MEMORANDUM

October 21, 2004

To: TRPA Hearings Officer

From: TRPA Staff

Subject: John and Kathi Chilcote Land Capability Challenge
566/610 Beaver Street, King’s Beach, CA
Placer County APN 090-164-18

The applicant’s, John and Kathi Chilcote request that the Hearings Officer review and approve the proposed Land Capability Challenge on the affected parcel.

Staff Recommendation: The staff recommends that the Hearings Officer approve the land capability challenge, changing the land capability for the parcel from Class 3 to class 4.

Background: The subject parcel is shown as land capability classes 3 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the UmE (Umpa very stony sandy loam, 15 to 30 percent slopes) soil map units. The UmE soil map unit is consistent with the D-2 (Headlands, moderate hazard lands) geomorphic unit classification. The soils of the Umpa series formed in deposits derived from extrusive igneous sources (latite and / or andesite).

Findings: This parcel that is located at 566/610 Beaver Street in Kings’ Beach, Placer County, CA. This parcel is approximately 370,260 square feet in size (8.5 acres). This parcel is mapped within geomorphic unit the D-2 (Headlands, moderate hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. Based on retrieved soil samples, representative soil profile was described (see Attachment). The soils on the portion of APN 090-164-18, where slopes are less than 16 percent, were determined to be consistent with land capability class 4 per Table 4 of the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).

If you have questions on this agenda item, please contact Tim Hagan, at 775 -588-4547 (ext. 275).

Attachments

TH
4/12/2007

HEARING’S OFFICER ITEM A
SOIL INVESTIGATION FOR
PLACER COUNTY APN 090-164-18, 566/610 Beaver Street, King’s Beach

INTRODUCTION
A soil investigation was conducted on Placer County APN 090-164-18. This parcel is approximately 5370,260 square feet in size (8.5 acres) is located at 566/610 Beaver Street, King’s Beach in Placer County.

A land capability challenge was filed with TRPA in December 05, 2006 to determine the appropriate land capability class for this parcel based on an on-site soil investigation.

ENVIRONMENTAL SETTING
This parcel is shown as land capability classes 3 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the UmE (Umpa very stony sand loam, 15-30% slopes) soil map unit. The UmD/E soil map units are consistent D-2 (Headlands, moderate hazard lands) geomorphic unit classification. The soils of the Umpa series formed in colluvial and residual deposits derived from extrusive igneous sources (andesite). This parcel is generally east facing slope. The natural slope is 15 to 30 percent.

PROCEDURES
Soil auger samples were retrieved on this parcel, using hand excavation. After examination of the samples, the soil was described in detail as representative of the soils on the successfully challenged portion of the parcel. A copy of this description is included in this report. Slopes were measured with a clinometer.

FINDINGS
One unnamed soil was identified on this parcel. The unnamed soils on the portion of the parcel warranting reclassification are characterized as being generally deep and moderately well to well drained. The soil is characterized as having a thin (< 2") surface mantle of organic matter over a brown to dark brown very stony sandy loam surface horizon. A brown to dark brown very stony sandy loam subsoil is present to a depth of greater than 40 inches. This soil is an unnamed member of the Inceptisol order and is not listed in the Soil Survey for the Lake Tahoe Basin. Therefore, this parcel is designated as land capability class 4 under the Bailey Land Capability Classification system.

CONCLUSION
Based on the results of the site visit, the soils on this parcel were determined to be an unnamed soil which is associated with land capability class 4 in accordance with Table 4 of the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).
Representative Soil Profile:


Representative Soil Profile:

Soil Classification (1998) Fine-loamy, mixed, frigid Ultic Haploxeralf
Soil Series: Tahoma
Drainage Class: Well Drained
Hydrologic Group: B

Oi .5 to 0; Conifer litter and organic detritus.

A1 0 to 4 inches; brown (10YR 5/2) gravelly sandy loam, very dark grayish brown (10YR 3/2) moist; weak fine granular structure; soft, loose, nonsticky and nonplastic; common very fine and fine roots; many very fine and fine interstitial pores; 15 percent gravel; clear smooth boundary.

AB 4 to 10 inches; pinkish light brown (7.5YR 7/4), gravelly sandy clay loam, dark brown (7.5YR 4/4) moist; weak fine and medium granular structure; soft, loose, slightly sticky and slightly plastic; few coarse roots; few medium and common very fine and fine roots, many very fine and fine interstitial pores; 15 percent gravel; gradual smooth boundary.

Bt1 10 to 30 inches; brown (7.5 YR 5/4) gravelly sandy clay loam, dark yellowish brown (7.5 YR 4/3) moist; moderate medium subangular structure; soft, friable, slightly sticky and slightly plastic; common fine, medium and coarse roots; many very fine and fine interstitial and tubular pores; few thin clay skins on ped faces and pore linings; 15 percent gravel; gradual wavy boundary.

Bt2 30 to 46 inches; reddish brown (7.5 YR 4/4) gravelly sandy clay loam, dark yellowish brown (7.5 YR 4/3) moist; moderate medium subangular structure; hard, friable, slightly sticky and slightly plastic; few very fine, fine and medium roots; many very fine and fine interstitial and tubular pores; common thin clay skins on ped faces and pore linings; 15 percent gravel and 10 percent cobble; clear wavy boundary.

BC 46 to 55 inches; pinkish light brown (7.5 YR 7/4) gravelly sandy clay loam, brown (7.5 YR 5/4) moist; massive; hard, friable, nonsticky and nonplastic; few fine roots; common interstitial pores; 25 percent gravel and 15 percent cobble.
MEMORANDUM

To: TRPA Hearings Officer

From: TRPA Staff

Date: April 19, 2007

Subject: Wells Access Road Paving Project, off of Bunker Drive, Tahoe City, Placer County, Assessor's Parcel Number 530-101-07, TRPA File No. 20070079 Linear Public Facility – Transportation Route

Proposed Action: Hearings Officer action on the proposed project and related findings based on this Staff Summary and the attached Draft Permit. The required actions and recommended conditions are outlined in Section D of this Staff Summary.

Staff Recommendation: Staff Recommends that the Hearings Officer make the required findings and approve the proposed project subject to the special conditions in the draft permit (attached).

Project Description: The applicant is proposing to grade and pave the +/- 468 linear foot dirt section of the no-named Placer County access road north off of Bunker Drive. This dirt road currently provides access to the applicant's vacant parcel, and to a US Forest Service road identified as 16N71. The proposed grading and paving work will take place entirely within the Placer County road right-of-way and will be constructed in accordance with County and Fire Service specifications, with an appropriately sized turn around and permanent BMPs. The project is necessary as this road provides the only means of access to the applicant's property which they wish to develop. The project is an improvement to an existing unimproved County road right-of-way.

