

5.3 LAND USE

This chapter describes the regulatory background, existing land uses of the project site and vicinity, and impacts of Alternatives A through E on land use.

5.3.1 REGULATORY BACKGROUND

Numerous federal, regional, state, and local laws, rules, regulations, plans, and policies define the framework for regulating land use in the Tahoe Basin. The following discussion focuses on land use requirements applicable to the Beach Club on Lake Tahoe Project (Beach Club project).

FEDERAL

U.S. Forest Service

The Lake Tahoe Basin Management Unit (LTBMU) of the U.S. Forest Service (USFS) consists of parts of three national forests. National forests are managed on a multiple-use, sustained-yield basis for production of forage, wildlife, wood, fish, water, and outdoor recreation. Wilderness management, as well as protection of forest areas containing historic, scenic, geologic, ecological, or other special qualities, are included in the Forest Service's management policies. In the Tahoe Region, the management of USFS lands is guided by the LTBMU Forest Plan, adopted in 1988. Unique to the LTBMU Forest Plan are the emphases on watershed, wildlife and fisheries restoration, and outdoor recreation, and the de-emphasis on grazing and timber production. The USFS mission statement calls for the lands in the LTBMU to be managed, protected, and enhanced for the people. The Forest Service is in the process of revising and updating its Forest Plan through the Pathway process, a multi-agency land use planning effort taking place in the Basin. Forest Service holdings in the project area include Nevada Beach and Burke Creek (Rabe) Meadow north of the site (USFS 2006).

TAHOE REGIONAL PLANNING AGENCY

The Tahoe Regional Planning Agency (TRPA) implements its authority to regulate growth and development in the Lake Tahoe region through the Regional Plan for the Lake Tahoe Basin. The Regional Plan includes the following: environmental threshold carrying capacities (adopted in 1982 and evaluated every five years since 1991), Goals and Policies (September 1986), Regional Transportation Plan—Air Quality Plan (1992), Water Quality Management Plan (1988), Scenic Quality Improvement Program (1989), Plan Area Statements (PASs) (August 1987 and updated), and Code of Ordinances (May 1987 and updated). These documents are described below.

Environmental Threshold Carrying Capacities

In August 1982, TRPA adopted Resolution No. 82-11, which established environmental threshold carrying capacities for the Lake Tahoe Basin. These thresholds were established to provide standards against which all projects and activities would be measured to achieve the goals established in the TRPA Compact. These thresholds are currently being reevaluated as part of the Pathway /Regional Plan update process. In April of 2007 TRPA released the 2006 Draft Threshold Evaluation Report, which proposes amending some of the 1982 threshold indicators and standards. TRPA threshold criteria have been established for the following environmental impact statement (EIS) environmental resource topics: water quality, air quality, scenic resources, soil conservation, fish habitat, vegetation, wildlife habitat, noise, and recreation. Every five years TRPA conducts a comprehensive evaluation of threshold achievement and/or maintenance, recommends specific actions to address problem areas, and directs general planning efforts for the next 5-year period. Both attainment and maintenance of the thresholds are required, and TRPA does not have flexibility in its enforcement when evaluating projects. An impact that is considered significant based on these threshold criteria must be mitigated by avoidance, relocation,

or removal of the identified project element that would create the impact (TRPA 1982). These thresholds are incorporated into the criteria of significance for each resource evaluation in Chapter 5 of this document.

Goals and Policies

The Goals and Policies document for the Regional Plan establishes an overall framework for development and environmental conservation in the Lake Tahoe region. TRPA goals and policies are included in six elements: land use, transportation, conservation, recreation, public services and facilities, and implementation (TRPA 1986). The goals and policies relevant to the Beach Club project are discussed in Table 5.3-1.

Regional Transportation Plan—Air Quality Plan

The purpose of the integrated Regional Transportation Plan—Air Quality Plan is to attain and maintain the Environmental Threshold Carrying Capacities (established by TRPA in 1982 and currently being reviewed as part of the Pathway /Regional Plan update process), as well as all applicable federal, state, and local standards pertaining to air quality and transportation. The TRPA Code of Ordinances, Chapter 91, establishes air quality control regulations.

Water Quality Management Plan

The Water Quality Management Plan (208 Plan) for the Lake Tahoe region fulfills TRPA's responsibilities under Section 208 of the federal Clean Water Act. The 208 Plan includes the Water Quality Management Plan, Handbook of Best Management Practices, Stream Environment Zone Protection and Restoration Program, and Capital Improvements Program for Erosion and Runoff Control (TRPA 1988).

Scenic Quality Improvement Program

The Scenic Quality Improvement Program presents the prescriptions for scenic restoration required to attain and maintain the scenic quality thresholds. It includes design review guidelines and development standards for different visual environments, assigns implementation responsibilities, and identifies potential funding sources (TRPA 1989).

Tahoe Regional Planning Agency Plan Area Statements

Chapter 13, "Plan Area Statements and Plan Area Maps," of the TRPA Code requires that all projects and activities be consistent with the provisions of a particular area's applicable PAS. The Lake Tahoe Basin is divided into more than 175 separate Plan Areas. For each Plan Area, a "statement" is made as to how that particular area should be regulated to achieve environmental and land use objectives. These statements address how that particular area should be regulated to achieve regional environmental and land use objectives and provide detailed plans and policies for specific areas of the basin. The PAS written text and maps provide specific land use policies and regulations for each planning area. PASs also serve to promote and protect the public health and safety as well as the general welfare and environment.

The proposed project site is located within two Plan Areas: 070A (Edgewood) (APN 1318-22-002-001), which is 2.37 acres with 217 feet of lake frontage, and 077 (Oliver Park) (APN 1318-22-002-001), which includes the remaining 17.26-acre upland portion of the property (TRPA 2005). Approximately 90% of the project site is located in PAS 077.

PAS 070A (Edgewood)

PAS 070A includes the Edgewood Golf course area at south Stateline. The existing land uses include the Edgewood Golf Course, the 4-H camp area, and some miscellaneous private uses. Approximately 60% of the existing environment is classified stream environment zone (SEZ) and 40% is low hazard.

The PAS 070A land use designation is Recreation. PAS 070A allows for eating and drinking places, beach recreation, day use areas, participant sports facilities, outdoor recreation concessions, and group facilities as well as other public service, residential, and resource management permissible uses. The planning statement for PAS 070A states, “This entire area should provide a range of visitor and local serving outdoor-oriented recreation opportunities, integrated with the existing and planned improvements within the casino core.” Accessory uses related to these allowed land uses (e.g., shorezone access) will also be permitted. Special policies of PAS 070A that apply to the project site include consistency with the planning direction provided in Chapter I of the Stateline Community Plan and protection of populations of Tahoe yellow cress, which is listed as critically endangered in Nevada, endangered in California, federally listed as a candidate species under the Endangered Species Act, a Forest Service R-5 sensitive species, and a TRPA special indicator status species (TRPA 2002a).

PAS 077 (Oliver Park)

PAS 077 is located along Kahle Drive just west of U.S. Highway 50 (U.S. 50). Existing land uses consist of lower income residential uses which include a large trailer court, large apartment complex, and other residential units. The area is 95% built out. The existing environment is identified as SEZ, existing land coverage is 50%, and the disturbance is 35%.

The PAS 077 land use designation is Residential with a special designation of Multi-Residential Units. Permissible uses in the Plan Area include single-family dwellings, multiple-family dwellings, multi-person dwellings, employee housing and mobile home dwellings, as well as some public service, recreation, and resource management permissible uses. PAS 077 states, “This area should continue to serve as a residential area subject to a rehabilitation program.” PAS 077 calls for the area to continue to serve as residential and any new development should conform to a rehabilitation plan that provides for scenic and SEZ restoration (TRPA 2002b).

Tahoe Regional Planning Agency Code of Ordinances

The TRPA Code of Ordinances establishes standards and regulations for implementation of the Regional Plan for the Lake Tahoe Basin. Public agencies and organizations in the Lake Tahoe Basin must comply with TRPA provisions or may establish equivalent or higher requirements in their jurisdiction. The Code of Ordinances compiles all of the laws and ordinances needed to implement the Goals and Policies of the Regional Plan; these include the Tahoe Regional Planning Compact, Environmental Threshold Carrying Capacities, Goals and Policies, the PAS and maps, and other TRPA plans and programs.

Shorezone Uses

The TRPA regulates uses in the shorezone and the lakezone based on Chapter 51, “Permissible Uses and Accessory Structures in the Shorezone and Lakezone,” of the Code of Ordinances. The Lake Tahoe shorezone is a thin strip of land surrounding the lake at the land and water interface. The permissible uses in the shorezone are limited to water-oriented/dependent uses, such as beach recreation, boat launching facilities, marinas, tour boat operation, fences, buoys, piers, and floating docks and platforms, and are identified by tolerance district.

Chapter 2, “Definitions,” of the TRPA Code of Ordinances defines the shorezone as the land and water area along the shoreline of the lake consisting of the nearshore, foreshore, and backshore. Chapter 2 further defines these three components of the shorezone as follows:

- ▶ **Nearshore:** The zone extending from the low water elevation of Lake Tahoe (6223.0 feet Lake Tahoe Datum) to a lake bottom elevation of 6,193 feet Lake Tahoe Datum, but in any case, a minimum lateral distance of 350 feet measured from the shoreline (6229.1 feet Lake Tahoe Datum). In other lakes within the Region, the nearshore extends to a depth of 25 feet below the low water elevation.
- ▶ **Foreshore:** The zone of lake level fluctuation, which is the area between the high and low water level. For Lake Tahoe, the elevations are 6229.1 feet Lake Tahoe Datum and 6223.0 feet Lake Tahoe Datum, respectively.
- ▶ **Backshore:** This zone is considered the area of instability and extends from the high water level (elevation 6229.1) to stable uplands. The area is not stable because of interaction with lake waves and the inherent dynamic nature of littoral processes. The backshore boundary consists of the area of instability and includes a ten-foot buffer measured landward from the mapped area of instability. A backshore determination has been completed and the backshore boundary is shown in Exhibit 3-10.

Shorezone Tolerance District 7

According to the TRPA PAS 070A, the proposed project site is located in Shorezone Tolerance District 7. Tolerance Districts were developed in 1971 by the USFS in cooperation with TRPA, to provide a relative quantification of tolerance of land in the Lake Tahoe Basin to human disturbance (Bailey 1974). TRPA has established eight shorezone tolerance districts with different levels of sensitivity. The purpose of shorezone tolerance districts is to aid in establishing development standards and regulations for construction, marina operations and maintenance, pier installation, and other shorezone uses. Each tolerance rating or district has specific development standards and management policies as described in Chapter 53, “Shorezone Tolerance Districts and Development Standards,” of the Code of Ordinances.

Shorezone Tolerance District 7 is described in Chapter 53 of the Code as “comparatively level shorezone underlain by morainic and alluvial materials with slopes of zero to nine percent (0–9%)” (TRPA 2001). Shorezone Tolerance District 7 allows for water-oriented recreation facilities (beach recreation, buoys, piers, floating docks and platforms, water intake lines, boat ramps, etc.) in the backshore, nearshore, and foreshore (TRPA Code of Ordinances Chapter 53.9).

Development standards for Tolerance District 7 are set forth in Subsection 53.8.B of Chapter 53:

- ▶ Permitted development or continued use may be conditioned upon installation and maintenance of vegetation to stabilize backshore areas and protect existing cliffs from accelerated erosion.
- ▶ Projects shall not be permitted in the backshore unless the TRPA finds that such project is unlikely to require the cliff area to be mechanically stabilized or that the project will not accelerate cliff crumbling, beach loss or erosion.
- ▶ Access to the shoreline shall be restricted to stabilized access ways which minimize the impact to the backshore.
- ▶ Access to buoys shall be designed to cause the least possible environmental harm to the foreshore and backshore.
- ▶ Access to piers, floating platforms, and boat ramps shall be designed to cause the least possible alteration to the natural backshore.

Additional standards are set forth in Subsection 53.9B of Chapter 53:

- ▶ Vehicular access to the shoreline shall not be permitted except where the TRPA finds that such access will not cause environmental harm.
- ▶ Boat launching facilities and marinas shall be located where the nearshore shelf is of sufficient width to enable construction and use without potential for significant shelf erosion.

STATE

Nevada Revised Statutes (NRS 118B.177)

Before closure of the Tahoe Shores Mobile Home Park, the owner would be required to comply with the Nevada Revised Statutes (NRS 118B.177) as follows:

1. If the landlord closes the mobile home park, the landlord is required to pay the tenant:
 - ▶ The costs of moving each tenant's manufactured home and its appurtenances to a new location within 100 miles from the manufactured home park; or
 - ▶ If the new location is more than 100 miles from the manufactured home park, the cost of moving the manufactured home for the first 100 miles, including fees for inspection, any deposits for connecting utilities, and the cost of taking down, moving, setting up, and leveling the manufactured home and its appurtenances in the new lot or park.
2. If a tenant chooses not to move the manufactured home, the manufactured home cannot be moved without being structurally damaged, or there is no manufactured home park within 100 miles that is willing to accept the manufactured home, the landlord:
 - ▶ May remove and dispose of the manufactured home; and
 - ▶ Shall pay the tenant the fair market value of the manufactured home.
3. Written notice must be served on each tenant in a manner provided in NRS 40.280, giving the tenant at least 180 days after the date of the notice before he/she is required to move his/her manufactured home from the lot.
4. The fair market value of a manufactured home and the reasonable cost of removing and disposing of a manufactured home must be determined by:
 - ▶ A dealer licensed pursuant to Chapter 489 of NRS who is agreed on by the landlord and tenant; or
 - ▶ If the landlord and tenant cannot agree, a dealer licensed pursuant to Chapter 489 of NRS will be selected for this purpose by the Division.

