MEMORANDUM

To: TRPA Hearings Officer

From: TRPA Staff

Date: April 27, 2007

Subject: Hayes Single Family Residential Addition-Modification, 9204 Scenic Drive, Rubicon Bay, Placer County, Assessor’s Parcel Number 016-600-20, TRPA File No. 20070028.

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 H 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 extensive interior and exterior modifications, to an existing single family residential structure and the addition of a new detached two car garage and walkway over an existing asphalt parking area. The residential modification will include the addition of approximately 224 square feet of living space, three new roof dormers, a new chimney and a new deck. The new two car garage will be built over existing hard cover, up slope and on the north side of the existing residence. Other site improvements will include the building of an open, covered walkway between the garage and residential structure, a new raised automobile turn around, and a series of new Concrete Masonry Unit (CMU) retaining walls.

Site Description: The proposed site is a 108,870 square foot (2.4 acres) parcel located in Meeks Creek Plan Area (PAS 148), El Dorado County. The site has a slope between 25-45 percent which descends from a northwest to southeast direction. The site is currently occupied by a 3-story single family residential structure and an expansive amount of concrete paving currently used as a detached parking pad on the north side of the residence. The structure which is visible from both Lake Tahoe and Highway 89 is approximately 116 linear feet from Highway 89 at the properties southeast corner. Highway 89 is a scenic resource located within Shoreline Scenic Corridor Unit 8 Rubicon Point which is currently not in attainment. The site is sparsely populated with a variety of pine, fir, and cedar trees between 6 and 10 inches in diameter at breast height (dbh).

The site is currently accessed from Scenic Drive via a private access road which enters the site near the property’s northeast corner. The road is a private deed restricted access road for the adjacent property APN 016-600-19 and the proposed project site APN 016-600-20. The surrounding neighborhood consists of vacant parcels to the northwest, west, and southwest with occupied residential parcels of varying sizes to the north, northeast and east.

In November 2006 El Dorado County, through MOU agreement, verified 5,782 square feet of existing Class 1a on site coverage.
**Issues:** The primary issues associated with the project are:

1. **Land Use:** The proposed addition/modification project is located within the Meeks Creek Plan Area Statement (PAS 148) in which residential uses are a Special Use requiring Hearings Officer review per Chapter 4, Appendix A, of the TRPA Code. Special Use Findings are addressed in Staff Analysis Item C1 and Required Findings, below.

2. **Land Coverage:** The base allowable coverage for the site is one percent of the total site area or 903 square feet. In order to accommodate the increase in size of the residence, the new garage and covered walkway, the applicant will need to place these new structures on existing coverage and/or relocate coverage from one area of the site to another. In addition the project design will need to take full advantage of height reduction standards for decks and other areas as a means for reducing additional amounts of coverage. No new net increase in overall coverage will be allowed.

3. **Building Height:** The proposed project consists of an existing three-story residential structure located on a parcel with an approximate ‘building site’ slope of 25%. This project calls for a new two car garage to be located upslope and on the north side of the existing residence. As designed the finish floor height of the new garage will be +3 feet above the existing finish floor height of the upper story of the existing residence. This will result in the ridge line for the new garage being approximately 3 feet 6 inches above the ridge line of the existing residential structure and thus visible if not properly screen from Highway 89 which is a scenic corridor.

4. **Scenic Quality:** Currently the existing residence can be seen directly from State Highway 89 which runs south-southeast of the proposed site. The maximum height for the proposed remodeled residential structure will be 38 feet 5 inches. The proposed new garage will have a building mass which extends approximately 3 feet 6 inches above the existing residential structure. The current existing tree canopy consists of a sparse growth of young fir, pine, and cedars trees between 6 and 16 inches in diameter at breast height (dbh). At present these trees because of their location and diminutive size provide average to minimal screening to the existing residence and possibly the new garage structure, depending upon ones location along Highway 89.

5. **Tree Removal:** The proposed site is currently sparsely populated with trees between 6 – 16 inches in (dbh). These trees do not provide enough screening to reduce visual impacts from the project site. It is possible that over time several of these trees could help to screen views of both the existing residence and proposed garage as seen directly from Highway 89. To increase the chances that the new garage structure is properly screened from views from Highway 89, the applicant shall be required to plant additional trees on the east (lakeside) of the property as a condition of approval.

