposed Improvements:**

The existing building and associated facilities were constructed in 1995 and operated as the Prosser Creek Charter school from 1996 until 2005. Until being reopened in March 2021, the property has been vacant for over 15 years. The facility has, power, septic, water, fire suppression, heating, internet/telecom, and parking.

Below is a summary of impervious areas of both the existing and proposed coverage

#### **Existing Disturbance Areas**

Main School Building	4,560 SF
Pavement Entrance Road and parking lot driveway	36,425 SF
Paved Area	6,000 SF
Water tank, pump house and access road	1,615 SF
Leach field 1 (behind main building)	4,030 SF
Leach field 2	10,830 SF
<i>(Rehab repair of existing leach field)</i>	
<b>Sub Total</b>	<b>63,460 SF</b>

#### **Proposed Disturbance Area**

Proposed classroom facilities	7,000 SF
24' Road improvements	25,355 SF
Pathways	2,300 SF
<b>Sub Total</b>	<b>34,655 SF</b>

**Total Disturbed Area** **98,115 SF (2.25 ac.)**

#### **Site Access:**

The one-mile-long Union Mills Road provides service to three State public uses, three commercial businesses, and four residences. The three State-operated services are located on the Southside of Union Mills Road directly adjacent to I-80 and include the State Agriculture Inspection Station, Caltrans sand facility, and the CHP I-80 station, and related parking and office space. The three

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commercial operations have access via Union Mills Road. They include a commercial firewood business, contractor storage yard for heavy equipment and materials, and Piping Rock Equestrian Center that offers horseback riding instruction and boarding facilities. All three operations are located on the Northside of Union Mills Road. In addition, four residential properties are located on the entirety of Union Mills Road.

### **Proposed Site Access:**

The existing paved road will be widened to 24' with a 2' gravel shoulder in compliance with Town Engineering Standards. The roadway widening will begin on Union Mills Road where the road currently narrows down to 12' and will extend to the school. The private driveway past the school turnout will not be widened or paved.

### **Proposed Facilities:**

The project includes the initial placement of five modular buildings that will tie into the existing infrastructure. The modular units were secured from Tahoe Truckee Unified School District TTUSD. These portables were used in classrooms at Truckee Elementary School. The exterior of the units will be designed to meet the functional, and aesthetic needs of the property complementing the look and feel of the existing building. The portable buildings will be set on permanent foundations.

### **Parking on-site:**

The site has 9 Existing Parking Spaces and proposes 13 additional spaces for a total of 22, including two (2) ADA Spaces. The existing 60'x100' asphalt pad will be converted to add 13 extra parking spaces along with landscaping and lighting.

### **Electrical Service:**

The parcel has service through two 120/240 transformers fed by the Truckee-Donner Public Utility District (TDPUD). The property is currently being serviced by these connections. Each transformer feeds a 600 Amp exterior switchgear. The main building, the pump house, and parking lot lighting are fed off of one of the 600 Amp panels. The second panel will service the portables, the future recommissioned wastewater system, and the proposed parking lot lighting.

### **On-Site Sewage Treatment:**

The site is currently using an existing gravity septic system permitted through Nevada County. This CUP modification proposes the recommission of the second 2,475 GPD pressure-dosed septic system that was abandoned in 2006. In correspondence with the Nevada County Department of Environmental Health (NCDEH), it was determined that activation of the second septic system would adequately serve the site. NCDEH regulates all wastewater systems under 10,000 GPD. As designed both systems can accommodate up to 4,010 GPD of untreated sewage. Both the existing and recommission system will be subject to review under permits from the Nevada County Department of Environmental Health. With the existing and recommissioned system activated the system will have the capacity to serve both the existing and proposed school use.

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Truckee Sanitary District (TSD) was contacted to determine if the connection to the district's system is feasible. TSD staff does not recommend service to the site because the length of the line needed to extend to the closest tie-in is over a mile and a half and the low flow generated by the school would cause operational problems. Correspondence from TSD 2020 to the Town of Truckee has stated that they still have no intention of serving this parcel. It is not a mandatory connection within 200' of service. TSD has directed the FOTTW to work directly with NCDEH.

### **On-Site Water**

Water is provided by the FOTTW Water system. This water system was created in March of 2021 as a Non-Transient / Non-Community Water system. This system is regulated by NCDEH Operating under the Facility ID: FA0005994. *The FOTTW water system has been approved by the California Waterboard and the California Department of Drinking Water* as well as Nevada County. This water system is only authorized to provide water to 12640 Union Mills Road. In discussion with the Truckee Donner Public Utility District (TDPUD) water service from TDPUD would require a 1400-foot mainline extension along with a significant facility fee and operation costs which is not economically feasible for the school.

The water system has a capacity to meet a Peak Hourly Demand (PHD) of 2,160 Gallons Per Hour. The water system also has a capacity to meet a Maximum Daily Demand (MDD) of 1,611 Gallons Per Day. These numbers will be metered and tracked daily and submitted to Nevada County Monthly. Additional storage capacity will be added to the domestic water system to increase the PDH and MDD.

### **Fire Protection:**

The FOTTW water system provides both potable water as well as water for fire flow. The system provides the onsite fire hydrant with nearly 1,000 GPM of fire flow out of a 90,000-gallon water tank.

The Truckee Fire Protection District has inspected the existing facilities and has approved them for operation use. The TFPD has made recommendations to improve the defensible space. Those improvements will be made prior to occupancy.

The main building has a functioning fire sprinkler system. The proposed access road and drop-off area will be designed in accordance with the California Fire Code section 503 to provide for adequate access to the fire hydrant and buildings. The new buildings will comply with the current fire and building code for occupational classification "Educational Group E."