LOCAL

Douglas County Master Plan

The *Draft 2006 Douglas County Master Plan* (Douglas County 2007) provides long-range guidance for numerous programs related to planning activities in the county including: development, open space preservation planning, transportation, flood and drainage, water resources planning and management, and capital improvements planning.

The Douglas County Land Use Map designates the project area as part of the Lake Tahoe Planning Area. This planning area is located on the western edge of Douglas County. The area totals 28,431 acres or about 6.5% of the county. Approximately 10% of the Lake Tahoe Planning Area is urbanized, 80% is in public ownership or control, and the remaining 10% is in private nonurban use.

The Lake Tahoe Planning Area consists of the communities of Round Hill/Zephyr Cove, Stateline, Cave Rock/Glenbrook, and Kingsbury, and community plans have been prepared for the primary communities within the planning area. TRPA has adopted community plans for Roundhill, Stateline, and Kingsbury, and these plans have also been adopted by Douglas County. The areas not included within the three community plans are divided into 33 planning areas, subject to 30 PASs.

The Lake Tahoe Planning Area is not included as part of the Land Use Element of the *Douglas County Master Plan* because the area is within the jurisdiction of TRPA. The other plan elements apply to the Lake Tahoe Planning Area to the extent that they do not conflict with the provisions of plans or regulations adopted by TRPA.

5.3.2 AFFECTED ENVIRONMENT

HISTORIC AND EXISTING LAND USES

As described in Chapter 3, “Project Description,” the Beach Club project would be located on the site of the existing Tahoe Shores Mobile Home Park on the south shore of Lake Tahoe in unincorporated Stateline, Douglas County, Nevada. Prior to development, the project site was part of Burke Creek Meadow, which was largely stream environment zone (SEZ). In the 1960s, the site was graded and used as an airport runway for the South Lake Tahoe area. In 1969 and 1970, Oliver Kahle developed the mobile home community. During this time, fill material was placed in the northern portion of the project site over the SEZ for construction of the airfield.

The 19.63 acre project site consists of two parcels: Assessor’s Parcel Number (APN) 1318-22-002-001 is 17.26 acres and APN 1318-22-002-002 is 2.37 acres with 217 feet of lake frontage. The site is accessed via Kahle Drive, which has a signalized intersection at U.S. 50 approximately 0.8 miles northeast of the California-Nevada state line. The Tahoe Shores Mobile Home Park consists of 155 mobile home units clustered on the 17.26-acre parcel (Exhibit 3-3). The Tahoe Shores Mobile Home Park is gated and fenced; there is no public access through the site. The project site is gently sloping, rising approximately 22 feet above lake level at its highest point, 0.5 mile from the edge of Lake Tahoe. The 2.37-acre lakefront parcel is occupied by the Kingsbury General Improvement District (KGID) water supply pump station, a mobile home that serves as the Tahoe Shores manager’s office, storage and maintenance buildings, electrical stations, beach, and a 109-foot recreational pier. KGID holds an easement for the land occupied by the pump station. As described above, the project area is located within two planning areas: 070A (Edgewood) which includes the 217 feet of beach area (2.37 acres) and 077 (Oliver Park) which includes the remaining upland portion of the property (17.26 acres). Approximately 90% of the site is located in PAS 077. PAS 070A land use designation is recreation and PAS 077 is designated as residential. The lakeshore portion of the project site is in Shorezone Tolerance District 7.

Site Coverage

The proposed project site is located in land capability districts (LCD) 1b and 7. LCD 1b has a base allowable coverage of 1% and LCD 7 has a base allowable coverage of 30% (TRPA Code of Ordinances 20.3.A). The land capability districts were verified by TRPA on April 3, 2004. If the project site were undeveloped, these land capability districts would establish the allowable coverage for the site. However, the project site is developed and currently occupied by the Tahoe Shores Mobile Home Park. The developed land coverage on the project site is recognized by TRPA and provides the basis for allowing some of the excess land coverage to remain.

In 1989, the previous owner of the mobile home park prepared a plan, called the Jere Williams Plan (JWP), which was the basis for a Special Use Permit and contract with TRPA to operate the park. The JWP provides the owner

the ability to replace existing mobile homes as necessary, instead of obtaining a new permit each time a mobile home needs to be replaced. Pursuant to the JWP, the owner is required to reduce the coverage on the project site by 55,579 square feet (sf) by the year 2008.

As shown on Exhibit 3-11, the TRPA-verified coverage for the project site is 457,959 sf. The verified coverage accounts for the required 55,579 sf of coverage reduction, which was achieved by removing porches, decks and mobile homes.

SURROUNDING LAND USES

The project site is surrounded by USFS lands, including Burke Creek (Rabe) Meadow and Nevada Beach Campground to the north; the Meadowbrook Apartments and the Oliver Park GID to the east; the University of Nevada 4-H Camp and Edgewood Golf Course to the south; and Lake Tahoe to the west. These land uses are discussed in more detail below and illustrated in Exhibit 3-2.

U.S. Forest Service Lands

North of the project site is Burke Creek (Rabe) Meadow and Nevada Beach Campground, which are located on USFS lands. Burke Creek (Rabe) Meadow, immediately adjacent to the northern edge of the project area, is popular with local running clubs and bike riders, and contains single-track dirt trails.

The Nevada Beach Campground is operated by a private concessionaire, California Land Management. The elevation of the campground area is 6,100 above sea level and contains 53 campsites. The season extends from mid-May through mid-October and there is a 14-day maximum length of stay. The campground facilities include barbeque grills, running water, flush toilets, and public phones. Beach access is available from the campground, and there is a pavilion located on the beach area that California Land Management (an outdoor recreation facilities management company) rents out for group day use (U.S. National Forest Campground Guide 2006).

Meadowbrook Apartments and Oliver Park GID

The Meadowbrook Apartments are east of the project site and owned by Meadowbrook Associates L.P., a development company based in Round Hill, Nevada. Construction was recently completed in 2004, and the 5-acre complex includes the Oliver Park GID storm water treatment system and 32 affordable apartments. The site also includes seven, two-story buildings; 39 parking spaces; and restored SEZ. The Oliver Park GID storm water treatment system was required by TRPA's Environmental Improvement Program (EIP) because the project is in a stream environment zone.

Nevada State 4-H Camp

The Nevada State 4-H Camp encompasses 33 acres directly south of the project area. The camp has been in operation at the site since 1939. The beachfront portion of the 4-H Camp was acquired later, after WWII, in 1947. Per NRS 550, "The purpose of the state 4-H camp is to provide a living environment to members for 4-H clubs and other youth groups which is conducive to stimulating the development of youth to a high standard of useful and productive citizenship."

The camp is used primarily by youth educational groups for outdoor education and recreation during the months of May through October. Overnight uses are available and include cabins and camping facilities. In 2004, the facility was leased to 26 groups with an approximate total of 2,285 campers. While at the camp, the youth engage in challenge course leadership development activities, swimming, kayaking and canoeing, basketball, volleyball, ping-pong, horseshoes, races, contests, etc. All the groups use the camp for education purposes, also the campgrounds for outdoor educational activities (University of Nevada Cooperative Extension 2006).

Edgewood Golf Course

Edgewood Golf Club, southeast of the project site, was developed in 1963 as a private country club. In 1986 it was converted to a public facility. The golf club includes a clubhouse with a pro shop and two restaurants and hosts tournaments and events (Edgewood Tahoe Golf Course 2006).

5.3.3 ENVIRONMENTAL CONSEQUENCES AND RECOMMENDED MITIGATION MEASURES

CRITERIA OF SIGNIFICANCE

Land use is not one of TRPA’s nine established environmental thresholds; however, land coverage, as described in the Land Use Element of TRPA Goals and Policies, is one of those thresholds. To determine significance of land use impacts, the project is reviewed for consistency with applicable Goals and Policies of the Regional Plan. Inconsistency of the project with such policies would constitute a significant impact requiring mitigation.

Land Use Plan Consistency

Table 5.3-1 identifies Goals and Policies applicable to the Beach Club project, makes a consistency determination, and provides supporting narrative. Alternatives A through C are development alternatives and Alternatives D and E are No Project alternatives.

Table 5.3-1 Land Use Policy Consistency Analysis	
TRPA Goals and Policies	
Land Use	
Goal #1	Restore, maintain, and improve the quality of the Lake Tahoe Region for the visitors and residents of the region.
Policy 1	The primary function of the region shall be as a mountain recreation area with outstanding scenic and natural values.
<u>Consistent</u>	Alternative A, the proposed project, would result in the construction of residential housing units and recreational facilities, which would support the permanent and vacation population in South Lake Tahoe. The project alternatives (Alternatives B and C) would result in the construction of residential housing units and would also support the permanent and vacation population in South Lake Tahoe. Alternatives D and E would maintain the Tahoe Shores Mobile Home Park, which would continue to support permanent residents and vacationers. With the implementation of appropriate mitigation measures, all project alternatives would comply with the Tahoe Regional Planning Agency (TRPA) scenic regulations to maintain the integrity of scenic view points to and from the lake. As documented in this EIS, the project’s environmental effects are less than significant or the implementation of mitigation measures recommended in this EIS reduce significant impacts to a less-than-significant level.
Policy 2	The Regional Plan gives a high priority to correcting past deficiencies in land use. The Plan shall encourage a redirection strategy for substantially and adversely altered areas, wherever feasible.
<u>Consistent</u>	All project alternatives would be consistent with the existing land use designations for PAS 077 (residential) and PAS 070A (recreation) and would be constructed on an existing developed site, the Tahoe Shores Mobile Home Park. Alternatives A, B, and C would result in a decrease in site coverage and increased best management practices (BMPs) and improved runoff water quality. Alternative A would result in the restoration of approximately 2 acres of stream environment zone (SEZ) habitat. Alternatives D and E, the No Project Alternatives, would result in the continued operation of the Tahoe Shores Mobile Home Park and limited site improvements would be made.
Policy 3	The Plan shall seek to maintain a balance between economic health and the environment.

**Table 5.3-1
Land Use Policy Consistency Analysis**

<u>Consistent</u>	The Beach Club project would not foster substantial economic growth or generate a significant number of new jobs. The Beach Club project would not generate an increase in residential units on the project site and would not directly foster growth nor remove obstacles to growth. As documented in this EIS, the project's environmental effects are less than significant or the implementation of mitigation measures recommended in this EIS reduce significant impacts to a less-than-significant level.
Goal #2	Direct the amount and location of new land uses in conformance with the environmental threshold carrying capacities and the other goals of the Tahoe Regional Planning Compact.
Policy 1	The total population permitted in the region at one time shall be a function of the constraints of the Plan and the Environmental Threshold Carrying Capacities.
<u>Consistent</u>	The proposed project alternatives would either result in a reduction in total population at the project site or a roughly equivalent population to the existing Tahoe Shores Mobile Home Park. TRPA threshold criteria applicable to the Beach Club project are identified for each EIS environmental resource topic addressed in Chapter 5 of this document. These thresholds are incorporated into the criteria of significance against which the project impacts are analyzed. Beach Club Alternatives A through E result in less-than-significant impacts; potentially significant impacts that are identified can be mitigated to less-than-significant levels.
Policy 3	The Plan Area Statements shall also identify the management theme for each planning area by designating each area for (1) maximum regulation, (2) development with mitigation, or (3) redirection of development. These designations shall provide additional policy direction for regulating land use.
<u>Consistent</u>	Beach Club Alternatives A through E would be consistent with the land use designations in PAS 077 (residential) and PAS 070A (recreation) by constructing residential housing units in PAS 077 and recreational facilities such as a beach and club and beach access in PAS 070A.
Policy 7	No new divisions of land shall be permitted within the region which would create new development potential inconsistent with the goals and policies of this plan.
<u>Consistent</u>	Any subdivision or parcel boundary changes would not alter the existing entitlements for the project site. Under Alternatives A and C, in order to develop and sell condominiums, the project site would be subdivided. After approval of the proposed development as a multifamily residential development, the project site would be subdivided in accordance with Chapter 43.4 of the TRPA Code of Ordinances. Subdivision would allow for the development and sale of individual condominiums, which would then be considered single-family units. Because both single-family and multifamily residential land uses are allowed in PAS 077, subdivision and sale of condominiums would be permissible land uses. Alternative B proposes the realignment of the two project site parcels; however, no subdivision would be required.
Policy 13	Redevelopment shall be encouraged in areas designated for redirection to improve environmental quality and community character
<u>Consistent</u>	Alternatives A, B, and C would result in the removal of the Tahoe Shores Mobile Home Park and redevelopment with residential housing and recreational structures near the shoreline, the reduction of site coverage, undergrounding of utility lines, and implementation of BMPs to improve site drainage and water quality. In addition, Alternative A would also include restoration of approximately 2 acres of SEZ habitat. Alternatives D and E would maintain the tahoe Shores Mobile Home Park, but BMPs would be implemented per the Jere Williams Plan agreement.
Goal #3	All new development shall conform to the coefficients of allowable land coverage as set forth in "The Land Capability Classification of the Lake Tahoe Basin, California-Nevada, a Guide for Planning, Bailey, 1974."