**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 proposed project site is located within the Meeks Creek Plan Area (PAS 148), El Dorado County. The Land Use Classification is Conservation and the Management Strategy is Mitigation. Residential Uses are a special use within this Plan Area. Based on the findings contained in Section G 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: In November 2006 El Dorado County through MOU agreement conducted a Site Assessment in which the existing onsite land coverage and land capability were verified. The property is +/- 2.4 acres (108,870 square feet) in area with an allowable base coverage of 903 square feet for its largest land capability district of Class 1a (90,336 square feet), as determined by the 2006 Site Assessment. The site currently has a total of 5,782 square feet of Class 1a onsite land coverage.

a. Land Coverage Calculations:

<table>
<thead>
<tr>
<th>Total Area</th>
<th>Land Capability District</th>
<th>Percent Allowable Coverage</th>
<th>Base Allowable Coverage</th>
<th>Existing Coverage</th>
<th>Proposed Coverage</th>
</tr>
</thead>
<tbody>
<tr>
<td>90,336 SF</td>
<td>1a</td>
<td>1%</td>
<td>903 SF</td>
<td>5,782 SF</td>
<td>5,782 SF</td>
</tr>
<tr>
<td>18,535 SF</td>
<td>4</td>
<td>20%</td>
<td>3,707 SF</td>
<td>0 SF</td>
<td>0 SF</td>
</tr>
</tbody>
</table>

Due to the allowable coverage limits, this project calls for no net increase in overall coverage for the project site. However there will be the relocation of existing Class 1a coverage from one area of the parcel to another. The proposed 576 square foot garage and covered walkway will be located on existing hard coverage made up of the existing asphalt parking area. A portion of the new proposed raised automobile turn around will be placed on previously disturbed land while the remainder will be placed on relocated coverage from the site. Areas from which coverage is being relocated shall be restored in accordance with Section 20.4.C of the TRPA Code.

D. Building Height: The proposed project consists of an existing three-story residential structure to be remodeled with new dormer pop outs, new roof and new upper story decks. The height of the existing structure is approximately 38 feet 5 inches measured from the low point of existing grade to the high point of the building’s ridgeline. This project also includes the construction of a new two car garage to be located upslope and on the north side of the existing residence partially connected with an open sided, covered walkway. The finish floor height of the new garage will be +3 feet above the finish floor height of the upper story of the existing residence. As a result the ridge line of the garage will be approximately 3 feet 6 inches above the ridge line of the existing residential structure and above the normal allowable height standard. However, per TRPA height standards for additions Section 22.9 (B), the height of the detached addition may be calculated as if the addition is a separate structure. The garage addition when measured from its low point to roof ridge will be a total of +/- 18 feet 5 inches. The project is thus consistent with Chapter 22 of the TRPA Code. Total maximum proposed height for the proposed structures is as follows:

<table>
<thead>
<tr>
<th>Building</th>
<th>Roof Pitch</th>
<th>Building Cross Slope</th>
<th># of Stories</th>
<th>TRPA Code Max. Allowable Height</th>
<th>Proposed Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residence</td>
<td>7:12</td>
<td>25.0%</td>
<td>3</td>
<td>38 feet-5 inches</td>
<td>38 feet-5 inches</td>
</tr>
<tr>
<td>Garage</td>
<td>7:12</td>
<td>25.0%</td>
<td>1</td>
<td>38 feet-5 inches</td>
<td>18 feet-5 inches</td>
</tr>
</tbody>
</table>
E. **Scenic Quality**: Currently the existing residential structure can be seen directly from State Highway 89 which is a Shoreline Scenic Corridor (Rubicon Point 8). Although the property does lie within 300 feet of a Scenic Corridor, this corridor is currently out of attainment. The applicant has provided information which supports an assertion that the proposed new garage portion of the project will be screened approximately 85% from views from Highway 89. At its proposed height however along with the sparseness of the on site vegetation, Staff feels that portions of the garage may be seen from differing vantage points along Highway 89. Therefore all existing trees and shrubs on the east side of this parcel specifically on the east side of the proposed garage shall be considered a scenic resource to be used for mitigation purposes. Trees and shrubs shall not be removed or trimmed for view enhancement purposes without prior TRPA written approval. Any such removal or trimming shall constitute a violation of project approval. As a condition of approval the permittee will be required to submit a scenic vegetation monitoring plan and arborist report to assess the health of all vegetation.

F. **Tree Removal**: The proposed site is currently sparsely populated with trees between 6 – 16 inches in (dbh) which provide some visual screening for the project site. It is possible that over time several of these trees will become more effective in blocking views of the project site from Highway 89. As such all trees and shrubs shall be considered as a scenic resource not to be removed or trimmed for view enhancement unless prior TRPA review and written approval have been obtained. As a condition of approval should any of these trees not survive, especially the specimens trees located on the southeast corner of the garage due to the project construction the applicant shall replace those tree in substantially the same location, at a ratio of three new trees for every one that does not survive. The new tree(s) shall be of the conifer variety with a minimum height of six feet healthy specimens from the TRPA approved vegetation list.