Site Description: The proposed site is the dirt portion of an unnamed Placer County right-of-way approximately 468 feet in length extending from a +/-319 linear foot paved section of the road north off of Bunker Drive un-maintained by the county. The current paved section of the road travel surface is approximately 12 feet wide and serves as an access route for two single family residences connecting directly with the residential paved driveway surfaces. In July 2006 Placer County conducted an offsite coverage verification along the paved section of road in which 4,898 square feet of asphalt concrete and 5,130 square feet of compacted dirt coverage was verified as existing. The paved section of the road has no curb and gutter although it does have a rock lined trench on the roads west side between the mid point of parcel 094-031-08 and the mid point of parcel 094-031-04. The dirt portion of the road continues north from where the paved section ends in an unimproved state until it reaches U.S. Forest Service property where the road then becomes USFS Road 16N71. The dirt portion of the road has extreme ruts and lacks viable drainage facilities. The road in its current condition is totally inappropriate for regular passenger vehicle use.
Issues: The primary issues associated with the project are:

Land Use. The proposed grading and paving of a transportation route is a special use within the Fairway Tract (#002) Plan Area Statement. Special Use Findings are addressed in Staff Analysis Item C1 and Required Findings, below.

Coverage for Linear Public Facilities. Per TRPA Code the amount of coverage to be transferred to the site will be the minimum amount necessary to satisfy road and turn around specification per North Tahoe Fire Protection District and Placer County.

Grading and trenching. The project involves the upgrading of a public access point by constructing an asphalt concrete pavement layer on a compacted base over the existing dirt road. The proposed project does not involve an increase in public service or carrying capacity.

Fire District Requirements. All roadways shall meet or exceed California Fire Code and Placer County Road Standards. The roadway travel surface shall meet the minimum of 20 foot width requirement from a point at the intersection with Bunker Drive in addition to meeting other design and safety requirements, (See North Tahoe Fire Protection District, Plan Review Letter attached).

BMP and Construction Phasing Plan. Temporary BMPs will need to be installed to offset potential run-off coming in contact with sediment piles during ground disturbance as a result of grading and trenching for the new road and drainage facilities. All drainage courses, culverts and infiltration trenches will be protected with fiber roll logs or other techniques to prevent potential soil migration.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) to assess the potential impacts of the project. No significant environmental impacts were identified although staff has concluded that there will be some temporary impacts that when mitigated will have less than a significant effect on the environment. A copy of the completed IEC will be made available at the Hearings Officer hearing and at TRPA.

B. Community Plan Area: The project is located within the Fairway Tract (#002) Plan Area Statement. The Land Use Classification is Residential and the Management Strategy is Mitigation. Transportation routes are a special use within this Plan Area. The Planning Statement indicates that this area should “continue as a residential neighborhood, maintaining the existing character” which the proposed project will facilitate. The Environmental Improvement Program statement states that capital improvement programs required by the Regional Goals and Policies for this area shall be implemented. Based on the findings contained in Section D along with the special permit conditions contained in the Conditional Permit, this project is consistent with the planning statement, planning considerations and special policies.

C. Land Coverage: Placer County, through a MOU agreement, has verified the existing amount of offsite land coverage on the proposed right-of-way site. Based on the July 2006 Land Capability and Coverage Verifications (PTRP-2007003) there is 4,898 square feet of Class 4
land coverage along the first +/-319 feet of the unnamed County right-of-way from Bunker Drive with an additional 5,130 square feet of contact dirt road surface.

D. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20, 64 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 – Threshold-Related Findings:

(a) The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.

i. Land Use. Transportation routes are a special use in this plan area statement. The proposed project is a public service facility that supports and is compatible with the surrounding land uses. With the special permit conditions, the project meets all TRPA codes and ordinances.

Transportation. The project anticipates the creation of 10 additional permanent daily vehicle trip ends (dte) ending at the applicant’s parcel (094-031-02) adjacent to proposed road right-of-way. These trip ends are based on TRPA’s published trip table (October 1995) for single family residences. The applicant will be required to submit an air quality mitigation fee for this increase in accordance with the requirements of the TRPA Code. No significant impacts to Level of Service or Regional or Sub-Regional air quality are anticipated based on the IEC.

ii. Conservation. There are no identified special interest species or sensitive or uncommon plants located in the County Right-of-Way which connects to the US Forest Service Road 16N71. Temporary BMPs will protect excavated areas from the potential impact of soil discharging into the lake.

The applicant will be required to apply temporary Best Management Practices (BMPs), to the entire project area to mitigate impacts to water quality, and to provide a detailed grading plan. A special permit condition requires that design and submittal of the grading plan and temporary and permanent BMPs.

iii. Recreation. The project to a degree enhances access to recreational uses within USFS lands and the Tahoe National Forest between Tahoe City and Truckee. The project will not impact existing or proposed recreation areas, and will eliminate road impacts to recreational activity.

iv. Public Service and Facilities. This Linear Public Service project will upgrade and improve the existing public service facilities in this area. No additional services or facilities will be added with the improvements.

v. Implementation. The project complies with the Regional Plan and TRPA Ordinances and Regulations.
(b) The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Hearings Officer hearing and at TRPA.

(c) Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph b, above.)

2. Chapter 18 - Special Use Findings:

(a) The project, to which the use pertains, is of such a nature, scale, density, intensity and type to an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The existing road with both paved and unpaved portions currently serves as an access point to US Forest Service Lands; (Tahoe National Forest) for recreational enthusiasts. The paved portion of the road also serves two existing single family residences. The proposed project is the only means of access to the applicant’s residential parcel (APN 094-031-002) which when paved will result in a slight increase in DVTE (daily vehicle trip ends). The paving does not constitute an increase in service but rather an improvement in an existing service route which is currently not maintained by the County.

(b) The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant’s property and that of surrounding property owners.

Temporary BMPs will be installed to mitigate potential environmental impacts to water quality during the construction of the road surface and rock lined ditches. A special permit condition requires that the project site plan be amended to include the location of all temporary BMPs that specifically address protection for drainage conveyance swales, rock lined ditches, and infiltration trenches. No long term impacts or inconveniences are anticipated during or after the construction of the project.

(c) The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.
The proposed public facility is an improvement to existing road right-of-way which will alleviate road conditions associated with an unpaved road surface under heavy traffic at certain times of the year as a result of allowed recreational uses within portions of the Tahoe National Forest between Tahoe City and Truckee.

3. Chapter 20 - Land Coverage Findings:

(a) The project is on the list of additional public service facilities if required pursuant of Section 33.5

While this project is not on the list of additional county public service facilities, the project does help to provide a general public service need by introducing a much needed hammer head turn around for use by the North Fire Protection District. The project is not an additional public service but rather a reconstruction of an already existing service used by other than the adjacent property owner.

(b) There are no feasible alternatives that would reduce land coverage.

There is no feasible alternative that would reduce the land coverage for this project as there is no other means of access to the applicant's adjacent property which they desire to develop.

(c) The project because of its unusual configuration or service requirement, requires special consideration.

Due to its unique configuration, the property which is in need of access over a public road right of way needs special consideration in meeting this requirement. Without this special consideration, the applicant would not be able to enjoy similar rights of use as other property owners in the area.

(d) The facility primarily serves the needs of persons other than those who are, or will be residents of the lands in question, or the owners of the land in question.