**Table 5.3-1
Land Use Policy Consistency Analysis**

Policy 1 Allowed base land coverage for all new projects and activities shall be calculated by applying the Bailey coefficients, as shown below, to the applicable area within the parcel boundary.

<u>Land Capability District</u>	<u>Maximum Allowed Land Coverage</u>
1a	1%
1b	1%
1c	1%
2	1%
3	5%
4	20%
5	25%
6	30%
7	30%

Consistent The proposed project site is located in land capability districts (LCD) 1b and 7. Approximately 149,656 sf (3.44 acres) of the project site is currently designated as LCD 7, which has a base allowable coverage of 30% (44,897 sf or 1.03 acres). Approximately 705,345 sf (16.19 acres) of the project site is designated as LCD 1b, which has a base allowable coverage of 1% (7,053 sf or 0.16 acre).

The project site is developed and currently occupied by the Tahoe Shores Mobile Home Park. The developed land coverage on the project site is recognized by TRPA and provides the basis for the future allowable coverage rather than the land capability districts. Therefore, the allowable site coverage would be 457,959 sf (10.51 acres) (April 3, 2004).

Alternative A would result in a total of approximately 358,907 sf (8.24 acres) of coverage, a total reduction in site coverage of approximately 99,052 sf (2.27 acres) or 22% from the TRPA verified coverage (457,959 sf or 10.51 acres).

Alternative B would result in a total of approximately 320,000 sf (7.35 acres) of coverage, a total reduction in site coverage of approximately 137,959 sf (3.17 acres) or 30.1% from the TRPA verified coverage (457,959 sf or 10.51 acres).

Alternative C would result in a total of approximately 380,000 sf (8.72 acres) of coverage, a total reduction in site coverage of approximately 77,959 sf (1.79 acres), or 17% from the TRPA verified coverage (457,959 sf or 10.51 acres).

Alternatives D and E would not change the total site coverage; it would remain at 457,959 sf (10.51 acres).

Policy 3 Rehabilitation, reconstruction, and upgrading of existing inventory of structures, or other forms of coverage in the Tahoe Region, are high priorities of the Regional Plan.

Consistent Alternatives A, B, and C would result in the removal of the existing Tahoe Shores Mobile Home Park and the reconstruction of the site with new residential units and recreation facilities near the shore. Alternatives A, B, and C would result in a reduction in the total site coverage, and Alternative A would include approximately 2 acres of SEZ restoration. Alternatives D and E would result in the continued operation of the mobile home park, but would involve some site improvements and BMPs as necessary to adhere to the Jere Williams Plan. Alternatives D and E would maintain the TRPA verified land coverage of 457,959 sf or 10.51 acres.

Goal #4 **Provide to the greatest possible extent, within the constraints of the environmental threshold carrying capacities, a distribution of land use that ensures the social, environmental, and economic well-being of the region.**

Policy 1 All persons shall have the opportunity to use and enjoy the region's natural resources and amenities.

Consistent The project site is private property and provides private access to the shoreline for residents of the Tahoe Shores Mobile Home Park. The park does not provide public access to the shore. Under all project alternatives the site would remain private and would continue to provide only residents of the site, members and their guests with access to the shorezone.

Policy 2 No person or persons shall develop property so as to endanger the public health, safety, and welfare.

Consistent Construction of Alternatives A through E would likely involve the use of hazardous materials, such as fuels and other materials, but this would be temporary and all materials would be used in accordance with

**Table 5.3-1
Land Use Policy Consistency Analysis**

applicable federal, state, and local laws. In addition, according to the Earthquake Potential Map for Portions of Eastern California and Western Nevada (CGS 2005), the South Lake Tahoe area is considered to have a relatively low potential for shaking caused by seismic-related activity. Alternatives A through E would be constructed on a relatively level project site where no known nonseismic geologic hazards have occurred. The project would be designed and constructed in accordance with the current design requirements of UBC Seismic Zone 3. Therefore, the Beach Club project would not endanger public health, safety, or welfare.

Housing

Goal #1 **To the extent possible, affordable housing will be provided in suitable locations for the residents of the region.**

Policy 1 Special incentives, such as bonus development units, will be given to promote affordable or government-assisted housing for lower income households (80% of respective county’s median income) and for very low income households (50% of respective county’s median income). Each county’s median income will be determined according to the income limits published annually by HUD.

Consistent With respect to the TRPA Code of Ordinance’s affordable housing definition (provided in Section 5.2.1), Tahoe Shores Mobile Home Park is not currently deed restricted, and is therefore, by definition, not affordable housing. In addition, the valuation of mobile home units at Tahoe Shores determined that the park does not provide an affordable housing option for very-low income (50% of median income or less) and low-income households (80% of median income or less). The average estimated occupancy cost (acquisition, rent, utilities, insurance, and taxes) at Tahoe Shores is \$1,315 per month, which exceeds affordability thresholds (80% of the Douglas County median income) of \$1,278 for four-person households. This average estimated occupancy cost further exceeds the affordability threshold because, based upon the 2000 Census, all households in Tahoe Shores were three-person households or smaller. Therefore, when adjusted for household size, affordability levels are exceeded by even greater margins.

Policy 2 Local governments will be encouraged to assume their “fair share” of the responsibility to provide lower and very low-income housing.

Consistent As discussed above, the Tahoe Shores Mobile Home Park is not currently defined as affordable housing for very-low income and low-income households. However, the valuation of mobile home units at Tahoe Shores (Section 5.2, “Population and Housing”) determined that there are 54 mobile home units that qualify as moderate income units. Alternatives A, B, and C would result in closure of the Tahoe Shores Mobile Home Park and removal of all 155 mobile home spaces, including 54 mobile homes that qualify as moderate income housing. Because Alternatives A and C would result in the subdivision of the project site, per Section 43.2.B of the TRPA Code of Ordinances these two alternatives would be required to replace all 54 moderate income units that would be removed. Alternative A, the proposed project, would include the construction of 19 deed-restricted moderate-income for-sale condominiums on the project site, and 35 off-site residential units that would also become deed-restricted moderate income units. Alternative C would also provide for 54 deed-restricted moderate-income units either on the project site or off-site. The proposed units in Alternatives A and C would be affordable to moderate-income households with incomes ranging up to 120% of the Douglas County median household income. In 2004, the county’s median household income for a family of four was \$63,900. The deed restrictions placed on the moderate income units would not expire, and could only be changed or revoked with approval from TRPA or its successor agency.

Alternative B, the project site would not be subdivided. The two parcels that make up the project site would be realigned, the site would be sold, and two single-family estates would be constructed. Because this alternative does not involve subdivision, mitigation for the loss of moderate income housing is not required under the TRPA Code of Ordinances.

Alternatives D and E, the No Project Alternatives, would maintain the Tahoe Shores Mobile Home Park but because of site improvements, more stringent requirements for mobile home units, and increases in site rents, it is anticipated that the moderate income units may be lost. However, because this alternative does not involve subdivision, mitigation for the loss of moderate income housing is not required under the TRPA Code of Ordinances.

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Policy 3	Facilities shall be designed and occupied in accordance with local, regional, state, and federal standards for the assistance of households with low and very low incomes. Such housing units shall be made available for rental or sale at a cost to such persons that would not exceed the recommended state and federal standards.
<u>Consistent</u>	With respect to the TRPA Code of Ordinance’s affordable housing definition (provided in Section 5.2.1), Tahoe Shores Mobile Home Park is not currently deed restricted, and is therefore, by definition, not affordable housing. In addition, the valuation of mobile home units at Tahoe Shores determined that the park does not provide an affordable housing option for very-low income (50% of median income or less) and low-income households (80% of median income or less). The average estimated occupancy cost (acquisition, rent, utilities, insurance, and taxes) at Tahoe Shores is \$1,315 per month, which exceeds affordability thresholds (80% of the Douglas County median income) of \$1,278 for four-person households. This average estimated occupancy cost further exceeds the affordability threshold because, based on the 2000 Census, all households in Tahoe Shores were three-person households or smaller. Therefore, when adjusted for household size, affordability levels are exceeded by even greater margins.
Policy 4	Affordable or government assisted housing for lower income households should be located in close proximity to employment centers, government services, and transit facilities. Such housing must be compatible with the scale and density of the surrounding neighborhood.
<u>Consistent</u>	Alternative A, the proposed project, and Alternative C would include 54 deed-restricted moderate-income for-sale condominiums as follows: 1) 19 deed-restricted moderate income condominiums would be constructed on the project site; and 2) 35 off-site housing units in the Oliver Park subdivision (directly east of the project site) would be purchased and converted to deed-restricted moderate income units. The project site and the adjacent Oliver Park subdivision are located near U.S. 50 approximately 0.8 miles northeast of the California-Nevada state line in Stateline, Nevada. Stateline includes services and employment opportunities for residents. Given that the project site and off-site units would be in currently developed areas, services and employment opportunities would be located in close proximity.
Goal #2	To the extent possible, without compromising the growth management provision of the Plan, the attainment of threshold goals, and affordable housing incentive programs, moderate income housing will be encouraged in suitable locations for the residents of the region.
<u>Consistent</u>	As discussed above, the Tahoe Shores Mobile Home Park is not currently defined as affordable housing for very-low income and low-income households. However, the valuation of mobile home units at Tahoe Shores (Section 5.2, “Population and Housing”) determined that there are 54 mobile home units that qualify as moderate income units. Alternatives A, B, and C would result in closure of the Tahoe Shores Mobile Home Park and removal of all 155 mobile home spaces, including 54 mobile homes that qualify as moderate income housing. Because Alternatives A and C would result in the subdivision of the project site, per Section 43.2.B of the TRPA Code of Ordinances, they would be required to mitigate for the loss of the 54 moderate income units. Therefore Alternatives A and C would include 54 deed-restricted moderate-income for-sale condominiums either constructed on the project site or provided off-site. The units would be affordable to moderate-income households with incomes ranging up to 120% of the Douglas County median household income. In 2004, the county’s median household income for a family of four was \$63,900. The deed restrictions would not expire, and could only be changed or revoked with approval from TRPA or its successor agency. With Alternatives B, D, and E, the project site would not be subdivided. Although up to 54 moderate-income units may be lost, mitigation for the loss of moderate income housing is not required under the TRPA Code of Ordinances.

Noise

Goal #1	Single-event noise standards shall be attained and maintained.
Policy 6	The plan will permit uses only if they are consistent with the noise standards. Sound proofing practices may be required on all structures containing uses that would otherwise adversely impact the prescribed noise levels.
<u>Consistent</u>	As discussed in Section 5.8, “Noise,” noise from construction activities that occur between 8:00 AM and 6:30 PM is considered exempt from the provisions of the applicable standards. In addition, according to the project description, construction activities would not occur during the more noise-sensitive hours (e.g., evening, nighttime, and early morning) and would be temporary in nature. Thus, project-generated construction source noise levels would not exceed the applicable standards or result in annoyance and/or sleep

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disruption to occupants of existing nearby noise-sensitive land uses. As a result, this would be a less-than-significant impact.

As discussed in Impact 5.8.A-2, long-term project-generated non-traffic source noise levels (i.e., heating ventilation and air conditioning [HVAC] equipment) under Alternative A could exceed applicable noise standards at off-site existing nearby noise-sensitive land uses. However, implementation of Mitigation Measure 5.8.A-2 would reduce HVAC equipment noise levels to a less-than-significant level. The same impact would apply to development Alternative C. In addition, all of the residential buildings would be constructed with materials that abate noise transmission (such as double paned windows) to address the potential for noise disturbance generated by 4-H activities. All buyers and residents at the project site would also be provided a disclosure statement in the Declaration of Covenants, Conditions, and Restrictions documents that includes a description of 4-H Camp events, activities, and the potential for noise.

Goal #2 Community noise equivalent levels shall be attained and maintained.

Policy 1 Transmission of noise from the transportation corridors shall be reduced.

Consistent As discussed in Section 5.8, “Noise,” implementation of Alternative A would result in an increase of approximately 104 to 199 trips in the annual average daily traffic volumes on the affected segments of U.S. 50, and 360 trips on Kahle Drive. Such traffic increases would not result in noise level increases along U.S. 50 (refer to Table 5.8-9). In addition, such traffic increases would result in noise level increases of less than 1.6 dBA along Kahle Drive, which would be imperceptible to the human ear. Thus, traffic associated with the long-term operation of Alternative A would not result in a perceptible (e.g., 3 dBA or greater) increase in noise levels along affected local roadways or highways. As a result, this would be a less-than-significant impact. The same would be true of development Alternatives B and C.

Natural Hazards

Goal #1 Risks from natural hazards (e.g., flood, fire, avalanche, earthquake) will be minimized.

