TAHOE REGIONAL PLANNING AGENCY

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Stateline, Nevada
www.trpa.org

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Stateline, Nevada 89449

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HEARINGS OFFICER
AGENDA OF MEETING FOR

Tahoe Regional Planning Agency
128 Market Street, TRPA Conference Room
Stateline, NV 89449

Date: March 22, 2007
2:00 p.m.

AGENDA

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Hearings Officer on any agenda item not listed as an Announcement of Appeal Right or Public Hearing Item, or on any other issue, may do so at this time. However, public comments on Announcement of Appeal Rights or Public Hearing Items will be taken at the time those agenda items are heard.

NOTE: THE HEARINGS OFFICER IS PROHIBITED BY LAW FROM TAKING IMMEDIATE ACTION ON, OR DISCUSSING ISSUES RAISED BY THE PUBLIC THAT ARE NOT LISTED ON THIS AGENDA.

IV. ANNOUNCEMENT OF APPEAL RIGHTS

V. PUBLIC HEARING ITEMS
   A. Christopher B. & Rachel E. Sewell Land Capability Challenge, 720 Champagne, Washoe County, Nevada, Assessors Parcel Number (APN) 126-263-03, TRPA File Number 20061881
   B. Christopher B. & Rachel E. Sewell Land Capability Challenge, 721 Champagne, Washoe County, Nevada, Assessors Parcel Number (APN) 126-262-04, TRPA File Number 20061880
   C. St. Francis of Assisi Church, Jim Borelli AIA as Agent, 701 State Route 431, Incline Village, Washoe County, Nevada, Assessors Parcel Number (APN) 124-031-62, TRPA File Number 20061914. Proposed renovation of existing church and reconfiguration of parking lot including a communication tower appearing as the church’s bell tower.
   D. High Pockets, LLC, James Croft, Sweeney Architecture as Agent, 682 Lakeview Blvd, Zephyr Cove, Douglas County, Nevada, Assessors Parcel Number (APN) 1318-10-310-015, TRPA File Number 20060878. Proposed renovation and expansion of existing single family residence located in Zephyr Cove Unit 1, Historic District, Douglas County. Project will include the addition of 2500 square feet of living area and a detached garage.

VI. ADJOURNMENT

By: ____________________________

John Singlaub, Executive Director

This agenda has been posted at the TRPA office and at the following places: Zephyr Cove and Stateline Nevada Post Office, Al Tahoe California Post Office and the El Dorado County Library.

Planning for the Protection of our Lake and Land
MEMORANDUM

March 15, 2007

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Christopher and Rachel Sewell Land Capability Challenge; Washoe County APN 126-263-03, 720 Champagne Road, Incline Village, Nevada

Proposed Action: The applicants, Christopher and Rachel Sewell request that the TRPA Hearings Officer review and approve the proposed Land Capability Challenge for the affected parcel.

Staff Recommendation: The staff recommends that the TRPA Hearings Officer approve the land capability challenge for the parcel changing the land capability class 3 to classes 4 and 6.

Background: The subject parcel is shown as land capability class 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 (15-30 percent slopes) soil map unit. The UmE soil map unit is consistent with the D-2 (Headlands, Moderate Hazard Lands) geomorphic unit classification. The UmE soil formed in deposits derived from glacially modified volcanic (andesite) sources.

A land capability verification was completed on this parcel on and the parcel was verified as land capability class 3. A land capability challenge was filed on November 9, 2006 to confirm the soil series and land capability for the parcel.

Findings: This parcel is approximately 45,400 square feet in size (1.05 acres) and is located at 720 Champagne Road, Incline Village, Nevada. The parcel is mapped within geomorphic unit D-2 (Headlands, Moderate Hazard Lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. Tim Hagan, TRPA staff conducted the soils investigation and this report was prepared. Based on one soil pit and several soil auger samples, a representative soil profile was described (see Attachment A). After visiting the parcel, the soils on APN 126-263-03 were determined to be consistent with land capability classes 4 and 6 in accordance with 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:

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SOIL INVESTIGATION FOR
WASHOE COUNTY APN 126-263-03, 720 Champagne Road, Incline Village, Nevada

INTRODUCTION
A soil investigation was conducted on Washoe County APN 126-263-03. This parcel is approximately 45,400 square feet in size (1.05 acres) and is located on 720 Champagne Road, Incline Village in Washoe County, Nevada. A land capability verification was conducted by TRPA staff on this particular parcel.