Currently the county road right-of-way serves the needs of persons or entities other than those who are residents of adjacent properties. Primary users are the US Forest Service and recreational users of portions of the Tahoe National Forest.

4. Chapter 64 - Excavations:

(a) A soils/hydrologic report prepared by a qualified professional, whose proposed content and methodology has been reviewed and approved in advance by TRPA, demonstrates that no interference or interception of groundwater will occur as a result of the excavation.

No interference or interception of groundwater is anticipated in the preparation of the road surface or introduction of drainage facilities. A maximum of 5' feet in excavation depth for road grading and channeling purposes is anticipated.
(b) Excavated material is disposed of pursuant to Section 64.5 and the project area's natural topography is maintained pursuant to Subparagraph 30.5.A (1).

As a condition of approval any excavated material must be hauled away from the site to a TRPA approved location. Only fills, and/or re-contouring for purposes of road surface leveling and channeling for permanent BMPs as demonstrated by submitted engineering drawings will be authorized as a result of this permit.

(c) The Excavation is designed such that no damage occurs to mature trees, except where tree removal is allowed pursuant to Subsection 65.2.E, including root systems, and hydrologic conditions of the soil.

As a condition of approval the permittee shall not excavate more than five feet below natural grade. No living native trees located adjacent to the proposed road right of way shall be removed.

E. Required Actions: Staff recommends that the Hearings Officer take the following actions:

I. Approve the findings contained in Section C of this staff summary, and a finding of no significant environmental effect.

II. Approve the project, based on the staff summary, and record evidence, subject to the conditions contained in the attached Draft TRPA Permit.

Attachment:
Exhibit 1, Location Map
CONDITIONAL

- PERMIT -

PROJECT DESCRIPTION: Linear Public Facility-Transportation Route APN 530-101-07

PERMITTEE: Mike and Nancy Wells

FILE # STD 20070079

COUNTY/LOCATION: Placer County, R.O.W. (between Bunker Drive & USFS Road 16N71)

Having made the findings required by Agency ordinances and rules, the Hearings Officer approved the project on April 19, 2007, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on April 19, 2010, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

(1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;

(2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT;

(3) THE PERMITTEE OBTAINS APPROPRIATE COUNTY/CITY PERMIT. TRPA’S ACKNOWLEDGEMENT MAY BE NECESSARY TO OBTAIN A COUNTY PERMIT. THE COUNTY/CITY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND

(4) A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee ___________________________ Date ________________

PERMITTEES’ ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents’ and employees’ compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) ___________________________________ Date ____________________

(PERMIT CONTINUED ON NEXT PAGE)
OFFSITE COVERAGE MITIGATION FEE (1): Amount $ _______ Paid _______ Receipt No._______

BMP/ROAD MONITORING FEE (2): Amount $ _______ Paid _______ Receipt No._______

SECURITY POSTED (3): Amount $ _______ Posted______ Type _______ Receipt No._______

SECURITY ADMINISTRATIVE FEE (4): Amount $ _______ Paid _______ Receipt No._______

Notes:
(1) See Special Condition 3.C, below.
(2) See Special Condition 3.D, below.
(3) See Special Condition 3.E, below.
(4) $144 if a cash security is posted, or $74 if a non-cash security is posted.

Required plans determined to be in conformance with approval: Date: ______________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

TRPA Executive Director/Designee ___________________________ Date ______________

SPECIAL CONDITIONS

1. This permit specifically authorizes the grading and paving of approximately 468 linear feet of the dirt section of the un-named Placer County access road and associated drainage amenities between of Bunker Drive and USFS Road 16N71. The grading/paving work shall take place entirely within the Placer County road right-of-way and will be constructed in accordance with County and Fire Service specifications, which will include an appropriately sized hammer head turn around and BMPs. The applicant shall be responsible for transferring that amount of Class 4 Coverage (approximately 4,849 square feet) necessary for the completion of the paving work and drainage amenities to the road right-of-way. No other land coverage shall be created nor relocated, nor is it approved as a result of this permit. This permit does not authorize the additions or creation of any new driveways or offsite coverage for driveway which will need separate TRPA review and approval.

2. The standard conditions of approval listed in Attachment Q shall apply to this permit.

3. Prior to final permit acknowledgement the following conditions of approval shall be satisfied.

   A. The permittee shall revise the site plan to include:
(1) Identification of construction equipment staging, material storage, and employee parking areas. These areas shall be restricted to paved surfaces and previously disturbed areas and shall be fitted with temporary BMPs, including construction limit fencing. Temporary staging and storage areas not located on paved surfaces shall be identified on the site through use of vegetation protection fencing and erosion control fencing where appropriate.

(2) The Permittee shall submit calculations demonstrating that the proposed infiltration trenches are sized accordingly for the slope and soil type of the property and will capture and infiltrate a 20 year/1 hour storm event.

(3) Permittee shall revise plans to include notes indicating that there will be no storage of excavated material along the road right-of-way. Any excess excavated material shall be hauled away from the site to a TRPA approved location. No fills or re-contouring, other than backfilling for road and associated structures, shall be allowed.

(4) A note indicating: "All barren areas and areas disturbed by construction shall be re-vegetated in accordance with the TRPA Handbook of Best Management Practices. Application of mulch may enhance vegetative establishment".

B. Authorization from Placer County for work to be performed in the County right-of-way.

C. The permittee agrees to pay a long term monitoring fee for TRPA staff to review water quality and sampling and BMP maintenance reports and conduct periodic site visits. This fee will be based on reasonable, hourly monitoring costs that will not exceed the costs incurred by the Agency. These costs will be billed to the applicant and shall be submitted to TRPA within 30-days of receipt of the invoice. Fees for monitoring are based on an hourly rate. Rates are subject to change.

D. The security required under Standard Condition A.3 of Attachment R and Section 8.8 of the TRPA Code of Ordinances shall be determined upon the permittee's submittal of required Best Management Practices plan and related cost estimate. The security shall be equal to 110 percent of the cost estimate. The security shall be no less than $5,000. Please see Attachment J, Security Procedures for appropriate ways to post the security and for calculation of the required Security Administrative Fee.

E. The permittee in conjunction with TRPA staff shall submit a BMP monitoring plan to consist of:

- Long Term Maintenance and Monitoring Plan which addresses the maintenance and monitoring aspects of all required BMPs, fertilizer application, water quality and/or other mitigation.
- An initial 30 day post-construction photo, with the date that the BMPs were installed.
- Annual post-construction photos taken from the same location and on
  September 1 of BMP installation, consistent with the same established
  viewpoints as the initial submission.
- The annual photos must be submitted by September 15 each year for at least
  a 5 year period.

This plan will be based on a template provided by and agreed to by TRPA and
will include the submission of reports by the permittee as well as inspections by
TRPA.