Policy 2 Prohibit construction, grading, and filling of lands within the 100-year flood plain and in the area of wave run-up, except as necessary to implement the goals and policies of the plan. Require all public utilities, transportation facilities, and other necessary public uses located in the 100-year flood plain and area of wave run-up to be constructed or maintained to prevent damage from flooding and to not cause flooding.

Consistent Based on the HEC-RAS analysis conducted for the project site and use of the most recent flow data, Alternative A would not impede or redirect flood flows, or place housing or other structures in the 100-year flood zone (Exhibits 5.5-6, 5.5-7 and 5.5-8). Potential flooding risks would be alleviated through implementation of the proposed grading plan and the Alternative A site design, which considers the location of the 100-year flood zone and proposes to construct all structures above it. In addition, the stormwater treatment system would convey 100-year flood flows through the proposed treatment ponds to the northern boundary of the project site and then outlet to Lake Tahoe, south of the Burke Creek outfall. Exhibit 5.5-9 demonstrates how the stormwater treatment system for Alternative A would convey 100-year flood flows through the proposed treatment ponds to accomplish this. For these reasons, this impact is considered less than significant.

Under Alternatives B and C, residential estates and associated structures in the northern parcel would not result in any residential estates or associated structures being located in the 100-year floodplain. See Section 5.5, “Hydrology and Water Quality,” for more detail.

Policy 3 Inform residents and visitors of the wildfire hazard associated with occupancy in the basin. Encourage use of fire resistant materials and fire preventative techniques when constructing structures, especially in the highest fire hazard areas. Manage forest fuels to be consistent with state laws and other goals and policies of this plan.

Consistent The Beach Club residents would be informed of the wildfire hazard associated with occupancy in the basin and all project buildings would be equipped with sprinklers and fire resistant roofs, and would be required to comply with building codes related to fire safety.

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Water Quality	
Goal #1	Reduce loads of sediment and algal nutrients to Lake Tahoe; meet sediment and nutrient objectives for tributary streams, surface runoff, and subsurface runoff, and restore 80% of the disturbed lands.
Policy 2	All persons who own land and all public agencies that manage public lands in the Lake Tahoe region shall put BMPs in place; maintain their BMPs; protect vegetation on their land from unnecessary damage; and restore the disturbed soils on their land.
<u>Consistent</u>	Alternatives A through E would include appropriate temporary and permanent BMPs, implementation of which would be the responsibility of the project applicant. Disturbed soils would be restored in compliance with the storm water pollution prevention plan (SWPPP) that would be approved before construction.
Policy 3	Application of BMPs to projects shall be required as a condition of approval for all projects.
<u>Consistent</u>	The project applicant would be required to prepare a SWPPP that would include temporary and permanent BMPs. As a condition of project approval, the SWPPP would be prepared and approved before construction.
Policy 8	Transportation and air quality measures aimed at reducing airborne emissions of oxides of nitrogen (NO _x) in the Tahoe basin shall be carried out.
<u>Consistent</u>	<p>As described in Section 5.7, “Air Quality,” implementation of Mitigation Measure 5.7.A-1 would reduce construction-related fugitive PM₁₀ dust emissions and prevent dispersion, thereof, beyond the property boundary. Implementation of Mitigation Measure 5.7.A-1 would also reduce construction-related diesel equipment exhaust emissions of ROG, NO_x and PM₁₀. In addition, Alternatives A through E would be required to comply with all applicable TRPA and State of Nevada Division of Environmental Protection (NDEP) Bureau of Air Pollution Control (BAPC) and Bureau of Air Quality Planning (BAQP) regulations, particularly TRPA Code of Ordinances Chapter 25 (Best Management Practices), Chapter 64 (Grading Standards), and Chapter 91 (Air Quality Control).</p> <p>Long-term operational emissions associated with the proposed project alternatives would not exceed TRPA’s stationary source thresholds or the mass emission thresholds for NO_x. Therefore, project implementation would not violate an air quality standard, contribute substantially to an existing or projected air quality violation, expose sensitive receptors to substantial pollutant concentrations, or conflict with or obstruct implementation of the applicable air quality plan.</p> <p>The traffic analysis in Section 5.6, “Transportation and Parking,” discusses the amount of the contribution to the Air Quality Mitigation Fund, as required by Chapter 93.3.D of the TRPA Code of Ordinances. This discussion is included in the traffic analysis because the contribution amount is a direct function of the number of daily vehicle trips generated by the project, rather than the actual emissions from stationary, area, and mobile sources.</p>
Goal #2	Reduce or eliminate the addition of other pollutants that affect, or potentially affect, water quality in the Tahoe basin.
Policy 1	All persons engaging in public snow disposal operations in the Tahoe region shall dispose of snow in accordance with site criteria and management standards in the <i>Handbook of Best Management Practices</i> .
<u>Consistent</u>	The site manager would provide snow removal on the on-site road and emergency access points, and Douglas County would be responsible for snow removal within the County’s right-of-way. Snow removal would occur in accordance with the <i>Handbook of Best Management Practices</i> . Section 5.5, “Hydrology and Water Quality,” of this document addresses stormwater runoff at the project site.
Policy 5	No person shall discharge solid wastes in the Lake Tahoe region by depositing them on or in the land, except as provided by TRPA ordinance.
<u>Consistent</u>	As discussed in Chapter 3, “Project Description,” of this document, solid waste disposal services for the project site would continue to be provided by South Tahoe Refuse. All materials collected, including garbage and recyclables, would be hauled to the materials recovery facility in South Lake Tahoe to be sorted. All nonrecyclable material would be hauled out of the basin and disposed of at a landfill with sufficient capacity in Nevada.

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Community Design

Goal #1 **Ensure preservation and enhancement of the natural features and qualities of the region, provide public access to scenic views, and enhance the quality of the built environment.**

Policy 1 The scenic quality ratings established by the environmental thresholds shall be maintained or improved.

Consistent As discussed in Section 5.10, “Scenic Resources,” of this document, with implementation of appropriate mitigation, Alternatives A through E would comply with scenic quality standards for TRPA, including TRPA’s Scenic Resource Thresholds identified in TRPA’s Code of Ordinances and TRPA’s Design Review Guidelines regarding the design of the buildings and lighting.

Goal #2 **Regional building and community design criteria shall be established to ensure attainment of the scenic thresholds, maintenance of desired community character, compatibility of land uses, and coordinated project review.**

Policy 1 Regional design review shall include the following to be used in evaluating projects throughout the region. This review may entail additional requirements for or special requirements not listed below.

- A. Site Design: All new development shall consider site design which includes, at a minimum:
 - 1) Existing natural features to be retained and incorporated into the site design.
 - 2) Building placement and design to be compatible with adjacent properties and consideration of solar exposure, climate, noise, safety, fire protection, and privacy.
 - 3) Site planning to include a drainage, infiltration, and grading plan meeting BMP standards.
- B) Access, parking, and circulation to be logical, safe, and meet the requirements of the transportation element.
 - 1) Building height shall be limited to two stories except that provisions for additional height requirements shall be provided for unique situations such as lighting towers, ski towers, steep sites, redevelopment projects and tourist accommodation facilities.
 - 2) Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.
 - 3) Buffer requirements shall be established for noise, snow removal, aesthetic, and environmental purposes.
 - 4) The scale of structures should be consistent with surrounding uses.
 - 5) Viewshed should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- C. Landscaping: The following should be considered with respect to this design component of a project:
 - 1) Native vegetation should be utilized whenever possible.
 - 2) Vegetation should be used to screen parking and to alleviate long strips of parking space.
 - 3) Plants should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture.
- D. Lighting: Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be considered:
 - 1) Exterior lighting should be minimized with an emphasis on safety and should be consistent with the architectural design.
 - 2) Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well placed, low intensity lights.
 - 3) Lights should not blink, flash, or change intensity.
- E. Signing: In determining sign design, the following should be considered:
 - 1) Off premise signs are prohibited.
 - 2) Signs should be incorporated into building design.
 - 3) When possible, signs should be consolidated into clusters to avoid clutter.
 - 4) Signage should be attached to buildings when possible.
 - 5) Standards for height, lighting, and square footage for on premise signs shall be formulated and shall be consistent with the land uses permitted in each district.

Consistent As described in Chapters 3, 4, and 5 of this EIS, all development alternatives (Alternatives A, B, and C) would

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include reduced site coverage, improved drainage, temporary and permanent BMPs, sufficient vehicular site access, emergency access, sufficient parking, the undergrounding of utility lines, building designs that comply with TRPA scenic thresholds, building heights that are consistent with TRPA height standards, native landscaping, compatible lighting, and no off-site signs.

Transportation

Objective 2 Plan for and promote land use changes and development patterns that will encourage the use of alternative transportation modes and minimize impacts on the existing transportation system.

Policy A Community Plans shall promote land use development patterns and designs that will increase the ability to use public transportation, waterborne, bicycle, and pedestrian facilities.

Consistent In keeping with observed travel modes for Tahoe residents, and in view of the fact that the residents have the option to use the BlueGo Flex Route service, it is estimated that 2% of trips made to and from the proposed condominiums would be made via public transit, pedestrian or bicycle travelers. In addition, under Alternative A, a shuttle service would be provided by the project applicant that would operate on demand, providing service within the project site (for residents of the outlying residential units traveling to the Beach Club) as well as along the U.S. 50 corridors between Heavenly Village on the south and Round Hill Square on the north. The hours of operation would be from 8:00 AM to 10:00 PM, at a minimum, during peak seasons.

Policy C Development patterns shall provide for the in-fill of existing areas, making use of existing transportation facilities and promoting the use of alternative transportation modes.

Consistent The Beach Club project site is a developed site (Tahoe Shores Mobile Home Park) surrounded by USFS lands, including Burke Creek (Rabe) Meadow and Nevada Beach Campground to the north; the Meadowbrook Apartments and the Oliver Park GID to the east; the University of Nevada 4-H Camp and Edgewood Golf Course to the south; and Lake Tahoe to the west. The project site is located near U.S. 50 approximately 0.8 mile northeast of the California-Nevada state line area, which includes the casino core, gondola areas, and associated tourist services. Residents at the project site have access to the BlueGo Flex Route service on U.S. 50. In addition, under Alternative A, a shuttle service would be provided by the project applicant that would operate on demand, providing service within the project site (for residents of the outlying residential units traveling to the Beach Club) as well as along the U.S. 50 corridors between Heavenly Village on the south and Round Hill Square on the north. The hours of operation would be from 8:00 AM to 10:00 PM, at a minimum, during peak seasons.

Policy D New, expanded, or revised developments shall fully mitigate their regional and cumulative traffic impacts.

Consistent Section 5.14, "Cumulative Impacts," of this document analyzes the cumulative transportation-related effects of Alternatives A through E. Mitigation measures are identified to ensure that the project contributes its fair share to mitigate its contribution to regional and cumulative traffic impacts.

Policy E Parking for residential usage shall meet TRPA standards and shall be provided on-site.

Consistent As discussed in Section 5.6, "Transportation and Parking," of this document, Alternative A would include an adequate supply of parking to meet the demand generated by the Beach Club project. A total of 220 spaces would be required for residential uses, and the beach and swim club/restaurant uses would require a total of 122 spaces. The total parking supply for Alternative A would be 358 spaces, which would exceed the parking demand.

Under Alternative B, the two single-family estates would each include a five-car detached parking garage and minimal surface parking, which would be sufficient to meet the parking demand associated with each estate.

Alternative C would require a total of 265 parking spaces; however, Alternative C proposes an overall parking supply of 267 spaces, resulting in a surplus of parking spaces.

Alternatives D and E would not alter the existing parking at Tahoe Shores Mobile Home Park.

Policy F Parking for nonresidential uses shall be the minimum/maximum required to meet the demand for parking generated by the use, except as may be offset by reducing parking demand through parking management and trip reduction programs.