### **Solid Waste:**

An enclosure will be designed to provide a minimum of 162 cu. ft. and conform with the design requirements outlined in section 18.30.150 - Solid Waste/Recyclable Materials Storage of the

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Development Code. The project will incorporate a solid waste and recycling enclosure meeting the size requirements of Table 3-5 in the relevant section of the Truckee Development Code.

**Findings – Use Permit**

1) The proposed development is:

A) Allowed by Article II (Zoning Districts and Allowable Land Uses) within the applicable zoning district with the approval of a Use Permit and complies with all applicable provisions of the Truckee Development Code, the Truckee Municipal Code, and the Public Improvement and Engineering Standards.

✓ *The property is zoned Rural Residential (RR) and has a General Plan Designation of Open Space Recreation (OSR). The RR zoning district allows for public or private schools with a conditional use permit.*

B) Consistent with the Town of Truckee 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 OSR designation allows for clustered development provided that 90% of the land area within the parcel remains OpenSpace. The existing and proposed improvements are within a 4.1-acre envelope in the northwest corner of the parcel. There are no Specific Plans and/or Master Plans to govern this parcel and the development of the site with a school does not conflict with the provisions or requirements of the Trails Master Plan, the Truckee Tahoe Airport Land Use Compatibility Plan, and the Particulate Matter Air Quality Management Plan.*

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

✓ *The Project is consistent with the OSR General Plan Designation and RR Zoning Designation as described above. There are no foreseen land-use changes anticipated in the future for this area and the surrounding lands.*

3) 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.

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- ✓ *The Project Amendment 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 for the following reasons:*
  - *The site was developed with an on-site well and wastewater disposal system and both are in conformance with State and Local regulations.*
  - *The on-site water and storage systems meet 1000 gal/min local fire standards for fire flow.*
  - *The 40-acre site is adequate in size to accommodate the school use and the proposed number of students.*
  - *The operation of a school is compatible with the existing residences within the project's vicinity and the Piping Rock commercial operation – which also provides classes, lessons, camps, etc. similar to the use of the school and its proposed operations.*
  - *The development proposal is consistent with the uses allowed in the zoning code and the clustered building envelope size is consistent with OSR General Plan Designation.*
- 4) 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 existing school has a rustic alpine design. The proposed modular units have been purchased from the Truckee Elementary School and will be upgraded to blend into the existing setting. The proposed unit is not visible from adjacent lands and limits the view from I-80. With the upgrade and building setback, the project will not impair the design, architectural integrity, and character of the surrounding neighborhood.*
- 5) The Use Permit approval is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there would be no potentially 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.

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- ✓ *There have been two previous use permit reviews on the site for use as a school and school expansion. Both reviews found that a Mitigated Negative Declaration was applicable, and a Notice of Determinations was filed. Given that the proposed use is the same and there have been no significant changes in the surrounding area it is not anticipated that any potentially significant adverse effect on the environment will be found and a new Mitigated Negative Declaration should be adopted.*

6) The site for the proposed use is:

A) Physically suitable for the type and density/intensity of development being proposed.

- ✓ *The OSR General Plan Designation requires that 90% of the site to remain in open space. As shown on the attached site plan the school facilities are clustered within a four (4) acre building envelope in the NW portion of the site and consistent with the OSR General Plan Land Use Designation.*

B) Adequate in size and shape to accommodate the use and all fences and walls, landscaping, loading, parking, yards, and other features required by the Truckee Development Code.

- ✓ *As shown on the attached site plan, development is restricted to 10% of the site leaving 90% of the site as open space. The development area is setback over 1000-feet from I-80. The access to the property is via the existing Union Mills Road. The property has existing water service, sewage disposal, parking, and the required fire flow to serve the existing use and proposed expansion. As designed the site is adequate in size and shape to accommodate the use including any proposed fences and walls, landscaping, loading, parking, yards, and other features required.*

C) Served by streets adequate in width and pavement type to carry the quantity and type of traffic generated by the proposed development.

- ✓ *The 24-foot Union Mills Road is adequate in width and pavement type to carry the quantity and type of traffic generated by the school. Union Mills Road provides access to a variety of surrounding uses i.e., residential, the Agricultural Inspection Station and CHP Station, contractors equipment yard and an equestrian center (horse stables, riding lessons, camps, etc.) and the existing school. The additional traffic generated by the expansion proposed will not exceed the carrying capacity of Union Mills Road nor will the existing access to the project site create a conflict with the existing surrounding uses.*



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- 7) 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 public services and on-site utilities to ensure that the proposed project will be not detrimental to the public health and safety of the occupants of the school and/or of surrounding uses. Adequate provisions are installed currently that support the current operations of the school. The school will be required to upgrade the existing, operating, wastewater system to accommodate the additional students. The Nevada County Department of Environmental Health has confirmed that the school can increase its number of students and operate on the existing septic systems with improvements. In addition, an existing on-site potable water service system serves the site. The Nevada County Department of Environmental Health requires system evaluation to be provided to ensure compliance with County Standards. The existing on-site water and wastewater systems are the only economically viable services for the site. Water service from the TDPUD would require a 1400-foot mainline extension along with a significant facility fee which is not economically feasible for the school. A sewer line extension is also not feasible. TSD staff does not recommend service because the length of the line needed to extend to the closest tie-in is over a mile and a half and the low flow generated by the school would cause operational problems.*

- 8) 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.

✓ *As noted above, the Nevada County Environmental Health Department has concluded that the project, as proposed, is consistent with the required regulations of their department. The on-site fire flow provided is in conformance with District regulation. The school does not transport, nor does it propose the transport, use, and/or dispose of any hazardous materials.*