F. This permit and its conditions run with the land and must be recorded against the
property and disclosed at the time of property transfer. The permittee and any
subsequent owners of the property are required to maintain the road surface and
associated BMPS as described herein. The permittee and/or subsequent owners
of the property may enter into a joint arrangement with adjacent property owners
to manage the road and maintain the BMPS consistent with this permit. If a joint
agreement is reached, a deed restriction subjecting the joining properties to the
terms of this permit as they relate to the BMP maintenance and road condition
management must be recorded against the joining properties and disclosed at
the time of transfer.

G. The permittee shall submit a projected construction completion schedule to
TRPA prior to commencement of construction. Said schedule shall include
completion dates for each item of construction and demonstrating completion by
Oct 15th of each construction season.

H. The permittee shall submit further details which specifically address how much
material is to be excavated during the proposed grading and paving process.

I. The permittee shall provide (3) three sets of the final plans for TRPA
Acknowledgement.

4. All work associated with this permit requiring the use of heavy equipment or vehicles
shall take place within existing paved roadway or along existing compacted dirt
shoulders. Any work encroaching into areas requiring minor temporary disturbance to
existing vegetation or undisturbed areas shall employ the use of land mats and other
protective devices. All areas temporarily disturbed by construction shall be immediately
(within 48 hours) re-seeded/re-vegetated and mulched following backfilling of trenches
and/or access holes.

5. The permittee shall employ best management practices (BMPs) to prevent earthen
materials from being transported onto roadways and drainage inlets as a result of the
proposed work.

6. All temporary soil stockpiles shall be appropriately covered with tarps and contained by
temporary erosion control fences and/or coir logs with gravel bags.

7. No grading or excavation shall be permitted except as shown on the plans.

8. All waste resulting from the saw-cutting of pavement shall be removed using a vacuum
(or other TRPA approved method) during any cutting process or immediately thereafter.
Discharge of waste material to surface drainage features is prohibited and constitutes a violation of this permit. Receipts obtained from an approved disposal location shall be submitted to TRPA Compliance Inspector within 3 weeks of delivery of material.

9. All employee vehicles shall be parked on existing paved surfaces or existing compacted road shoulders only.

10. Temporary erosion control structures must be installed prior to and maintained until disturbed areas are stabilized. Temporary erosion control structures shall be removed once the site has been stabilized.

11. Dust control in the way of sweeping of dirt tracked onto pavement at the end of each day is required.

12. This approval is based on the permittee’s representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

13. The permittee is responsible for insuring that the project meets all federal, state, and county regulations and design specifications.

14. No trees are permitted for removal under this permit.

15. This site shall be winterized in accordance with the provisions of Attachment Q by October 15th of each construction season. All disturbed areas shall be stabilized with a 3-inch layer of mulch or covered with an erosion control blanket.

END OF PERMIT
MITIGATED STATEMENT OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Access Road Paving Project

PERMITTEE: Mike and Nancy Wells

COUNTY/LOCATION: Placer County, R.O.W. (between Bunker Drive & USFS Road 16N71)

APN 530-101-07

FILE # STD 20070079

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

TRPA Executive Director or designee

Date
TAHOE REGIONAL PLANNING AGENCY
HEARINGS OFFICER STAFF SUMMARY

Project Name: Minnow Avenue Public Parking Facility

Application Type: Vehicle Storage and Parking

Applicant: Placer County Redevelopment Agency

Applicant’s Representative: Amy Green

Agency Planner: Wendy Jepson, Associate Planner

Location: Minnow Ave, Placer County, California

Assessor’s Parcel Number / File Number: 090-192-58, 090-192-59 & 090-192-60/20061847

Staff Recommendation: Staff recommends approval of the project based on this staff summary and the evidence contained in the project record. The recommended conditions of approval are contained in the attached Draft Permit.

Project Description: The Minnow Avenue Public Parking Facility project involves the construction of a parking lot on three contiguous parcels with a proposed coverage of 6,781 square feet. The applicant, Placer County, proposes to pave the lot and construct a 21 space, public parking facility. Project plans include one handicap parking spot, a 24 foot wide entrance, a 6 foot wide sidewalk along the frontage of the lot with a handicap ramp, a bicycle rack, five lighting fixtures, fencing, two trash/recycling receptacles, storm water infiltration system, a snow storage area, and landscaping along the perimeter of the facility. The storm water drainage system is designed to contain runoff from a 20 year, 1 hour storm event and to meet Placer County standards described in the Storm Water Management Manual. The proposed drainage system consists of crowning the centerline of the parking facility to drain toward pervious pavement located in the parking stalls. In 1996, in conjunction with the Tahoe Regional Planning Agency, Placer County completed and adopted the Kings Beach Community Plan (KBCP) for the Kings Beach Commercial Core Area. The KBCP identifies an existing parking deficit in the KBCP area and establishes a policy to provide for public parking lots. The purpose of the proposed project is to offset a portion of the existing parking deficit, as well as accommodate planned future development in Kings Beach Community Plan area.

Site Description: The proposed site is located in Placer County. The project area is in Plan Area 029, Kings Beach Commercial. It is in Special Area #2 (East Entry Commercial Area) of the Kings Beach Community Plan. The project area is 9,662 square feet with Land Capability Class 5. The site is a previously disturbed, undeveloped project area that slopes gently to the south. The project site is located on the south side of Minnow Avenue in the Commercial Core of Kings Beach, California. Vegetation on the site consists of 17 trees ranging in size from 7-28 inches diameter at breast height (dbh). Surrounding land uses include a vacant lot the south (formerly The North Shore Lodge), commercial industrial use to the east, vacant land planned
for development to the west and Minnow Avenue to the north. The project is not visible from Lake Tahoe.

Issues: According to Special Area #2 of the Kings Beach Community Plan, Vehicle Storage and Parking is a special use and therefore requires Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. **Scenic Impact:** The proposed project will not impact structures or other scenic resources that would affect the scenic quality of State Route 28 and it will not be visible from Lake Tahoe. A vacant lot with some vegetation separates the project site from State Route 28. Vegetation and landscaping proposed for the project site would substantially screen the parking area from State Route 28. The only structures seen from State Route 28 would be two light fixtures and parking lot signage. Signage will be designed and installed in compliance with Placer County Standards and Guidelines for Signage, Parking and Design and with design standards set forth in the Kings Beach Community Plan.

2. **Best Management Practices:** The proposed project incorporates permanent Best Management Practices (BMPs) for the treatment and retention of storm water runoff from the impervious surfaces. Runoff from paved areas will be conveyed to the pervious concrete sections, which will infiltrate, store and treat all drainage associated with paved surfaces. The drainage will be managed by grade breaks placed throughout the parking surface. Approximately 3340 square feet of the parking surface will consist of pervious pavement. Pervious concrete is a special type of pavement that allows stormwater and snowmelt to infiltrate through the pavement reducing potential runoff from the site. Under the pervious concrete is a 12 inch section of drain rock which contains about 25-30% void space. The drain rock and the pervious concrete act as a storage reservoir for runoff. This facility is sized to retain the volume of runoff generated during a 20 year, 1 hour storm event. In addition, a long term maintenance and monitoring plan is required as part of the permit.