Consistent Only Alternative A would require parking for nonresidential uses. As discussed in Impact 5.6.A-3 in Section 5.6,

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	<p>“Transportation and Parking,” Alternative A would include an adequate supply of parking to meet the demand generated by the Beach Club project. The nonresidential beach and swim club/restaurant uses would require a total of 122 spaces and the residential uses would require 220 spaces. The total parking supply for Alternative A would be 358 spaces, which would exceed the parking demand.</p>
Policy G	<p>Driveways shall be designed and sited to minimize impacts on public transportation, adjacent roadways and intersections, bicycle and pedestrian facilities.</p>
<u>Consistent</u>	<p>Kahle Drive, which provides access to the project site, is currently not served by a sidewalk although adequate crossing of U.S. 50 is provided by the U.S. 50/Kahle Drive traffic signal. The proposed project would generate a moderate level of pedestrian and bicycle activity, similar to existing conditions. As per the <i>Lake Tahoe Regional Bicycle and Pedestrian Master Plan</i>, there are no planned facilities that the proposed project would conflict with. Although the pedestrian and bicycle facilities in the project area are limited, the project would not alter existing or planned facilities.</p> <p>As discussed in Section 5.6, “Transportation and Parking,” of this document, none of the project alternatives would result in intersections with inadequate driver sight distance or other characteristics that would create an undue potential safety hazard. Under Alternative A, the proposed project would include realigning the two parallel roads on the site. Arthur Drive and Eugene Drive would be removed and replaced by a single two-way road running east-west through the project site. The new paved road would begin where Kahle Drive ends at the eastern boundary of the project site and would end at the proposed beach and swim club at the west-end of the project site.</p> <p>Alternative B would result in the realignment of the existing project site roadways into two private driveways, one on each realigned parcel to serve each single-family estate.</p> <p>Under Alternative C, the existing project site roadways would be realigned to a single two-way road running east-west through the project site that would serve both multifamily residential complexes.</p> <p>In Alternatives D and E, Arthur Drive and Eugene Drive would remain unchanged.</p>
Objective 4	<p>Develop and encourage the use of pedestrian and bicycle facilities as a safe and viable alternative to automobile use.</p>
Policy A	<p>There shall be a high priority on constructing pedestrian and bicycle facilities in urbanized areas of the Region and where reductions in congestion will result.</p>
<u>Consistent</u>	<p>Kahle Drive, which provides access to the project site, is currently not served by a sidewalk although adequate crossing of U.S. 50 is provided by the U.S. 50/Kahle Drive traffic signal. The proposed project would generate a moderate level of pedestrian and bicycle activity, similar to existing conditions. As per the <i>Lake Tahoe Regional Bicycle and Pedestrian Master Plan</i>, there are no planned facilities that the proposed project would conflict with. Although the pedestrian and bicycle facilities in the project area are limited, the project would not alter existing or planned facilities.</p>
Policy E	<p>Bicycle and pedestrian linkages shall be provided between residential and nonresidential areas.</p>
<u>Consistent</u>	<p>Kahle Drive, which provides access to the project site, is currently not served by a sidewalk although adequate crossing of U.S. 50 is provided by the U.S. 50/Kahle Drive traffic signal. The proposed project would generate a moderate level of pedestrian and bicycle activity, similar to existing conditions. As per the <i>Lake Tahoe Regional Bicycle and Pedestrian Master Plan</i>, there are no planned facilities that the proposed project would conflict with. Although the pedestrian and bicycle facilities in the project area are limited, the project would not alter existing or planned facilities.</p>
Policy D	<p>Local roadways connecting residential areas, and connecting residential areas with nonresidential areas, may be constructed, provided these roadways are designed to improve local circulation and will not induce through traffic.</p>
<u>Consistent</u>	<p>As with current site conditions, Alternatives A through E would result in a paved roadway that would connect to Kahle Drive at the at the eastern boundary of the project site, which then connects to U.S. 50. This roadway would provide access for residents, members of the beach and swim club and their guests and emergency access to the site, but would not induce through traffic because there is no roadway connection from the project site to the north, west, or south.</p>

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Objective 5	Implement transportation demand management (TDM) measures to reduce the number of vehicle trips on the Region’s highways.
Policy D	Condominiums, timeshares, hotels and motels shall participate in public transit and private shuttle programs, and provide transit information and incentives to their guests and residents.
<i>Consistent</i>	In keeping with observed travel modes for Tahoe residents, and in view of the fact that the residents have the option to use the BlueGo Flex Route service, it is estimated that 2% of trips made to and from the proposed condominiums would be made via public transit, pedestrian or bicycle travelers. In addition, under Alternative A, a shuttle service would be provided by the project applicant that would operate on demand, providing service within the project site (for residents of the outlying residential units traveling to the Beach Club) as well as along the U.S. 50 corridors between Heavenly Village on the south and Round Hill Square on the north. The hours of operation would be from 8:00 AM to 10:00 PM, at a minimum, during peak seasons.
Vegetation	
Goal #1	Provide for a wide mix and increased diversity of plant communities in the Tahoe basin.
Policy 5	Permanent disturbance or unnecessary alteration of natural vegetation associated with development activities shall not exceed the approved boundaries [or footprints] of the building, driveway, or parking structures, or that which is necessary to reduce the risk of fire or erosion.
<i>Consistent</i>	As discussed in Section 5.9, “Biological Resources,” of this document, vegetation removal would remain within the approved project site boundaries. Implementation of the development alternatives could result in the loss or disturbance of low quality, disturbed grassland/big sagebrush scrub habitat and deciduous riparian habitat. No other vegetation types would be affected.
Policy 6	The management of vegetation in urban areas shall be in accordance with the policies of this plan and shall include provisions that allow for the perpetuation of the natural-appearing landscape.
<i>Consistent</i>	With implementation of the mitigation measures identified in Section 5.9, “Biological Resources,” of this document, Alternatives A through E would be in compliance with TRPA’s Goals and Policies with respect to the management of vegetation in urban areas.
Policy 8	Revegetation of disturbed sites shall require the use of species approved by the Agency. TRPA shall prepare specific policies designed to avoid the unnecessary use of landscaping which requires long-term irrigation and fertilizer use.
<i>Consistent</i>	All development alternatives, Alternatives A, B, and C, would include native landscaping based on an approved list of species from TRPA. The conceptual plant list for landscaping and SEZ restoration for Alternative A is provided in Table 3-3.
Policy 9	All proposed actions shall consider the cumulative impact of vegetation removal with respect to plant diversity and abundance, wildlife habitat and movement, soil productivity and stability, and water quality and quantity.
<i>Consistent</i>	The project site is developed with the Tahoe Shores Mobile Home Park and does not support any high-quality TRPA common threshold vegetation types other than deciduous riparian vegetation along the drainage ditch at the northern boundary of the site. The project site does not support any uncommon vegetation or late seral/old growth ecosystems as defined by TRPA. Low quality disturbed grassland/big sagebrush scrub habitat is present on the western portion of the project site. Removal or disturbance of this already disturbed vegetation is not considered a significant impact. No wildlife movement corridors have been identified on the project site and no significant corridors are likely to exist. Implementation of Alternatives A, B, or C would likely have very little effect on nesting special-status bird species, raptors, and other migratory birds, due to lack of suitable nesting habitat on the project site. Implementation of Alternatives A, B, or C would also result in less-than-significant impacts related to fisheries. Furthermore, Alternatives A, B, and C would reduce site coverage and would include BMPs and site drainage to properly collect and infiltrate site runoff, as well as improve the water quality of runoff from the project site. Alternatives D and E would keep the Tahoe Shores Mobile Home Park and minor site improvements and BMPs would be implemented.
Goal #2	Provide for the maintenance and restoration of such unique eco-systems as wetlands, meadows, and other riparian vegetation.

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Policy 2	Riparian plant communities shall be restored or expanded whenever and wherever possible.
<u>Consistent</u>	<p>Alternative A, the proposed project, would include restoration of approximately 2 acres of SEZ habitat along the northern portion of the project site adjacent to the United State Forest Service parcel and Burke Creek as shown in Exhibits 3-4 and 3-13. The fill in this northern portion of the project site, originally placed over the SEZ when the airfield was constructed, would be removed to reestablish wetlands and SEZ habitat adjacent to Burke Creek. The abandoned ditch on the northern border of the project site would be filled to assist with rehydrating the restored meadow. After removal of the fill and restoration of the ditch, the restoration area would be planted with native plugs and riparian vegetation and all disturbed areas would be seeded with a native wetland seed mixture and mulched. The conceptual plant list for landscaping and SEZ restoration area is provided in Table 3-3. A small split rail fence would be installed along the northern side of the project roadway to identify and protect the restored SEZ area. In addition, interpretive signs would be installed providing information about the restoration, Rabe Meadow, and Burke Creek.</p> <p>Alternatives B, C, D, and E would not include restoration of SEZ habitat.</p>
Goal #3	Conserve threatened, endangered, and sensitive plant species and uncommon plant communities of the Lake Tahoe Basin.
Policy 1	Uncommon plant communities shall be identified and protected for their natural values.
<u>Consistent</u>	<p>The project site is developed and includes roadways, concrete pads for 155 mobile home units, and landscaping associated with the Tahoe Shores Mobile Home Park. At the western end of the project site, the Kingsbury General Improvement District (KGID) water supply pump station, a mobile home that serves as the Tahoe Shores manager’s office, storage and maintenance buildings, electrical stations, and a recreational pier are present. Habitats present on the project site include the beach zone, a drainage ditch, willow scrub, big sagebrush scrub, and dry meadow. There is Jeffrey pine forest, big sagebrush scrub, montane meadow, and riparian scrub/woodland habitats to the north and south of the project site.</p> <p>One uncommon plant community, Tahoe yellow cress, has been identified on the project site. During the EDAW special-status plant survey on June 21, 2006, 11 plants of Tahoe yellow cress were encountered in four locations on the project site. All 11 Tahoe yellow cress plants were located in the backshore zone on the north side of the project site on the north and south sides of the drainage ditch in moist sand 1 to 4 feet from the water’s edge (Exhibit 5.9-1). As addressed in Mitigation Measure 5.9.A-4 in Section 5.9, “Biological Resources,” all project development alternatives would include mitigation to avoid disturbance or removal of Tahoe yellow cress and to implement measures to counteract potential adverse effects related to site hydrology and changed use patterns for the Beach Club project and construction-related impacts. In addition, the project would include an interpretive path that would direct people away from the Tahoe yellow cress populations.</p>
Policy 3	The conservation strategy for Tahoe Yellow Cress in the Lake Tahoe Basin shall foster stewardship for this species.
<u>Consistent</u>	Tahoe yellow cress is known to occur in the backshore zone of the project site along the northern drainage ditch. Implementation of the development alternatives, Alternatives A, B, or C, could disturb Tahoe yellow cress. Therefore, implementation of Mitigation Measure 5.9.A-4 would be required to avoid disturbance or removal of Tahoe yellow cress and to implement measures to counteract potential adverse effects related to site hydrology and changed use patterns for the Beach Club project and construction-related impacts. Implementation of the mitigation would reduce the project’s impact on Tahoe yellow cress to a less-than-significant level.
Wildlife	
Goal #1	Maintain suitable habitats for all indigenous species of wildlife without preference to game or nongame species through maintenance of habitat diversity.
Policy 1	All proposed actions shall consider impacts to wildlife.
<u>Consistent</u>	Section 5.9, “Biological Resources,” of this document describes and analyzes potential impacts to wildlife resulting from Alternatives A through E. No wildlife movement corridors have been identified on the project site and no significant corridors are likely to exist. Implementation of the project alternatives would likely have very little effect on nesting special-status bird species, raptors, and other migratory birds, due to lack of suitable nesting habitat on the project site. Implementation the project alternatives would likely have little

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effect on foraging osprey and bald-headed eagle that potentially forage on Lake Tahoe in the vicinity of the project site. Implementation the project alternatives is not expected have any effects on nesting waterfowl due to the lack of suitable nesting habitat on the project site. Alternatives A, B and C include the reconstruction and expansion of the existing pier and the relocation of the three existing buoys, which is not expected to result in disturbance during fish spawning periods and would not affect fish rearing.

Policy 2 Riparian vegetation shall be protected and managed for wildlife.

Consistent

The Kahle ditch, a man-made intermittent drainage ditch, is present along the northern border of the project site and drains to Lake Tahoe, which is considered a water of the United States by USACE. Tributaries of waters of the United States are considered jurisdictional by USACE. Therefore USACE would have jurisdiction over the Kahle Ditch.

Implementation of Alternatives A, B, and C would include implementation of BMPs for site drainage and water quality treatment. (In addition, Alternative A would include restoration of approximately 2 acres of SEZ area on the northern edge of the project site.) Construction of Alternative A would result in fill of the Kahle Ditch and removal of willow scrub and riparian vegetation currently lining the ditch. In addition, some willow scrub and riparian vegetation present on the western portion of the project site and along the shallow drainage ditch on the southern boundary of the project site would likely be removed or disturbed during project implementation. However, conversion of this ditch to meadow would be beneficial in terms of improved water quality, increased wetness in burke creek meadow and re-establishment of native plant community that provides better ground cover.

Deciduous riparian vegetation is also one of TRPA’s threshold common vegetation types with an attainment threshold of 4%. Removal of this vegetation type needs to be addressed during the TRPA permitting process. Mitigation Measure 5.9.A-1 requires a delineation of waters of the United States, prior to the start of construction activities at the project site. If, based on the USACE verified delineation, it is determined that fill of waters of the United States would result from implementation of the project, authorization for such fill shall be secured from USACE through the Section 404 permitting process. The acreage of riparian habitat (deciduous riparian vegetation) that would be removed or disturbed during project implementation shall be quantified and replaced or restored/enhanced on a “no net loss” basis in accordance with USACE and TRPA regulations. Restoration of the SEZ adjacent to the Kahle Ditch would likely be considered an appropriate mitigation measure for loss of deciduous riparian vegetation by both USACE and TRPA. In addition, fill of the Kahle Ditch is likely to have a beneficial effect on the water table of the meadow and SEZ ecosystems to the north of the project site. Nevertheless, habitat restoration, enhancement, and/or replacement shall be at a location and by methods agreeable to USACE as determined during the permitting processes for Clean Water Act Section 404 and by TRPA during its permitting process.

Goal #2 **Preserve, enhance, and, wherever feasible, expand habitats essential for threatened, endangered, rare, or sensitive species found in the Basin.**

Policy 1 Endangered, threatened, rare, and special interest species shall be protected and buffered against conflicting land uses.

