



MEMORANDUM

DATE: March 24, 2021

SUBJECT: Temporary Suspension of Business Outdoor Activity Regulations:

- Outdoor Display and Sales Standards (Development Code Section 18.58.190)
- Outdoor Storage and Work Areas (Development Code Section 18.58.200)
- Temporary Sign Permit (18.54.050)

Truckee Business Outdoor Activity Guidelines

FROM: Denyelle Nishimori, Community Development Director

In support of Truckee's business community, the Town is continuing the suspension of certain regulations of outdoor business activities through September 30, 2021. The economic impact of COVID-19 is profound and the ability for Truckee businesses to expand outside is critical to ensuring community safety while supporting business activity. The purpose of this policy memorandum is to temporarily suspend existing Town of Truckee restrictions on outdoor business activity and to provide basic guidelines for use of outdoor space. Nothing in these guidelines is intended to further restrict outdoor business activity which is already permitted under existing Town regulations. Provided the criteria contained in this memo are met, no additional permitting is necessary from the Town in order to conduct outdoor business activity through September 30, 2021. This memorandum replaces the October 1, 2020 memorandum and is meant to address the State's guidelines to limit the indoor capacity of indoor restaurants, bars, and breweries; and other hardships associated with State and Nevada County COVID-19 guidance/regulation. Should additional restrictions be added or lifted, these guidelines may need to change accordingly.

Businesses are encouraged to be thoughtful in their approach to outdoor activity as a reflection of their business and the Town's image overall and to use a "Keep it Classy Truckee" mindset.

In order for businesses to conduct outdoor business activity, the following criteria must be followed:

Within Town of Truckee Limits:

- Must have an existing business within the Truckee Town limits with interior space in order to conduct outdoor business activity within the Town.
- Outdoor business activity may only be conducted as an extension of a business's indoor activity.
- Business owner must have the permission of the underlying landowner for which outdoor sales, display, dining/seating, storage, work areas, and other business activities are occurring.

- Shade structures without advertising / wording are allowed so long as they do not interfere with ADA path of travel, and do not unduly impact pedestrian flow. All equipment, structures, and appurtenances being used for outdoor business activity must be managed so as not to be damaged by weather or to negatively impact other property owners or businesses.
- Generators must be “quiet” to not impact dining/shopping experiences.
- Use of parking spaces for outdoor business activity on private property is allowed, excluding ADA accessible parking spaces.
- Each restaurant and food truck that is operating outdoors shall provide a minimum of one garbage can and one recycling can that is accessible to the public. The cans shall be serviced by the business daily during the establishment’s operating hours, garbage and recycling shall be property disposed of using the business’s commercial garbage service, and cans shall be removed when the business is not operating.
- ADA access and drive isles within parking areas must be maintained at all times.
- Use of parking areas for outdoor business activity may not be so extensive as to cause spillover parking to occur on adjacent properties due to lack of parking on the property where outdoor business activity is occurring.
- Business owners are encouraged to coordinate with adjacent property owners / business owners to reduce potential conflicting uses / interests.
- Signs:
 - Up to one 25 sf temporary banner sign; and one 6 sf double-sided portable A-frame sign; and one restaurant menu sign; and any COVID-19 guidance signage (such as customer code of conduct, business expectation for customers, etc.) are permitted per business; tasteful location of signs is encouraged.
 - The temporary 25 sf banner may be attached to outdoor dining platforms for businesses located outside of the Downtown; no signage is allowed on the exterior of outdoor dining platforms located Downtown. A-frame signs shall not be located within ADA paths of travel, road rights of way, or parking spaces and any/all attachments to A-frame signs (such as but not limited to balloons, flowers, art, objects, etc.) shall be prohibited.
 - Failure to comply with temporary banner and/or A-frame sign regulations may result in fines and/or temporary sign impound by the Town.
 - All other prohibited signs listed under Development Code Section 18.54.060 shall remain prohibited (e.g.-animated, moving, blinking, changeable copy, offensive signs, etc.).
- Temporary dining tents up for more than 180 days will need a building permit, unless otherwise deemed unnecessary by the Building Department.
- New electrical connections require a building permit.

The following guidelines apply to the use of parking spaces on privately-owned property:

- The areas should be cordoned off/delineated. The following standards shall apply to any railings:
 - Be aesthetically pleasing from both the street and sidewalk.
 - No taller than 54 inches.
 - Acceptable barriers include metal or wood railings with stable footing (potentially required to be weighted), weighted/filled barrels, planters of sufficient height and weight. No fabric inserts or coverings, chain link fencing, chicken wire, beer kegs or cyclone fencing will be allowed.
- Shade structure weights shall not include any visible logos / marketing material.