3. **Traffic:** The purpose of the project is to offset a portion of an existing parking deficit in the Kings Beach Community Plan area. The traffic study prepared by LSC Transportation Consultants, Inc (May 2006) for the proposed project concluded that motor vehicles that would use the lot already travel to Kings Beach and this project would not result in increased vehicle trips. The proposed project would improve parking conditions in the vicinity by reducing occupation of on-street parking and would increase the area of the streets available for bicycle use.

4. **Trees:** The project site contains 17 trees with a diameter at breast height (dbh) of 6 inches or more with no trees over 29 inches dbh. The project proposes to remove 7 trees and will take measures to protect the remaining trees during construction.

Staff Analysis:

A. **Environmental Documentation:** TRPA Staff has completed the “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TPRA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying
capacities. A copy of the completed checklist will be made available at the Hearings Officer hearing and at TRPA.

B. **Plan Area Statement:** The project is located within Plan Area 029, Kings Beach Commercial. It is located within Special Area #2, (East Entry Commercial Area) of the Kings Beach Community Plan. Agency staff has reviewed the subject Plan Area/Community Plan and has determined that the project is consistent with the applicable planning statement, planning considerations, and special policies. The proposed use (vehicle storage and parking) is listed as a special use.

C. **Land Coverage:** The coverage table below indicates proposed coverage for this project area based on the Land Coverage Verification TRPA File #20040921 and Land Capability Verification TRPA File #20040913.

The allowed, existing and proposed land coverage calculations for the proposed project are summarized below. From Section 20.3.B.(2)(a) of the TRPA Code of Ordinances (Transferred Land Coverage Requirements), the maximum land coverage allowed on parcels for commercial facilities within Community Plans is 50% of the project area.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Area</th>
<th>Class</th>
<th>Allowable</th>
<th>Maximum</th>
<th>Verified</th>
<th>Proposed</th>
<th>Banked</th>
</tr>
</thead>
<tbody>
<tr>
<td>092-192-058</td>
<td>3457</td>
<td>5</td>
<td>864</td>
<td>2420</td>
<td>2728</td>
<td>1697</td>
<td>1031</td>
</tr>
<tr>
<td>092-192-059</td>
<td>3221</td>
<td>5</td>
<td>805</td>
<td>2255</td>
<td>3150</td>
<td>3150</td>
<td>0</td>
</tr>
<tr>
<td>092-192-060</td>
<td>2984</td>
<td>5</td>
<td>746</td>
<td>2089</td>
<td>2114</td>
<td>1934</td>
<td>180</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>9662</td>
<td></td>
<td>2415</td>
<td>6764</td>
<td>7992</td>
<td>6781</td>
<td>1211</td>
</tr>
</tbody>
</table>

**Required Findings:** The following is a list of the required findings as set forth in Chapters 6 and 18 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. **Chapter 6 – Required Findings:**

   (a) **The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.**

   The Community Plan for Kings Beach identifies the need to improve public infrastructure within the area, including a provision for public parking. The plan identifies that the Minnow Avenue Parking Project should be constructed to offset the loss of parking due to State Route 28 improvements, achieve targets, and to provide for additional development. There is no evidence in the file and record showing that the proposed project will have an adverse effect on the Land Use, Transportation, Conservation, Recreation, Public Service and Facilities, or Implementation sub-elements of the Regional Plan, Goals and Policies.

   (b) **The project will not cause the environmental threshold carrying capacities to be exceeded.**
The proposed project has no environmentally significant impacts. TRPA staff has completed the “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. Also, the applicant has completed an Initial Environmental Checklist (IEC). No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed checklist will be made available at the Hearings Officer hearing and at TRPA.

(c) Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

The project has been designed to comply with Lahontan, TRPA and Placer County environmental standards. The project will not result in air or water quality impacts. The proposed project will meet discharge limits for surface runoff prescribed in Chapter 81 of the TRPA Code of Ordinances.

2. Chapter 18 – Special Use Findings:

(a) The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

(b) The project to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant’s property and that of surrounding property owners.

(c) The project, to which the use pertains, will not change the character of the neighborhood detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The project is located in the Downtown Commercial Area of Kings Beach. The proposed public parking lot would serve existing recreational and commercial uses in the surrounding area and is an appropriate use for the area in which it will be located. The proposed parking lot has been designed to meet Placer County, TRPA and Lahontan requirements. This includes treatment of stormwater runoff, revegetation and parking lot design requirements. The public lot would assist the downtown businesses in meeting the parking demands of the area. The parking lot would not change the character of the neighborhood. The project is proposed in the Kings Beach Downtown Area with the existing uses being predominately commercial. The proposed public parking lot would facilitate and compliment this commercial use. The project is consistent with the Kings Beach Community Plan.
Required Actions: Agency staff recommends that the Hearings Officer approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

I. Approve the findings contained in this staff summary, and a finding of no significant environmental effect.

II. Approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA permit.

Attachments:

1. Draft Permit
2. Site Plan
PROJECT DESCRIPTION: Vehicle Storage and Parking

PERMITTEE(S): Placer County Redevelopment Agency

COUNTY/LOCATION: Placer County/Minnow Avenue

Having made the findings required by Agency ordinances and rules, TRPA approved the project on April 19, 2007, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on April 19, 2010 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

1. TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;

2. ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;

3. THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND

4. A TRPA PRE-GRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) Date

PERMIT CONTINUED ON NEXT PAGE
APN 090-192-058, 090-192-059, 090-192-060
FILE NO. 20061847

Offsite Coverage Mitigation Fee (1): Amount $1,989 Paid ___ Receipt No. ___

Excess Coverage Mitigation Fee (2): Amount $_______ Paid ___ Receipt No. ___

Security Posted (3): Amount $_______ Type ___ Paid ___ Receipt No. ___

Security Administrative Fee (4): Amount $_______ Paid ___ Receipt No. ___

Notes:
(1) See Special Condition 3.D, below.
(2) Amount to be determined. See Special Condition 3.E, below.
(3) Amount to be determined. See Special Condition 3.C, below.
(4) $144 if a cash security is posted, or $74 if a non-cash security is posted.

Required plans determined to be in conformance with approval: Date:______________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

TRPA Executive Director/Designee ___________________________ Date ___________________________

SPECIAL CONDITIONS

1. This permit specifically authorizes the development of a new public parking lot, consisting of 6,781 square feet of coverage with 1,211 square feet of previously verified coverage to be banked. The project creates 21 parking spaces including a handicap space and ramp, parking lot signage, a bike rack, trash receptacles and a 6 foot sidewalk along the frontage of the parking lot. The project includes the use of pervious concrete and landscaping. Excavation will not exceed 1.5 feet below ground surface.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

   A. The site plan shall be revised to include:

      (1) Indicate location of staging area for construction. Staging area shall be located on a hard surface to avoid additional disturbance.

      (2) A note indicating: "All barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment."
(3) A note indicating: “All areas disturbed by construction shall be mulched with a 2 to 3 inch layer of pine needles or wood chips as a dust control measure. This mulch shall be maintained from completion of the initial grading through completion of the project.”