Consistent

The only endangered, threatened, rare, or special status species that has been identified at the project site is the Tahoe yellow cress. Tahoe yellow cress is known to occur in the backshore zone of the project site along the northern drainage ditch in the backshore zone. Implementation of the development alternatives, Alternatives A, B, or C, could disturb Tahoe yellow cress. Therefore, Mitigation Measure 5.9.A-4 requires avoidance of disturbance or removal of Tahoe yellow cress and the implementation of measures to counteract potential adverse effects related to site hydrology and changed use patterns and construction-related impacts. Implementation of the mitigation would reduce the project’s impact on Tahoe yellow cress to a less-than-significant level.

Fisheries

Goal #1 **Improve aquatic habitat essential for the growth, reproduction, and perpetuation of existing and threatened fish resources in the Lake Tahoe Basin.**

Policy 1 Development proposals affecting streams, lakes and adjacent lands shall evaluate impacts to the fishery.

Consistent

Section 5.9, “Biological Resources,” evaluates the impact of all project alternatives on fisheries. Alternatives D and E would result in no impacts to fisheries because no pier expansion would be completed. Alternatives

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	A, B, and C would include the reconstruction and expansion of the existing pier and the relocation of the three existing buoys, which is not expected to result in disturbance during fish spawning periods or in disturbance during fish rearing. Implementation of Alternatives A, B, and C would also result in drainage improvements and BMPs that would have a beneficial impact on water quality and associated fisheries habitat.
Policy 4	Standards for boating activity shall be established for the shallow zone of Lake Tahoe.
<u>Consistent</u>	As described in the Section 5.5, “Hydrology and Water Quality,” Impacts 5.5.A-5 and 5.5.A-6, Alternatives A, B, and C would include the relocation of the three existing buoys, but would not include any additional buoys (see Exhibits 3-10 and 4-2). Therefore, the project would not contribute to an increase in the number of boats moored at the lake nor would it contribute to increased boating activity.
Soils	
Goal #1	Minimize soil erosion and the loss of soil productivity.
Policy 1	Allowable impervious land coverage shall be consistent with the threshold for impervious land coverage.
<u>Consistent</u>	The project site is developed and currently occupied by the Tahoe Shores Mobile Home Park. The developed land coverage on the project site (457,959 sf) is recognized by TRPA and provides the basis for the future allowable coverage rather than the land capability districts. Therefore, the allowable site coverage would be 457,959 sf. Alternatives A, B, and C would result in a reduction in the total site coverage to 358,907 sf, 320,000 sf, and 380,000 sf, respectively. Therefore, all three development alternatives would be below the TRPA verified coverage for the site. Alternatives D and E would maintain the site coverage at 457,959 sf.
Policy 6	Grading, filling, clearing of vegetation (that disturbs soil), or other disturbances of the soil are prohibited during inclement weather and for the resulting period when the site is covered with snow or is in a saturated, muddy, or unstable condition, special regulations and construction techniques will apply to all construction activities occurring from October 15 to May 1.
<u>Consistent</u>	Section 5.4, “Geology, Soils, and Land Capability and Coverage,” discusses potential soil disturbances resulting from project construction. Mitigation Measure 5.4.A-3a (submit Final Geotechnical Report and Improvement Plans) includes the requirement that a winterization plan be provided with project improvement plans. The project applicant would be responsible for ensuring proper installation and maintenance of erosion control winterization during project construction. In addition, the project applicant would be required to prepare a SWPPP that would include temporary and permanent BMPs. As a condition of project approval, the SWPPP would be prepared and approved before construction.
Shorezone	
Goal #1	Provide for the appropriate shorezone uses of Lake Tahoe, Cascade Lake, and Fallen Leaf Lake while preserving their natural and aesthetic qualities.
Policy 1	All vegetation at the interface between the backshore and foreshore zones shall remain undisturbed unless allowed by permit for uses otherwise consistent with the shorezone policies.
<u>Consistent</u>	Installation of electrical conduit to power the mechanical/hydraulic lifts for the vertically moving fixed section of the proposed pier associated with Alternatives A and C, and construction of the 10-foot approach walk constructed on the shoreline to provide stable access from the beach shore to the pier under Alternatives A, B and C would require construction in the beach zone of the project site. No other construction activities or construction staging would occur in the beach zone. The proposed pier reconstruction and expansion would occur from a barge on the lake and all construction staging for the project would occur on previously disturbed portions of the project site outside of the beach zone. Although there would not be direct disturbance of vegetation on the beach, Tahoe yellow cress is known to occur in the backshore zone of the project site along the northern drainage ditch. Implementation of the development alternatives, Alternatives A, B, or C, could disturb Tahoe yellow cress. Therefore, Mitigation Measure 5.9.A-4 requires avoidance of disturbance or removal of Tahoe yellow cress and the implementation of measures to counteract potential adverse effects related to site hydrology and changed use patterns. Implementation of the mitigation would reduce the project’s impact on Tahoe yellow cress to a less-than-significant level.

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Policy 2	Construction activity should be set back to ensure no disturbance of the interface between high capability backshore and unstable cliff areas.
<u>Consistent</u>	See discussion under Policy 1 above. Because there are no cliff areas on or near the project site, construction activities associated with development Alternatives A, B and C would not cause any disturbance of the interface between high capability backshore and unstable cliff areas.
Policy 3	The use of lawns or ornamental vegetation in the shorezone shall be discouraged.
<u>Consistent</u>	The proposed project and project alternatives would not include the use of lawns or ornamental vegetation in the shorezone of the project site.
Policy 7	Water dependent recreational facilities and residential buildings are acceptable in Class 6, 7, and 8 capability shorezones so long as such uses (1) Provide for the natural equilibrium of the shoreline interface, (2) do not accelerate the nearshore shelf erosion, (3) minimize disturbance of vegetation, (4) consider visual amenities, and (5) comply with other relevant policies of this subelement.
<u>Consistent</u>	The project site is located in Shorezone Tolerance District 7, which allows for water-oriented recreation facilities (beach recreation, buoys, piers, floating docks and platforms, water intake lines, boat ramps, etc.) in the backshore, nearshore, and foreshore (TRPA Code of Ordinances Chapter 53.9). The existing 109-foot private pier is an allowable use in Shorezone Tolerance District 7 and under Alternatives A, B and C, it would be reconstructed and extended approximately 50 linear feet, for a total length of 159 feet from Lake Tahoe High Water Datum (elevation 6229.1). The reconstructed pier would extend to the TRPA designated pier headline (elevation 6219.0). The pier would follow the current alignment (perpendicular to the shoreline). The reconstructed pier would be consistent with the Design and Construction Standards listed in TRPA Code Section 54.4.B, except as allowed under Code Section 54.4.B(1). In addition, the three existing buoys would be relocated to just north of the expanded pier.
Policy 9	The Agency shall regulate the placement of new piers, buoys, and other structures in the foreshore and nearshore to avoid degradation of fish habitats, creation of navigation hazards, interference with littoral drift, interference with the attainment of scenic thresholds, and other relevant concerns.
<u>Consistent</u>	<p>The proposed pier plan applicable to Alternatives A and C is shown on Exhibit 3-10. The Alternative B pier plan is shown on Exhibit 4-2. With Alternatives A, B and C, the existing 109-foot private pier would be reconstructed and expanded approximately 50 linear feet, for a total length of 159 feet from Lake Tahoe High Water Datum (elevation 6229.1). The pier would extend to the TRPA designated pier headline (elevation 6219.0). With Alternatives A and C, the existing pier would be reconstructed with an 80-foot vertically moving fixed section (intended to avoid effects on littoral processes) and a 20-foot transition section that connects the fixed section to a 59-foot floating section. A 10-foot approach walk would also be constructed on the shoreline to provide stable access from the beach shore to the pier. The floating section of the pier would be constructed in an “L” shape and would include two 10-foot by 20-foot platforms extending to the north intended to provide safer and more stable boat loading and unloading. At its widest point, the floating pier would be 30 feet wide. The Alternative B pier would include an 80-foot fixed section and a 34-foot ramp that connects the fixed pier to a 45-foot floating pier. The floating pier would be anchored by two piles spaced approximately 28 feet apart. Each pile would extend through a hole, encircled by rollers, in the floor of the pier which would allow vertical movement of the pier from wave action, but not horizontal movement. No work would be done at or below water level, and BMPs would be in place to prevent spillage of debris, machine oils, or other construction related materials from the pier work area into the lake water. The three relocated buoys would be attached to a 4 x 4 x 2-foot concrete block, slowly placed on the lake bottom so as not to generate excess sedimentation. No dredging or other lake bottom removal would be utilized in buoy placement.</p> <p>Construction staging for the pier would be provided by a barge on the lake. In addition, a turbidity curtain would be used at all times during construction of the floating pier. This is a standard BMP (208 Plan, Volume II, BMP-72, Best Management Practices). A turbidity curtain is a floating barrier consisting of relatively impervious fabric, used to prevent fine and coarse suspended sediment transport away from areas of water-based construction activities, in this case the driving of the pier piles.</p>

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	<p>The proposed pier expansion and buoy relocation in Alternatives A, B, and C would not be in conflict with the fishery threshold nondegradation standard for essential fish habitat and is not expected to result in disturbance during fish rearing.</p>
Policy 11	<p>The agency shall regulate the maintenance, repair, and modification of piers and other structures in the nearshore and foreshore.</p>
<u>Consistent</u>	<p>The proposed pier plan for Alternatives A and C is shown on Exhibit 3-10. The Alternative B pier plan is shown on Exhibit 4-2. With Alternatives A, B, and C, the reconstructed pier would be consistent with the Design and Construction Standards listed in TRPA Code Section 54.4.B, or with exceptions allowed under Code Section 54.4.B(1).</p>
Scenic	
Goal # 1	Maintain and restore the scenic qualities of the natural appearing landscape.
Policy 1	<p>All proposed development shall examine impacts to the identified landscape view from roadways, bike paths, public recreation areas, and Lake Tahoe.</p>
<u>Consistent</u>	<p>Section 5.10, "Scenic Resources," of this document analyzes the project's effects on scenic resources, including views from roadways, bike paths, public recreation areas, and Lake Tahoe. With implementation of appropriate mitigation measures, Alternatives A through E would comply with scenic quality standards for TRPA, including TRPA's Scenic Resource Thresholds identified in TRPA's Code of Ordinances and TRPA's Design Review Guidelines regarding the design of the buildings and lighting.</p>
Policy 2	<p>Any development proposed in areas targeted for scenic restoration or within a unit highly sensitive to change shall demonstrate the effect of the project on the 1982 Travel Route Ratings of the Scenic Thresholds.</p>
<u>Consistent</u>	<p>As discussed in Section 5.10, "Scenic Resources," of this document, with implementation of appropriate mitigation, Alternatives A through E would result in less-than-significant impacts related to TRPA's Travel Route Threshold Ratings.</p>
Stream Environment Zone	
Goal # 1	Provide for the long-term preservation and restoration of stream environment zones.
Policy 1	<p>Restore all disturbed stream environment zone lands in undeveloped, unsubdivided lands, and restore 25 percent of the SEZ lands that have been disturbed, developed, or subdivided.</p>
<u>Consistent</u>	<p>Alternative A would include restoration of approximately 2 acres of SEZ habitat along the northern portion of the project site adjacent to the United State Forest Service parcel and Burke Creek as shown in Exhibits 3-4 and 3-13. The fill in this northern portion of the project site, originally placed over the SEZ when the airfield was constructed, would be removed to reestablish wetlands and SEZ habitat adjacent to Burke Creek. The abandoned ditch on the northern border of the project site would be filled to assist with rehydrating the restored meadow. After removal of the fill and restoration of the ditch, the restoration area would be planted with native plugs and riparian vegetation and all disturbed areas would be seeded with a native wetland seed mixture and mulched. The conceptual plant list for landscaping and SEZ restoration area is provided in Table 3-3. A small split-rail fence would be installed along the northern side of the project roadway to identify and protect the restored SEZ area. In addition, interpretive signs would be installed providing information about the restoration, Rabe Meadow, and Burke Creek.</p> <p>Alternatives B, C, D, and E would not include restoration of SEZ habitat.</p>
Policy 6	<p>Replacement of existing coverage in stream environment zones may be permitted where the project will reduce impacts on stream environment zones and will not impede restoration efforts.</p>
<u>Consistent</u>	<p>The project site is developed and currently occupied by the Tahoe Shores Mobile Home Park. The developed land coverage on the project site (457,959 sf) is recognized by TRPA and provides the basis for the future allowable coverage rather than the land capability districts. Therefore, the allowable site coverage would be 457,959 sf. Alternatives A, B, and C would result in a reduction in the total site coverage below the TRPA verified coverage for the site. Alternatives D and E would maintain the site coverage at 457,959 sf. All site alternatives would implement BMPs to improve the water quality of runoff from the project site. In addition, Alternative A would result in the restoration of approximately 2 acres of SEZ habitat along the northern</p>

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border of the project site.

Cultural

Goal # 1 Identify and preserve sites of historical, cultural, and architectural significance within the region.

Policy 1 Historical or culturally significant landmarks in the Basin shall be identified and protected from indiscriminate damage or alteration.