G. **Required Findings**: The following is a list of the required findings as set forth in Chapters 6, 18, 20, 22, 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. **Residential Use**: Residential uses are a special use in this plan area statement. The proposed project is an expansion/modification of an existing use and is compatible with the surrounding land uses. With the special permit conditions, the project meets all TRPA codes and ordinances.

      ii. **Land Coverage**: To accommodate the new building addition, new garage, and driveway turnaround, the applicant will relocate approximately 824 square feet of Class 1a coverage to a previously undisturbed area. The base allowable coverage for the proposed building area of the site is one percent of the site or 903 square feet. The existing verified amount of coverage is 5,782 square feet of which 4,879 square feet must be mitigated as excess coverage. As such an excess coverage mitigation fee will be assessed for
that amount of existing coverage which is over the allowed maximum per Chapter 20 of the TRPA Code.

iii. Scenic Issues. During the course of this review potential scenic impacts from both Highway 89 and the Lake were evaluated. Visual information was submitted for purposes of evaluating the visual impact of the new project as seen from the closest travel. The information was inconclusive in ruling out that there would be no visual impact from the scenic corridor as the site seemed adequately from certain locations along the highway but clearly visible from others. As such Staff feels that a long term vegetation monitoring plan should be initiated for purposes of determining the effectiveness of the existing vegetation to act as a visual screening for the project site and new height the proposed garage. While views into the site will not cause a reduction in the applicable travel rating, a condition which aids in the preservation of all existing onsite vegetation as a scenic resource shall be incorporated in the special conditions of the permit. In addition, as a condition of approval the permittee will be required to submit a scenic vegetation monitoring plan for all (scenic resource vegetation) on the site.

(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.

Adjacent land uses to the north and east are single family residential. The proposed project site is located within an area with other residential structures of similar scale and height. Staff has included an aerial photograph used to identify the specific location and general type of residential structures of similar character 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 proposed project should not interfere with the health and safety of the surrounding neighborhood. Temporary and permanent BMPs will be installed to mitigate potential environmental impacts to water quality during the construction phases of the project. 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 project is located within an existing residential neighborhood with structures of similar height and scale and will not change the character of the area. The proposed project is located within the Plan Area 148 Meeks Creek in which modifications an existing residence will not alter the purpose of the plan area statement.

3. Chapter 20 - Land Coverage Findings:

(a) The relocation is to an equal or superior portion of the parcel or project area, as determined by reference to Section 20.5.C.

The coverage relocation is to an equal portion of the parcel in that the entire building area is located within a Class 1a land capability district. The area of relocation appropriately fits the scheme of use of the property.

(b) The area from which the land coverage was removed was removed for relocation is restored in accordance with Subsection 20.4.

The area from which the land coverage is being removed is being relocated to areas of the project site which will accommodate the residential expansion and the new automobile turn around. The area near the covered walkway targeted for coverage removal will be re-vegetated in accordance to TRPA Code Subsection 20.4.C.

(c) The relocation is not to Land Capability Districts 1a, 1b, 1c, 2 or 3 from any higher numbered land capability.

The coverage relocation is to an equal portion of the parcel as the entire building site area is located within a Class 1a land capability district. All relocated coverage will be relocated to a Class 1a area to a Class 1a area.
4. **Chapter 22 Height Findings:**

(a) When viewed from major arterials, scenic turnouts, public recreation areas, or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline. For height greater than that set forth in Table A for a 5:12 pitch, the additional height shall not increase the visual magnitude beyond that permitted for structures in the shoreland as set forth in Section 30.15.G, Additional Visual Magnitude, or Appendix H, Visual Assessment Tool, of the Design Review Guidelines.

The finish floor height of the new garage will be +3 feet above the finish floor height of the existing residence. As a result the proposed ridge line of the new garage will be approximately 3 feet 6 inches above the ridge line of the existing residential structure and above the normal allow height standard. However per TRPA height standards for additions Section 22.9 (B), the height of the addition may be calculated as if the addition is a separate structure. The applicant has submitted photographs and elevation drawings which indicate that the new garage will not be visible certain views along the scenic corridor located within Shorezone Scenic Corridor Unit 8 Rubicon Peak which is in non-attainment. As such a special permit conditions to preserve all vegetation as a scenic resource shall be incorporated into the permit to help assure that the new garage will be screened from the highway as the existing trees mature.

(b) When outside a community plan, the additional height is consistent with the surrounding uses.

The affected property is not located in a community plan area. The surrounding parcels are residential with two and three-story structures. The existing three story residence and proposed one story garage addition is similar in height to other buildings in the area.

(c) The maximum height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height as defined in subsection 22.7 (8) of the TRPA code.

The maximum height at any corner of two exterior walls of the proposed residence is 33 feet - 0 inches, which is less than 90 percent of the maximum building height of 34 feet – 7 inches.