(4) Vegetation protective fencing around the entire construction site and individual trees where required. The fencing shall be no more than 12 feet from any footprint, driveway, or area of approved disturbance. Where a tree exists within the construction area, the vegetation protection fencing must be placed beyond the drip-line of the outermost branches or, in limited instances, at the limit of pavement.

(5) Location of all recorded easements inherent to the property or resulting from this project.

B. The permittee shall submit a dewatering plan as excavation depth is approved to 1.5 feet below ground surface (TRPA File # 20060712) and ground water could potentially be encountered. Acceptable dewatering plans include discharging to sanitary sewers or trucking the water out of the basin consistent with standards in Chapter 64 of the TRPA Code of Ordinances.

C. The security required under Standard Condition 1.B of Attachment Q shall be determined upon the permittee’s submittal of required Best Management Practices plan and related cost estimate. The security shall be 110 percent of the submitted cost estimate. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

D. The permittee shall submit an offsite coverage mitigation fee of $1,989 for the creation of 306 square feet of land coverage in the public right-of-way.

E. Assessor’s Parcel Number 092-192-059 has 895 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 9 (Agate Bay) or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:

Estimated project construction cost multiplied by the fee percentage of .0025% (as identified in Table A of Subsection 20.5.A.(3), Chapter 20 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:
Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of $8.50 for projects within Hydrologic Transfer Area 9 (Agate Bay). Please provide a construction cost estimate by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than $200.00.

F. The permittee shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.

G. The permittee shall submit a long term maintenance and monitoring plan (minimum of 10 years) to TRPA for review and approval. This plan shall include annual sampling of storm water runoff, and shall compare the sampling results to adopted TRPA water discharge standards. By accepting this condition, the permittee agrees to correct any violation of TRPA discharge standards in a manner and timeframe acceptable to TRPA. The applicant must pay monitoring fees for TRPA staff to review reports and conduct periodic site visits.

H. The applicant agrees to pay to TRPA, reasonable, hourly monitoring costs that will not exceed the costs incurred by the Agency. These costs will be billed to the applicant and shall be submitted to TRPA within 30-days of receipt of the invoice. Fees for monitoring are based on an hourly rate. Rates are subject to change.

I. The permittee shall submit three sets of final construction drawings and site plans to TRPA.

J. The permittee shall record a TRPA approved project area deed restriction for land coverage purposes against APNs 092-192-058, 092-192-059 and 092-192-060. Evidence of document recording is required prior to final acknowledgment of this permit.

4. Excavation equipment shall be limited to the parking lot footprint to minimize site disturbance. No grading or excavation shall be permitted outside of the parking lot footprint.

5. No trees shall be removed (other than those shown on the approved site plan) or trimmed for view enhancement purposes without prior TRPA written approval as per the conditions of the Landscape and Revegetation Plan.

6. This approval is based on the permittee’s representation that all plans and information contained in the subject application are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

7. All exterior lighting shall be consistent with TRPA Code of Ordinances, Chapter 30, Section 30.8, Exterior Lighting Standards.
8. Any normal construction activities creating noise in excess to the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.

9. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.

10. This site shall be winterized in accordance with the provisions of Attachment R by October 15th of each construction season.

END OF PERMIT
FINDING OF NO SIGNIFICANT EFFECT

PROJECT DESCRIPTION: Vehicle and Storage Parking  APN: 090-192-058, 090-192-059, 090-192-060

PERMITTEE(S): Placer County Redevelopment Agency  FILE #20061847

COUNTY/LOCATION: Minnow Avenue/Placer County

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.3 of the TRPA Rules and Regulations of Practice and Procedure, the TRPA staff has reviewed the information submitted with the subject project. On the basis of this initial environmental evaluation, Agency staff has found that the subject project will not have a significant effect on the environment.

Determination: Based on the above-stated finding, the subject project is conditionally exempt from the requirement to prepare an Environmental Impact Statement. The conditions of this exemption are the conditions of permit approval.

TRPA Chairman or Executive Director/Designee

Date
SERVICE & CONTROLS
SCALE: N.T.S.

LIGHT POLE + BASE
TYPICAL SCALE: N.T.S.

MINNOW AVENUE PARKING LOT - LOAD CALCULATION

LOAD CALCULATIONS
TYPICAL SCALE: 1/8"=1'-0"

FROM SPPCo DWG TJTSB
SPPCo WILL INSPECT AND APPROVE THIS WORK
TAHOE REGIONAL PLANNING AGENCY

TAHOE REGIONAL PLANNING AGENCY
HEARING OFFICER STAFF SUMMARY

Project Name: Salmon Avenue Public Parking Lot

Application: Vehicle Storage and Parking

Applicant: Placer County Redevelopment Agency

Applicant's Representative: Placer County Department of Public Works, Amy Green

Agency Planner: Patrick Dobbs, Environmental Review Services

Location: Salmon Avenue, Kings Beach, Placer County, California

Assessor's Parcel Number/File Number: APN 090-126-20/20061773

Staff Recommendation: Staff recommends approval of the Salmon Avenue Public Parking Lot based on this staff summary, the special conditions contained in the draft permit and the evidence contained in the project record.

Project Description: The Applicant is proposing to construct a new public parking lot located on Salmon Avenue, in Kings Beach, near the intersection of Salmon Avenue and Highway 28. The lot will provide parking for 22 vehicles, with 15 full size parking spaces, 6 compact parking spaces, and one van accessible handicapped-parking space. One entrance and exit point will provide access to the parking lot from Salmon Avenue. In addition to the parking lot, the coverage created for the project will include a 25-foot wide entrance, a 6-foot wide sidewalk along the street frontage, a handicap ramp, a 4 bicycle capacity bike rack, four nighttime lighting fixtures, a sign identifying the parking lot hours, and trash and recycling receptacles. The paved lot will be crowned in the center directing runoff towards the parking spaces which will be constructed of pervious concrete. The north end of the lot, where the compact parking spaces are located, will be utilized as the parking lot snow storage area during winter months. The project proposes 7,278 square feet of on site land coverage. 11,667 square feet of existing soft land coverage was previously verified in TRPA File #20061644. Upon final inspection and security return for this project 4,389 square feet of Land Capability Class 5 soft coverage will be banked on APN: 090-126-20.

Site Description: The subject property is located in Placer County, within Special Area #1 (Downtown Commercial) of the Kings Beach Community Plan. The parcel size is 12,500 square feet and has been verified as Land Capability Class 5. TRPA completed a soils/hydrologic investigation of this parcel and found evidence of high ground water. The Base Allowable Land Coverage for the parcel is 3,125 square feet. TRPA File #20061644 verified 11,667 square feet of existing soft coverage on-site. Land uses surrounding the parcel are a mix of commercial, retail, public service (Post Office), and residential. There are five trees on the project site with a diameter at breast height of 6-inches or greater. One tree, a 31" pine has been recommended for removal, due to it's

Hearings Officer / P.D.        AGENDA ITEM NO. V.D
April 19, 2007

Planning for the Protection of our Lake and Land
TAHOE REGIONAL PLANNING AGENCY
HEARING OFFICER STAFF SUMMARY

Project Name: Salmon Avenue Public Parking Lot

Application: Vehicle Storage and Parking

Applicant: Placer County Redevelopment Agency

Applicant's Representative: Placer County Department of Public Works, Amy Green

Agency Planner: Patrick Dobbs, Environmental Review Services

Location: Salmon Avenue, Kings Beach, Placer County, California

Assessor's Parcel Number/File Number: APN 090-126-20/20061773

Staff Recommendation: Staff recommends approval of the Salmon Avenue Public Parking Lot based on this staff summary, the special conditions contained in the draft permit and the evidence contained in the project record.