Consistent The record search and the field survey conducted on the project site identified no historic cultural resources on the project site. Mitigation identified in Section 5.11, "Cultural Resources," would ensure that impacts on previously undiscovered cultural resources would be reduced to less-than-significant levels.

Policy 2 Sites and structures designated as historically, culturally, or archaeologically significant shall be given special incentives and exemptions to promote the preservation and restoration of such structures and sites.

Consistent The record search and the field survey conducted on the project site identified no historic cultural resources on the project site. Mitigation identified in Section 5.11, "Cultural Resources," would ensure that impacts on previously undiscovered cultural resources would be reduced to less-than-significant levels.

Energy

Goal # 1 Promote energy conservation programs and development of alternative energy sources to lessen dependence on scarce and high-cost energy supplies.

Policy 1 All new development shall comply with state and federal energy efficiency standards.

Consistent Alternatives A through E would comply with state and federal energy efficiency standards. The proposed project, Alternative A, would seek to achieve a Leadership in Energy and Environmental Design (LEED®) silver rating from the U.S. Green Building Council.

Policy 2 A coordinated program to encourage recycling of waste products should be developed.

Consistent As described in Chapter 3, "Project Description" and Chapter 4, "Alternatives" of this document, all alternatives include plans to provide solid waste and recycling service to residents of the new development.

Dispersed Recreation

Goal #1 Encourage opportunities for dispersed recreation when consistent with environmental values and protection of the natural resources.

Policy 1 Low density recreational experiences shall be provided along undeveloped shorelines and other natural areas, consistent with the tolerance capabilities and character of such areas.

Consistent The proposed project site is located in Shorezone Tolerance District 7, which allows for water-oriented recreation facilities (beach recreation, buoys, piers, floating docks and platforms, water intake lines, boat ramps, etc.) in the backshore, nearshore, and foreshore (TRPA Code of Ordinances Chapter 53.9). The existing 109-foot private pier is an allowable use in Shorezone Tolerance District 7 and would be reconstructed and extended approximately 50 linear feet, for a total length of 159 feet from Lake Tahoe High Water Datum (elevation 6229.1). The proposed pier plan is common for Alternatives A and C and is shown on Exhibit 3-10. The Alternative B pier plan is shown on Exhibit 4-2. The reconstructed pier would be consistent with the Design and Construction Standards listed in TRPA Code Section 54.4.B, or with exceptions allowed under Code Section 54.4.B(1). No pier expansion would occur in Alternatives D and E.

Goal #2 Provide high-quality recreational opportunities.

Policy 3 Nearshore/foreshore structures should be appropriately located to minimize impacts to recreational boating and top line fishing.

Consistent The proposed pier plan for Alternatives A and C is shown on Exhibit 3-10. The Alternative B pier plan is shown on Exhibit 4-2. The reconstructed floating pier would be consistent with the Design and Construction Standards listed in TRPA Code Section 54.4.B, or with exceptions allowed under Code Section 54.4.B(1). The proposed pier expansion and relocation of the three existing buoys in Alternatives A, B, and C would not disrupt recreational boating activities. The pier expansion would remain 100 feet from the Hobart's Hole fishing area and would not impact top-line fishing. No pier expansion would occur in Alternatives D and E and, therefore, there would be no impacts to recreational boating or top-line fishing.

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Developed Recreation

Goal #2 Provide for the appropriate type, location, and rate of development of outdoor recreational uses.

Policy 1 Expansion of recreational facilities and opportunities should be in response to demand.

Consistent Under Alternative A, the beach and swim club would increase recreational facilities for the residents of the project site and members of the club. The reconstructed pier would be consistent with the Design and Construction Standards listed in TRPA Code Section 54.4.B, except as allowed under Code Section 54.4.B(1). Under Alternative B, two single-family estates, each estate would have recreational facilities such as a pool and tennis courts in addition to beach access. Under Alternative C, each multifamily residential complex would have recreational facilities. Alternatives B and C would also include a reconstructed floating pier as in Alternative A. Under Alternatives D and E, recreational facilities would remain as they currently are and no pier expansion would occur.

Policy 3 Public boat launching facilities shall be expanded, where appropriate, and when consistent with environmental constraints.

Consistent The project site does not provide public boat launching facilities and none of the proposed Alternatives, A through E, would result in the construction or expansion of public boat launching facilities.

Public Services and Facilities Element

Goal #1 Public services and facilities should be allowed to upgrade and expand to support existing and new development consistent with the regional plan.

Policy 2 Expansion of public services and facilities should be phased to meet the needs of new development without creating inefficiencies from overexpansion or under-expansion.

Consistent Alternatives A through E would require provision of the following public services and utilities: water, wastewater, electricity and natural gas, solid waste, and telecommunications. Consultation with purveyors of these utilities has confirmed that service would be provided.

Because the population on the project would either remain essentially the same or would be reduced, the project would result in no increased demands for public services such as police, fire, emergency services, public schools, or recreation.

Policy 3 All new development shall employ appropriate devices to conserve water and reduce water consumption. Existing development shall be retrofitted with water conservation devices on a voluntary basis in conjunction with a public education program operated by the utility districts.

Consistent Alternatives A through E would include the installation of appropriate devices to conserve water and reduce water consumption.

Goal #2 Consider the existence of adequate and reliable public services and facilities in approving new development under the plan.

Policy 1 No additional development requiring water should be allowed in any area unless it can be demonstrated that there is adequate water supply within an existing water right.

Consistent KGID has sufficient water to serve the project and would continue to provide water service to the project site and project vicinity. However, the existing underground water main would be realigned with the new roadway and/or dedicated utility easement. The 6–8-inch water main would connect to underground distribution pipes to serve the proposed buildings.

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Policy 3	No additional development requiring water shall be allowed in any area unless there exist adequate storage and distribution systems to deliver an adequate quantity and quality of water for domestic consumption and fire protection.
<u>Consistent</u>	KGID has sufficient water to serve the project and would continue to provide water service to the project site and project vicinity. However, the existing underground water main would be realigned with the new roadway and/or dedicated utility easement. The 6–8-inch water main would connect to underground distribution pipes to serve the proposed buildings.
Goal #3	Prevent liquid and solid wastes from degrading Lake Tahoe and the surface waters and groundwaters of the region.
Policy 2	All solid wastes shall be exported from the region. Consolidation and transfer methods shall be developed to achieve a reduction in the volume of wastes being transported to landfills. The discharge of municipal or industrial wastewaters to the surface waters and groundwaters of the Tahoe region is prohibited, except for existing development discharging wastewaters under a state- or TRPA-approved disposal plan.
<u>Consistent</u>	<p>Solid waste at the project site would be contained in two bear-resistant 20-yard dumpster enclosures. Solid waste disposal services would continue to be provided by South Tahoe Refuse. All materials collected, including garbage and recyclables, would be hauled to the materials recovery facility in South Lake Tahoe to be sorted. All nonrecyclable material would be hauled out of the basin and disposed of at a landfill in Nevada with sufficient capacity.</p> <p>The Douglas County Sewer Improvement District collects and treats wastewater from the project site. The proposed project would continue to be served by the existing gravity-flow sewer system. It is estimated that 4–8-inch wastewater pipelines would be installed and/or realigned as necessary to serve the proposed project buildings. Additionally, an existing 12-inch sewer force main that runs the length of the property would remain in its current underground alignment and utility easement. These existing and realigned sewer lines would gravity feed to a pump station just north of the project site, where the wastewater would be pumped to the District’s treatment plant at Round Hill.</p>
Policy 3	Garbage pick-up service shall be mandatory throughout the region, and will be so structured as to encourage cleanups and recycling.
<u>Consistent</u>	Solid waste disposal services would continue to be provided by South Tahoe Refuse. All materials collected, including garbage and recyclables, would be hauled to the materials recovery facility in South Lake Tahoe to be sorted. All nonrecyclable material would be hauled out of the basin and disposed of at a landfill in Nevada with sufficient capacity.
Goal #4	To ensure protection of the public health, safety, and general welfare of the region, educational and public safety services should be sized to be consistent with projected growth levels in this Plan.
Policy 1	The impact on educational and public safety services shall be considered when reviewing projects and plan amendments proposed in the region. To the extent feasible, adverse impacts should be mitigated as part of the review process.
<u>Consistent</u>	Because the population on the project would either remain essentially the same or would be reduced, the project would not increase demand for public services such as police, fire, emergency services, public schools, or recreation.
Institutional	
Goal #1	Coordinate all planning and development review activities with the affected jurisdictions and agencies.
Policy 1	All projects proposed in the region [other than those to be reviewed and approved under the special provisions of the Compact relating to gaming] shall obtain the review and approval of the Agency.
<u>Consistent</u>	TRPA maintains discretionary authority over primary Beach Club project approvals.

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Policy 2	No project may be approved unless it is found to comply with the Regional Plan and with any ordinances, rules, and regulations enacted to effectuate the Regional Plan.
<u>Consistent</u>	Based on this consistency evaluation, Alternatives A through E would be consistent with the Goals and Policies of the Regional Plan.
Development and Implementation Priorities	
Goal #4	Condition approvals for new development in the Tahoe region on positive improvements in off-site erosion and runoff control and air quality.
Policy 1	New residential, commercial, and public projects shall completely offset their water quality impacts through one of the following methods: A. Implementing off-site erosion and runoff control projects as a condition of project approval and subject to Agency concurrence as to effectiveness, or B. Contributing to a fund established by the Agency for implementing off-site erosion and runoff control projects. The amount of such contributions is established by Agency ordinance.
<u>Consistent</u>	As discussed in Section 5.5, "Hydrology and Water Quality," Alternatives A through E would include erosion controls and implementation of appropriate BMPs to control runoff.
Policy 2	All projects shall offset the transportation and air quality impacts of their development.
<u>Consistent</u>	As discussed in Section 5.6, "Traffic, Parking, and Circulation," pursuant to Chapter 93.3.C of the TRPA Code of Ordinance, an air quality mitigation fee of \$36.20 per daily vehicle trip end is required for new trips associated with the new nonresidential land uses and \$325.84 per daily vehicle trip end for new trips associated with new residential land uses. All project alternatives would involve payment of the air quality mitigation fee associated with the residential and nonresidential daily vehicle trip ends.
Sources: TRPA 1986; Consistency analysis conducted by EDAW in 2007	

ALTERNATIVE A – PROPOSED PROJECT

IMPACT 5.3.A-1 **Consistency with Regional Plan Land Use Goals and Policies.** *Alternative A would result in 143 for-sale condominiums, construction of a beach and swim club, expansion of the existing pier, and relocation of three existing buoys. Alternative A would result in approximately 358,907 sf of site coverage representing a reduction of approximately 99,052 sf of site coverage in comparison to the TRPA verified coverage for the site. Alternative A would be consistent with the Goals and Policies of the Regional Plan as described in Table 5.3-1. This impact is considered less than significant.*

Single-family and multifamily residential dwellings as well as multi-person dwellings are allowed uses in PAS 077. The maximum residential density permitted in PAS 077 is 15 multifamily units per acre. Alternative A proposes a total of 143 for-sale condominiums on the 17.26-acre parcel (PAS 077), which would result in a density of approximately 8.3 units per acre. This proposed land use and density is consistent with the provisions of PAS 077.

In order to develop and sell condominiums, the project site would be subdivided. After approval of the proposed development as a multifamily residential development, the project site would be subdivided in accordance with Chapter 43.4 of the TRPA Code of Ordinances. Subdivision would allow for the development and sale of individual condominiums, which would then be considered single-family units. Because both single-family and multifamily residential land uses are allowed in PAS 077, subdivision and sale of condominiums would be permissible land uses. In addition, proposed SEZ restoration in this Plan Area is a permissible use in PAS 077.

The proposed project site is located in LCD 1b and 7. The project site is developed and currently occupied by the Tahoe Shores Mobile Home Park. The developed land coverage on the project site is recognized by TRPA and

provides the basis for the future allowable coverage rather than the land capability districts. Therefore, the allowable site coverage for Alternative A would be 457,959 sf.

Alternative A would result in approximately 358,907 sf of site coverage, as shown in Exhibit 3-12. This would be a reduction of approximately 99,052 sf of site coverage in comparison to the TRPA verified coverage for the site. The reduction in site coverage would result from realignment of the roadways, increased drainage and BMPs, increased landscaped areas, and SEZ restoration. Alternative A would further the policy of restoring 25% of disturbed/developed SEZ lands by restoring 2 acres of SEZ lands. Accordingly, the project would contribute to the attainment of TRPA's thresholds for SEZs.

The beach and swim club would be located on the 2.37-acre lakefront parcel, which is located in PAS 070A and is designated for recreational land uses. Based on the current PAS boundary lines, a small portion of the beach club building would extend into PAS 077, which is designated for residential uses. The portion of the club building in PAS 077 would include the assembly room and administrative office, which are allowable accessory uses to the residential uses in this PAS. No PAS amendment would be required, nor is being requested, for the proposed project.