Within Downtown Truckee, all of the previously listed Town-wide criteria must be followed in addition to the following:

- Outdoor sales, display, dining/seating occurs only on the business' direct frontage, or if in front of another adjacent business, only with that property and business owner's permission. Branding/advertisement of alcohol within the Town right of way is prohibited including displays, merchandise, products and similar.
- For Downtown business owners who own or control private parking, those parking areas may be used for outdoor business activity associated only with that business owner or to accommodate food trucks as allowed under the Town's "Temporary Land Use Definitions Modifications" dated March 17, 2021.
- A six-foot continuous pedestrian path of travel must be maintained on the sidewalk on the frontage of all businesses at all times. This six-foot path shall be clear of vertical obstructions, including canopies unless those canopies are at least seven feet tall.
- Shade structures must be a consistent color. All non-transparent wind-screening materials used in combination with outdoor dining shade structures, such as but not limited to curtains, fabric rolls, and blinds, must be a single color and material per platform.
- Carport shade structures are not allowed on Donner Pass Road. Carport shade structures on Downtown Truckee side streets require the approval of the Town prior to installation.

Approval will require the following:

- No improvements shall extend beyond the business' lateral property line (this may be amended by request, with written permission of neighboring businesses).
- Approval from Nevada County Health and Building Division. Truckee Fire District Approval may be required for improvements that might impact building access.
- Notice to the Town of Truckee fifteen (15) business days prior to any improvements in the parking spaces.

The following additional guidelines apply to the use of public parking spaces:

- Use of parking spaces on the frontage of businesses will be considered on a case-by-case basis. Downtown business owners who wish to receive consideration for use of on-street parking spaces on the frontage of their business (either as a new use or extension of an existing use) need to submit the attached permit application to the Town of Truckee at planningdepartment@townoftruckee.com by April 20, 2021. Town staff may schedule a site visit to evaluate whether these activities are reasonable and will not unduly impact adjacent businesses or the public.
- The areas should be cordoned off/delineated.
 - *Note that the concrete K-rail barriers installed by the Town around outdoor dining platforms this winter for snow removal purposes will be removed in early May 2021. The Town reserves the right to install equivalent safety barriers for the summer as deemed necessary by the Town Engineer. Any Town-provided barriers that include suitable space for live plantings shall be tastefully planted by the business(es) utilizing the adjacent platform. The business(es) shall also be responsible for watering and maintaining the plantings for the length of time that the outdoor platform is located in Town parking spaces; anything other than live plantings shall require Town approval prior to installation.*

- All obstructions, including railings, shade structures, overhangs, platforms, footings, and signage but be at least two feet from the edge of the travel way (generally measured from the end of the parking stripe).
- Reflective material must be used on the outer edge of any area along the street edge so that the encroachment is highly visible at night.
- A vertical barrier is required along the street edge and around the corner at least 10 feet from the street edge towards the sidewalk/business frontage. The purpose of the barrier is to delineate the area, provide protection to the customers, create a pleasant space for the customer, and provide a vertical cue to vehicles. Below are minimum requirements for the barrier:
 - Be aesthetically pleasing from both the street and sidewalk.
 - Approximately 42 inches in height but no taller than 54 inches.
 - Substantially rigid and stable such that it can withstand the weight of a person and protect falls into the street. Exceptions may be allowed if the barrier is located more than six feet from the travel way.
 - Be located at least two feet from the edge of the travel lane (generally measured from the edge of the parking space stripe). Acceptable barriers include metal or wood railings with stable footing (potentially required to be weighted), weighted/filled barrels, planters of sufficient height and weight. No fabric inserts or coverings, chain link fencing, chicken wire, beer kegs or cyclone fencing will be allowed.
 - The Town Engineer will decide on a case-by-case basis if Town-provided barriers are sufficient.
- Shade structure weights shall not include any visible logos / marketing material. All non-transparent wind-screening materials used in combination with outdoor dining shade structures, such as but not limited to curtains, fabric rolls, and blinds, must be a single color and material per platform.
- Improvements may not be located in front of a fire hydrant, manhole cover or utility access, or within 10-feet on either side of a fire hydrant.
- Use of the public parking spaces will require an agreement between the Town and business.

**Summer 2021 Outdoor Permit Application
(for use of public parking spaces and Town right of way)**

Business Name:
Business Contact:
Address:

Phone number:
Email:

Provide a brief description of proposed outdoor activities:

Attach a sketch of proposed improvements (attached template or similar sketch may be used). If improvements already exist, provide photos of existing condition. Show location of structures in relation to buildings, sidewalks, parking spaces, drive aisles, and roadways. Show ADA accessible path of travel, location of trash receptacle, and approximate location of property lines. Provide photos of existing or proposed improvements, including railing, barriers, and shade structures. Sketch does not need to be to scale but key dimensions shall be called out. If any heating is being proposed, the type and number of heating units shall be identified in the plan.

If temporary structure will be erected for more than 180 days, a building permit may be required. Go to <https://www.townoftruckee.com/government/community-development/building-and-safety/non-residential> for more information.

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Confirm it meets the Outdoor Activity Guidelines by checking this box.

Signature: _____

Name: _____

Date: _____

Town of Truckee Outdoor Dining Site Plan Template (in ROW)

Address: _____
Business: _____
Number of Parking Spaces Used: _____

Building

Identify location of:
Platforms
Railings
Street edge barriers
Other delineators
Tables and chairs
Trash and recycling containers
Existing street furniture
6-foot path of travel
Approximate property line

**Show dimensions of any structures.
**Attach photos of proposed shade structures, railings, barriers, delineators, etc.*

Sidewalk Area

Parking Spaces
(sketch actual configuration,
including any ADA spaces)