Project Description: The Applicant is proposing to construct a new public parking lot located on Salmon Avenue, in Kings Beach, near the intersection of Salmon Avenue and Highway 28. The lot will provide parking for 22 vehicles, with 15 full size parking spaces, 6 compact parking spaces, and one van accessible handicapped-parking space. One entrance and exit point will provide access to the parking lot from Salmon Avenue. In addition to the parking lot, the coverage created for the project will include a 25-foot wide entrance, a 6-foot wide sidewalk along the street frontage, a handicap ramp, a 4 bicycle capacity bike rack, four nighttime lighting fixtures, a sign identifying the parking lot hours, and trash and recycling receptacles. The paved lot will be crowned in the center directing runoff towards the parking spaces which will be constructed of pervious concrete. The north end of the lot, where the compact parking spaces are located, will be utilized as the parking lot snow storage area during winter months. The project proposes 7,278 square feet of on site land coverage. 11,667 square feet of existing soft land coverage was previously verified in TRPA File #20061644. Upon final inspection and security return for this project 4,389 square feet of Land Capability Class 5 soft coverage will be banked on APN: 090-126-20.

Site Description: The subject property is located in Placer County, within Special Area #1 (Downtown Commercial) of the Kings Beach Community Plan. The parcel size is 12,500 square feet and has been verified as Land Capability Class 5. TRPA completed a soils/hydrologic investigation of this parcel and found evidence of high ground water. The Base Allowable Land Coverage for the parcel is 3,125 square feet. TRPA File #20061644 verified 11,667 square feet of existing soft coverage on-site. Land uses surrounding the parcel are a mix of commercial, retail, public service (Post Office), and residential. There are five trees on the project site with a diameter at breast height of 6-inches or greater. One tree, a 31” pine has been recommended for removal, due to it’s
location near the center of the parking lot. The site is relatively level with an approximate slope of 4% directing runoff south, towards Salmon Avenue.

Issues:

1. **Best Management Practices:** A soils-hydrologic report (TRPA File #20060673) for APN: 090-126-20 identified ground water interception at 3.58 feet below ground surface (bgs). To maintain separation from ground water and the proposed improvements, TRPA Staff approved the excavation depth of 2 feet bgs. The site is constrained in implementing BMP's, particularly as it relates to on-site infiltration or detention of surface water runoff. The proposed project incorporates BMP's sized to retain and infiltrate the volume of runoff generated during a 20 year, 1 hour storm. Runoff from impervious surfaces will sheet flow water toward approximately 3,168 square feet of pervious concrete parking spaces. Beneath the pervious concrete lies a 12 inch layer of drain rock. The drain rock and the pervious concrete act as a reservoir for runoff and provide drainage and low energy reinjection into groundwater.

2. **Parking and the Kings Beach Community Plan:** The site has been identified within the Kings Beach Community Plan as an area targeted as one of the community parking lots needed to meet parking requirements, compensate for lost parking due to State Route 28 improvements, and provide for additional development.

3. **Traffic and Air Quality:** The project has been identified as a needed improvement within the Kings Beach Community Plan. A Traffic Analysis was prepared by LSC Transportation Consultants, Inc. (August, 2006), and indicates that the construction of the new parking lot would assist the public by reducing the need to search for parking. The location of the lot is within a reasonable walking distance for commercial uses, but is not the most convenient location for customers. "As a result, it is expected that the lot will largely be used by employees of nearby establishments, in order to make the more convenient spaces immediately adjacent to each business available for customers." This assumed, the turnover rate for each space is reduced, further validating the use of pervious concrete in the individual parking spaces. Low turnover is preferable for pervious concrete because there is less opportunity for material to be tracked onto the surface. Additionally, no new traffic is anticipated to be generated by the proposed parking lot; rather, existing trips would be diverted to the new lot. Therefore, the project is not anticipated to generate new vehicle trips, and there will be no air quality mitigation fee required.

4. **Tree Retention and Removal:** There are five trees located on the parcel that are greater than 6-inches diameter at breast height. Only one of these trees, a 31" pine, is recommended for removal because its location is such that no feasible alternative exists to work around it. The pervious concrete proposed is part of the storm water management plan proposed to infiltrate all runoff on-site. This concrete contains pores which allow water to pass through and absorb into the ground water. It is important to minimize any vegetation extending over the pervious concrete so as to prevent these pores from being clogged by plant material. The landscape plan proposes extensive native vegetation planted to
mitigate the removal of the 31" pine, provide screening for the parking lot as well as restore existing previously disturbed areas.

Vehicle Storage and Parking is a Special Use within Special Area #1 of the Kings Beach Community Plan, therefore requiring Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code.

**Required Findings:** The following is a list of the required findings as set forth in Chapters 6, 18, and 71 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. **Chapter 6 – Environmental Documentation:**

   a. **The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.**

      The Kings Beach Community Plan has identified a parking shortage during peak periods. One of the objectives stated in the Community Plan is the need to implement a parking management program. The Salmon Avenue public parking lot represents part of that program. Temporary and permanent Best Management Practices (BMP's) will be installed as a part of this project.

   b. **The project will not cause the environmental threshold carrying capacities to be exceeded.**

      This project will not cause the environmental thresholds to be exceeded. It has been designed to comply with the TRPA Code of Ordinances site development standards to ensure threshold attainment and maintenance. The basis for this finding is provided on the checklist entitled “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Hearings Officer hearing and at TRPA.

   c. **Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.**

      The project has been designed to comply with Lahontan, TRPA and Placer County environmental standards. The project will not adversely affect air or water quality. The proposed project will meet the discharge limits for surface runoff prescribed in Chapter 81 of the TRPA Code of Ordinances.
2. Chapter 18 – Special Use:

a. The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

This project is located in the Downtown Commercial Area of Kings Beach. The proposed public parking lot would serve existing recreational and commercial uses in the surrounding area.

b. The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water and air resources of both the applicant's property and that of surrounding property owners.

The parking lot has been designed to meet Placer County, TRPA, and Lahontan Regional Water Quality requirements. This includes treatment of storm water runoff, revegetation and parking lot design standards. The public parking lot would assist the downtown businesses in meeting the parking demands of the area.

c. The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The parking lot would not change the character of the area. The project is proposed in the Kings Beach Downtown Area with the existing uses being predominately commercial and retail. The proposed public parking lot would facilitate and complement the existing uses. The proposed project is consistent with the Kings Beach Community Plan in helping meet the objectives of additional parking.

