



MEMORANDUM

DATE: July 31, 2020

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 suspending certain regulations of outdoor business activities through September 30, 2020. 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 intent of this policy memorandum is to suspend existing Town of Truckee restrictions on outdoor business activity until September 30, 2020 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, 2020. This memorandum replaces the May 12, 2020 memorandum and is meant to address the Governor's July 13, 2020 order to close indoor restaurants and bars, in addition to 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. These guidelines will be re-visited in mid-September and may be extended by the Community Development Director provided the intent of the guidelines of supporting business activity while maintaining a positive community image are being met. 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.
- Use of parking spaces for outdoor business activity on private property is allowed, excluding ADA accessible parking spaces.
- 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.
- 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. Requests for special sign consideration may be approved by the Director in circumstances where an approved sign is no longer visible due to outdoor dining umbrellas, covers, etc.

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 businesses direct frontage, or if in front of another adjacent business, only with that property and business owner’s permission.
- 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.
- A six-foot continuous pedestrian path of travel must be maintained on the sidewalk on the frontage of all businesses at all times.
- Each restaurant that is operating outdoors shall provide a minimum of one garbage can that is accessible to the public. The can shall be serviced by the business daily during the establishment’s operating hours, and removed when the business is not operating.

- Shade structures must be a consistent color. More than one color is allowed if it reflects a consistent theme.
- Carport shade structure are not allowed on Donner Pass Road. Carport shade structures on Downtown Truckee side streets require the approval of the Town prior to installation.
- 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 need to contact the Town of Truckee at planningdepartment@townoftruckee.com in order to schedule a site visit to evaluate whether these activities are reasonable and will not unduly impact adjacent businesses or the public.

Approval will require the following:

- A sketch of the site.
- 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 two (2) business days prior to any improvements in the parking spaces.

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

- The areas should be cordoned off/delineated.
- 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.
- Shade structure weights shall not include any visible logos / marketing material.
- 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.