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

I. Approve the findings contained in Section G 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
PROJECT DESCRIPTION: Residential Addition/Modification  APN 016-600-20

PERMITTEE: James Hayes  FILE # STD 20070028

COUNTY/LOCATION: Placer County, 9204 Scenic Drive, Rubicon Bay

Having made the findings required by Agency ordinances and rules, the Hearings Officer approved the project on April 27, 2007, subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions found in this permit.

This permit shall expire on April 27, 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)
Excess Coverage Mitigation Fee (1): Amount $ _______ Paid _______ Receipt No.______

Security Posted (2): Amount $ _______ Posted______ Type ______ Receipt No.______

Security Administrative Fee (3):  Amount $ _______ Paid _______ Receipt No.______

Landscape Security Posted (4): Amount $ _____  Posted_____  Type _____ Receipt No.____

Security Administrative Fee (5):  Amount $ _______ Paid _______ Receipt No.______

Notes:
(1) See Special Condition 3.E, below.
(2) See Special Condition 3.F, below.
(3) $144 if a cash security is posted, or $74 if a non-cash security is posted.
(5) $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 extensive interior and exterior modifications, to include the addition of approximately 224 square feet of living space, three new roof dormers, a new chimney and new decking to an existing single family residential structure and the addition of a new detached two car garage and walkway over an existing asphalt parking area. Other work authorized through this permit shall include a new raised automobile turn around, and a series of new Concrete Masonry Unit (CMU) retaining walls. No new land coverage shall be created nor is it approved as a result of this permit. This permit does not authorize the creation of any additional driveways or offsite coverage for driveway which will need separate TRPA review and approval.

2. The standard conditions of approval listed in Attachment R 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.

(2) A note indicating the location of any temporary on site storage of excavated or fill material. This location shall be in the up land areas of the site and on existing hard surfaces or disturbed land areas only, which is subject to TRPA approval. No fills or re-contouring, other than backfilling as associated with the proposed structures as depicted in submitted drawings, shall be allowed.

(3) 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”.

(4) Six (6) additional scenic recourse trees on the east side of the property, the location of which is subject to TRPA approval, to screen the proposed garage, from potential views from Highway 89. Said trees shall be of the conifer variety with a minimum height of six feet and healthy specimens from the TRPA approved vegetation list.

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

C. The permittee shall provide a typical detail drawing of the proposed CMU walls.

D. The Permittee shall provide a detail drawing, and fill material and coverage calculations specifically for the raised automobile turn around.

E. The affected property has 4,879 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 6 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 1.5% (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 6 (Emerald 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.
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 also 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.

A Scenic/Landscape security of $5,000 shall be required per TRPA Code Ordinances Section 8.8. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

The permittee shall submit a scenic vegetation monitoring plan and arborist report to assess the health of the existing (scenic resource trees) on the east side of the property to consist of:

- An initial pre-construction photo
- An initial 30 day post-construction photo and report of the relative of the (scenic resource trees) on the east side of the property
- Annual post-construction report of the relative health of the (scenic resource trees) on the east side of the property with photos taken on the anniversary of acknowledgement of this permit, with the same established viewpoints as the initial 30 day post-construction photos; submitted by July 1 each year for a minimum of 5 years

Photos and report submitted will demonstrate that the existing landscaping screening is accurate and adequate to achieve the required scenic screening. The scenic security shall be held for a minimum of 5 years to ensure that the landscaping is healthy and well established. Any landscaping that fails shall be replaced on an annual basis with native or adapted species from the TRPA plant list or as otherwise approved by TRPA. Additional landscaping may be required to replace landscaping that fails to meet the screening mitigation required for the project. By signature of this permit, the permittee agrees that the landscaping (scenic resource trees) on the east side of the property identified under this permit shall be maintained for scenic mitigation purposes for a minimum of 5 years.

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.

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) reseeded/re-vegetated and mulched following backfilling of trenches and/or access holes.

5. All proposed re-vegetation landscaping shall be in conformance with Subsection 30.7 of the TRPA Code of Ordinances, for species, sizes and spacing.

6. 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.

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

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

9. The permittee shall not construct any finished floor which is three and a half (3-1/2) feet or more below natural grade measured at the location where the floor meets the foundation wall. Any modification of this structure shall conform to TRPA’s height standards.

10. All existing trees and shrubs on the lakeward (east) side of this parcel shall be considered as scenic mitigation. These trees and shrubs shall not be removed or trimmed for view enhancement purposes without prior TRPA written approval. Any such removal or trimming shall constitute a violation of project approval.

11. 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.

12. All excavated materials shall be hauled away from the site to a legally acceptable location. No fills or re-contouring, other than backfill for structures, shall be allowed.

13. Any normal construction activities creating noise in excess of 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.

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

15. 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.
16. 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.

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

18. 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