3. Chapter 71 – Tree Removal:

a. Within non-SEZ urban areas: Individual trees larger than 30 inches dbh that are healthy and sound shall be retained as desirable specimen trees having aesthetic and wildlife value, unless 1) all reasonable alternatives are not feasible to retain the tree, including reduction of parking areas or modification of the original design.

One tree larger than 30 inches dbh will be removed for the new parking lot. The site has been designed to retain the majority of the large trees. The location of this tree is near the center of the proposed improvements and the parcel is of a size and shape that no feasible alternative appears available to shift the lot and avoid the tree.
**Required Actions:** Staff recommends that the Hearings Officer take the following actions:

I. Based on the staff summary, Initial Environmental Checklist, Vg findings and other information in the record, make a finding of no significant environmental effect.

II. Approve the project, based on the staff summary, subject to the conditions contained in the attached draft permit.

**Attachments:**

1. Draft Permit
2. Site Plan
TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O. Box 5310
Stateline, Nevada 89449
(775) 588-4547
Fax (775) 588-4527
Email: trpa@trpa.org

-D-R-A-F-T-

PERMIT

PROJECT DESCRIPTION: Vehicle Storage and Parking

APN: 090-126-20

PERMITTEE(S): Placer County Redevelopment Agency

FILE: #20061773

COUNTY/LOCATION: Placer County/Salmon Avenue, Kings Beach

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on April 19, 2007, subject to the standard conditions of approval attached hereto (Attachment Q) and the special conditions found in this permit.

This permit shall expire on April 19, 2010 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO TREE REMOVAL, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

1. TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
2. ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
3. THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND
4. A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee ___________________________ Date __________

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents’ and employees’ compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) ___________________________ Date __________
TAHOE REGIONAL PLANNING AGENCY

128 Market Street
Stateline, Nevada
www.trpa.org

P.O. Box 5310
Stateline, Nevada 89449

(775) 588-4547
Fax (775) 588-4527
Email: trpa@trpa.org

D-R-A-F-T

APN: 090-126-20
FILE NO. 20061773

Excess Coverage Mitigation Fee (1): Amount $______ Paid ____ Receipt No._____

Offsite Coverage Mitigation Fee (2): Amount $3,017.50 Paid ____ Receipt No. ____

Security Posted (3): Amount $_______ Posted ______ Type____ Receipt No._____

Security Administrative Fee (4): Amount $_______ Paid____ Receipt No._____

Notes:
(1) To Be Determined, See Special Condition 3.C., below.
(2) See Special Condition 3.D., below.
(3) See Special Condition 3.E., below.
(4) $144 if a cash security is posted, or $74 if a non-cash security is posted.

Required plans determined to be in conformance with approval: Date: __________

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

TRPA Executive Director/Designee ________________________________ Date

SPECIAL CONDITIONS

1. This permit specifically authorizes the construction of a new public parking lot located in Kings Beach on Salmon Avenue. 7,278 square feet of land coverage is approved for the parking lot. TRPA File #20061644 verified 11,667 square feet of existing land coverage, therefore, upon project completion and security return, 4,389 square feet of Class 5 soft coverage will be banked on APN: 090-126-20. Regular maintenance of the parking lot and long term water quality monitoring are required conditions of this permit.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.

3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

A. The site plan shall be revised to include:

(1) Notation that all construction related vehicles shall park on existing paved surfaces or existing compacted road shoulders.
A note indicating: "All barren areas and areas disturbed by construction shall be revegetated in accordance with the TRPA Handbook of Best Management Practices. Application of a mulch may enhance vegetative establishment."

A note indicating: "All areas disturbed by construction shall be mulched with a 2 to 3 inch layer of pine needles or wood chips as a dust control measure. This mulch shall be maintained from completion of the initial grading through completion of the project."

Location of the construction materials storage and staging area. Storage and staging areas should be located on paved or pre-disturbed surfaces to avoid additional disturbance.

Vegetation protective fencing around the entire construction site. The fencing shall be no more than 12 feet from any footprint, driveway, or area of approved disturbance. Trees located within the construction area that are to be retained shall be individually protected by fencing or other means as necessary.

B. The permittee has received TRPA approval to excavate 2 feet below ground surface (bgs) (TRPA File #20060673). The permittee shall provide a Dewatering Plan for all excavation work, in accordance with Chapter 64 standards of TRPA Code. **The Dewatering Plan shall be approved by TRPA prior to scheduling a permit acknowledgment appointment.**

C. The affected property has 4,153 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area #9 (Agate Bay - California) or by submitting an excess coverage mitigation fee.

**To calculate the amount of excess coverage to be removed, use the following formula:**

Estimated project construction cost multiplied by the fee percentage of 1.50% (as identified in Table A of Subsection 20.5.A.(3), Chapter 20 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of $8.50 for projects within Hydrologic Transfer Area #9 (Agate Bay - California). **Please provide a construction cost estimate by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than $200.00.**
D. The permittee shall submit an offsite coverage mitigation fee of $3,017.50 for the creation of 355 square feet of land coverage in the public right-of-way. This fee is calculated at $8.50/square foot within the Agate Bay – California Hydrologic Area.

E. The security required under Standard Condition I.B of Attachment Q shall be determined upon the permittee’s submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

F. The permittee shall submit a projected construction completion schedule to TRPA prior to commencement of construction. Said schedule shall include completion dates for each item of construction, as well as BMP installation for the entire project area.

G. The Parking Lot Maintenance Plan shall be developed in collaboration with TRPA staff prior to acknowledgement of this permit.

H. The permittee shall submit a long term maintenance and monitoring plan (minimum of 10 years) to TRPA for review and approval. This plan shall include annual sampling of storm water runoff, and shall compare the sampling results to adopted TRPA water discharge standards. By accepting this condition, the permittee agrees to correct any violation of TRPA discharge standards in a manner and timeframe acceptable to TRPA. The applicant must pay monitoring fees for TRPA staff to review reports and conduct periodic site visits.

I. The applicant agrees to pay TRPA, reasonable, hourly monitoring costs that will not exceed the costs incurred by the Agency. These costs will be billed to the applicant and shall be submitted to TRPA within 30-days of receipt of the invoice. Fees for monitoring are based on an hourly rate. Rates are subject to change.

J. The permittee shall submit three sets of final construction drawings and site plans to TRPA.

4. Excavation equipment shall be limited to the footprint of the parking lot to minimize site disturbance. No grading or excavation shall be permitted outside of the parking lot footprint.

5. All waste resulting from the saw-cutting of pavement shall be removed using a vacuum (or other TRPA approved method) during the cutting process or immediately thereafter. Discharge of waste material to surface drainage features is prohibited and constitutes a violation of this permit.

6. Any normal construction activities creating noise in excess to the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.
7. This site shall be winterized in accordance with the provisions of Attachment Q by October 15th of each construction season.

END OF PERMIT