The existing 109-foot private pier would be reconstructed and extended approximately 50 linear feet, for a total length of 159 feet from Lake Tahoe High Water Datum (elevation 6229.1). The reconstructed pier would extend to the TRPA designated pier headline (elevation 6219.0). The pier would follow the current alignment (perpendicular to the shoreline). The reconstructed pier would be consistent with the Design and Construction Standards listed in TRPA Code Section 54.4.B, except as allowed under Code Section 54.4.B(1). In addition, as illustrated in Exhibit 3-10, the three existing buoys associated with the project site would be removed from their current location and relocated north of and parallel to the reconstructed pier and out of the scenic recreational viewshed from Nevada Beach.

The shorezone portion of the project site is located in Shorezone Tolerance District 7, which allows for the water-oriented recreation facilities (beach recreation, buoys, piers, floating docks and platforms, water intake lines, boat ramps, etc.) in the backshore, nearshore, and foreshore (TRPA Code of Ordinances Chapter 53.9). Therefore, the pier expansion and relocated buoys would be allowable uses in Shorezone Tolerance District 7.

As shown in Table 5.3-1, Alternative A would be consistent with the Goals and Policies of the Regional Plan. Therefore, with implementation of mitigation measures identified in Table 1-1 of this document, this impact is considered **less than significant**.

Mitigation Measures

No mitigation is required.

IMPACT 5.3.A-2 **Potential for Division of an Existing Community (or Land Use Compatibility).** *Alternative A would result in the replacement of the existing mobile home community by removing the 155-space Tahoe Shores Mobile Home Park, with approximately 150 mobile homes, and constructing 143 single-family for-sale condominiums. The owner would be required to follow the obligations of the NRS 118B.177, including reimbursement for relocation or purchase and removal of mobile homes. In addition, noise abatement measures would be implemented to reduce any land use conflicts with the 4-H Camp south of the project site. This project would not divide an established community, but would change the type of residential community on the project site. This impact is considered less than significant.*

Alternative A would be located on the site of the existing Tahoe Shores Mobile Home Park on the south shore of Lake Tahoe in unincorporated Stateline, Douglas County, Nevada. This project would not divide an established community, but would change the type of residential community on the project site. The project would remove the existing 155-space Tahoe Shores Mobile Home Park, which has approximately 150 mobile homes. Before

closure of Tahoe Shores, the owner would be required to follow the obligations of the NRS 118B.177, including reimbursement for relocation or purchase and removal of mobile homes and residents. The project site would then be redeveloped with 143 single-family condominiums and a beach and swim club. The residential units would include 124 market-rate for-sale condominiums and 19 deed-restricted moderate-income for-sale condominiums. In addition, the project would be required to acquire 35 off-site residential units to be deed-restricted as moderate-income units. Therefore, although the project site would remain in residential use, the community would change from a mobile home park to condominiums.

The project site is surrounded by USFS lands, including Burke Creek (Rabe) Meadow and Nevada Beach Campground to the north; the Meadowbrook Apartments and the Oliver Park GID to the east; and the University of Nevada 4-H Camp and Edgewood Golf Course to the south. The proposed project would include restoration of approximately 2 acres of SEZ habitat along the northern portion of the project site adjacent to the USFS parcel and Burke Creek. The proposed residential uses and the beach and swim club would be consistent with the adjacent land uses at the Meadowbrook Apartments and the Edgewood Golf Course. Noise generated by recreational activities at the 4-H Camp could potentially conflict with residential uses on the project site during the months of May through October; however, all of the proposed residential buildings would be constructed with materials that abate noise transmission. Beach Club, Inc. would provide buyers and residents a disclosure statement in the Declaration of Covenants, Conditions and Restrictions documents that includes a description of 4-H Camp events, activities, and the potential for noise.

Because Alternative A would follow NRS 118B.177 requiring the reimbursement for relocation or purchase and removal of mobile homes, would result in a new type of residential development, and would implement noise abatement measures to reduce any land use conflicts with the 4-H Camp south of the project site, this impact is considered **less than significant**.

Mitigation Measures

No mitigation is required.

ALTERNATIVE B – TWO-LOT ALTERNATIVE, SINGLE-FAMILY ESTATES

IMPACT 5.3.B-1 **Consistency with Regional Plan Land Use Goals and Policies.** *Alternative B would construct two single-family estates on two 9.5-acre realigned parcels. Each estate would have a deck and a pool, a separate guest house (without bathing or cooking facilities), a detached five car garage, an entry gatehouse, two tennis courts, limited surface parking, expansion of the existing pier, and relocation of three existing buoys. Both estates would share access to the beach extended private pier. A total of approximately 320,000 sf of site coverage over the two parcels (152,000 sf of coverage on the northern parcel and 168,000 sf of coverage on the southern parcel) would represent a reduction of approximately 138,000 sf of site coverage from the TRPA verified coverage of 457,959 sf. Alternative B would be consistent with the Goals and Policies of the Regional Plan as described in Table 5.3-1. This impact is considered **less than significant**.*

Alternative B would involve the realignment of the two project site parcels (APN 1318-22-002-001 and APN 1318-22-002-002) into two long-narrow 9.5-acre parcels with beach access. A single-family estate would be developed on each of the two realigned parcels, including a paved access road, a large single-family residential unit with a deck and a pool, a separate guest house (without bathing or cooking facilities), a detached five-car garage, an entry gatehouse, two tennis courts, and limited surface parking (Exhibit 4-1). Both estates would share access to the beach and the extended private pier as described for Alternative A. No subdivision would be required for Alternative B.

Both of the realigned parcels would include a small area along the lake located within PAS 070A, and the majority of each parcel would be located in PAS 077. If any development were to occur in PAS 070A, it would be recreational facilities such as a pool, deck, pool house, and foot path as shown for Parcel “B” in Exhibit 4-1.

These recreation-related structures would be consistent with the allowable recreational uses of PAS 070A. The portion of the two realigned parcels located within PAS077 would be developed with the estate house, detached garage, guest house (without bathing or cooking facilities), entry gate, tennis courts, and access road. Single-family and multifamily residential dwellings and accessory structures as well as multi-person dwellings are allowed uses and the maximum residential density permitted in PAS 077 is one single-family unit per parcel. Therefore, the proposed land use and density in Alternative B is consistent with the provisions of PAS 077.

The two single-family estates would result in approximately 152,000 sf of site coverage on the northern parcel and approximately 168,000 sf of coverage on the southern parcel. A total of approximately 320,000 sf of site coverage over the two parcels would represent a reduction of approximately 138,000 sf of coverage from the TRPA verified site coverage of 457,959 sf. Alternative B would not include restoration of SEZ habitat, but would include landscape plans that incorporate native plant species.

As shown in Table 5.3-1, Alternative B would be consistent with the Goals and Policies of the Regional Plan. This impact is considered **less than significant**.

Mitigation Measures

No mitigation is required.

IMPACT 5.3.B-2 **Potential for Division of an Existing Community (or Land Use Compatibility).** *This impact is the same as Impact 5.3.A-2 described above for Alternative A. Alternative B would result in the replacement of the existing mobile home community by removing the 155-space Tahoe Shores Mobile Home Park, with approximately 150 mobile homes, and constructing two single-family estates. The owner would be required to follow the obligations of the NRS 118B.177, including reimbursement for relocation or purchase and removal of mobile homes. In addition, noise abatement measures would be implemented to reduce any land use conflicts with the 4-H Camp south of the project site. This project would not divide an established community, but would reduce the density of the community on the project site and change the type of residential units. This impact is considered **less than significant**.*

Alternative B would be located on the same site as Alternative A, the existing Tahoe Shores Mobile Home Park on the south shore of Lake Tahoe in unincorporated Stateline, Douglas County, Nevada. As with Alternative A, Alternative B would not divide an established community, but would change the type of residential community on the project site. The project would remove the existing 155-space Tahoe Shores Mobile Home Park, which has approximately 150 mobile homes. Before closure of Tahoe Shores, the owner would be required to follow the obligations of the NRS 118B.177, including reimbursement for relocation or purchase and removal of mobile homes and residents. The project site would then be redeveloped with two single-family estates. Therefore, although the project site would remain in residential use, the number of residential units would drop by 153 units and no moderate income units would be provided to mitigate for those lost due to removal of the mobile home park.

Alternative B would generally be consistent with the adjacent land uses at the Meadowbrook Apartments and the Edgewood Golf Course, but like current conditions, this alternative would not include SEZ restoration adjacent to Burke Creek. Noise generated by recreational activities at the 4-H Camp could potentially conflict with residential uses on the project site during the months of May through October; however, the proposed residential buildings would be constructed with materials that abate noise transmission.

Because Alternative B would follow NRS 118B.177 requiring the reimbursement for relocation or purchase and removal of mobile homes, would result in a new type of residential development, and would implement noise abatement measures to reduce any land use conflicts with the 4-H Camp south of the project site, this impact is considered **less than significant**.

Mitigation Measures

No mitigation is required.

ALTERNATIVE C – TWO-LOT ALTERNATIVE, MULTIFAMILY RESIDENTIAL

IMPACT 5.3.C-1 *Consistency with Regional Plan Land Use Goals and Policies. Alternative C would result in the realignment of the two project site parcels and the development of a multifamily residential complex on each parcel. Each complex would include a recreation building and pool near the lake shore, expansion of the existing pier, and relocation of three existing buoys. Alternative C would result in a total of approximately 380,000 sf of site coverage on the two parcels, which would represent a reduction of approximately 77,959 sf of site coverage from the TRPA verified coverage. Alternative C would be consistent with the Goals and Policies of the Regional Plan as described in Table 5.3-1. This impact is considered **less than significant**.*

Alternative C proposes the realignment of the two project site parcels (APN 1318-22-002-001 and APN 1318-22-002-002) into two long-narrow 9.5-acre parcels with beach access, and then the development of two multifamily residential complexes on the two realigned parcels. Each complex would have approximately 77 units, with no more than 155 units total between the two parcels. This number of units is consistent with the existing mobile home park and this land use and density is consistent with the provisions of PAS 077.

In order to develop and sell condominiums in the two proposed complexes, the two parcels would be subdivided. After approval of the proposed development as a multifamily residential development, each parcel would be subdivided in accordance with Chapter 43.4 of the TRPA Code of Ordinances. Subdivision would allow for the development and sale of individual condominiums, which would then be considered single-family units. Because both single-family and multifamily residential land uses are allowed in PAS 077, subdivision and sale of condominiums would be permissible land uses.

Alternative C would result in approximately 205,000 sf of site coverage on the northern parcel and approximately 175,000 sf of site coverage on the southern parcel (Exhibit 4-3). A total of approximately 380,000 sf of site coverage over the two parcels would represent a reduction of approximately 77,959 sf of coverage from the TRPA verified coverage of 457,959 sf. Alternative C would not include restoration of SEZ habitat, but would include landscape plans that incorporate native plant species.

As proposed in Alternative A, Alternative C would include reconstructing the existing 109-foot private pier and expanding it approximately 50 feet for a total length of 159 feet from Lake Tahoe High Water Datum (elevation 6229.1), as well as relocating the three existing buoys. The reconstructed pier and relocated buoys would be consistent with the allowable uses in Shorezone Tolerance District 7, the Design and Construction Standards listed in TRPA Code Section 54.4.B, except as allowed under Code Section 54.4.B(1).

Alternative C would be consistent with the Goals and Policies of the Regional Plan shown in Table 5.3-1. This impact is considered **less than significant**.

Mitigation Measures

No mitigation is required.

IMPACT 5.3.C-2 **Potential for Division of an Existing Community (or Land Use Compatibility).** *This impact is the same as Impact 5.3.A-2 described above for Alternative A. Alternative C would result in the replacement of the existing mobile home community by removing the 155-space Tahoe Shores Mobile Home Park, with approximately 150 mobile homes, and constructing two multifamily condominium complexes with up to a total of 155 units. The owner would be required to follow the obligations of the NRS 118B.177, including reimbursement for relocation or purchase and removal of mobile homes. In addition, noise abatement measures would be implemented to reduce any land use conflicts with the 4-H Camp south of the project site. This project would not divide an established community, but would change the type of residential community on the project site. This impact is considered **less than significant**.*

Mitigation Measures

No mitigation is required.

ALTERNATIVE D – NO PROJECT ALTERNATIVE, JERE WILLIAMS PLAN

Alternative D, No Project – Jere Williams Plan Plan, would leave the mobile home park in place with 155 mobile home pads. The owner would implement site improvements as necessary and would continue the gradual transition to 70% doublewide units and 30% singlewide units in accordance with the JWP. Therefore, this alternative would not divide an established neighborhood and would be consistent with local and regional plans.

ALTERNATIVE E – NO PROJECT ALTERNATIVE – MANUFACTURED HOUSING

Alternative E, No Project Alternative – Manufactured Housing, would be similar to the No Project–JWP Plan scenario, but the mobile home park would be closed to allow for all site improvements to be implemented at one time. The owner would follow the Nevada Revised Statutes (NRS 118B.177) requirements for reimbursement for relocation or purchase and removal of mobile homes before the closure of the Tahoe Shores Mobile Home Park. Upon completion of the site improvements, 155 mobile home pads would be reestablished, and the new manufactured housing units would occupy both the 70% double-wide pads and the 30% singlewide pads per the JWP. Therefore, this alternative would not divide an established neighborhood and would be consistent with local and regional plans.