A land capability challenge was filed with TRPA on November 9, 2006 to determine the appropriate land capability class for this parcel based on a soil investigation.

ENVIRONMENTAL SETTING
This parcel is shown as land capability class 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, 15-30 percent slopes) soil map unit. The UmE soil map unit is consistent with the D-2 (Headlands, Moderate Hazard Lands) geomorphic unit classification. The Umpa soil formed in deposits derived from glacially modified volcanic (andesite) sources. This parcel is on a moderate south-southwest facing slope. The natural grade is 11 to 22 percent. The overstory vegetation is Jeffrey pine and White fir with an understory of Manzanita and Ceonothus.

PROCEDURES
One soil pit was dug and several soil auger samples were retrieved on this parcel. After examination, the soil was described in detail as representative of the soils on the parcel. A copy of this description is included in this report. Slopes were measured with a clinometer.

FINDINGS
One known soil series and a boundary contact between two Map Units were identified on this parcel. The soils on this parcel are deep and well drained. The soil is characterized as having a very thin (< 1/2") surface mantle of litter over a very dark grayish brown gravelly sandy loam surface layer. The subsoil is comprised and a dark brown gravelly sandy clay loam to a depth of greater than 55 inches. This soil is similar to the central concept of the Tahoma series listed in the Soil Survey for the Lake Tahoe Basin, and would be most accurately described as a member of the JwD/E (Jorge-Tahoma, very stony sandy loam, 5 to 30 percent slopes) soil map units. This soil is appropriately placed in Hydrologic Group B (moderately low runoff). Therefore, based on these physical characteristics and slope class range, this soil is assigned to land capability classes 4 and 6 per the Bailey Land Capability Classification system.

CONCLUSION
Based on the results of the site visit, the soil on APN 126-263-03 was determined to be a known soil series of the Tahoe basin. Based on slope range and previously cited physical characteristics, this soil is associated with the JwD/E (Jorge-Tahoma, very stony sandy loam, 5 to 30 percent slopes) soil map units. The soils on this parcel are associated with land capability classes 4 and 6, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).

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AGENDA ITEM V.A.
Representative Soil Profile:

Soil Classification: Loamy-skeletal, mixed, frigid Ultic Haploxeralf
Soil Series: Tahoma
Drainage Class: Well Drained
Hydrologic Group: B

Oi 1 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.
March 15, 2007

To: TRPA Hearings Officer

From: TRPA Staff

Subject: Christopher and Rachel Sewell Land Capability Challenge; Washoe County
APN 126-262-04, 721 Champagne Road, Incline Village, Nevada

Proposed Action: The applicants, Christopher and Rachel Sewell request that the TRPA
Hearings Officer review and approve the proposed Land Capability Challenge for the
affected parcel.

Staff Recommendation: The staff recommends that the TRPA Hearings Officer approve
the land capability challenge for the parcel changing the land capability class 3 to
classes 4 and 6.

Background: The subject parcel is shown as land capability class 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 (15-30 percent
slopes) soil map unit. The UmE soil map unit is consistent with the D-2 (Headlands,
Moderate Hazard Lands) geomorphic unit classification. The UmE soil formed in
deposits derived from glacially modified volcanic (andesite) sources.

A land capability verification was completed on this parcel on and the parcel was verified
as land capability class 3. A land capability challenge was filed on November 9, 2006 to
confirm the soil series and land capability for the parcel.

Findings: This parcel is approximately 43,125 square feet in size (.99 acres) and is
located at 721 Champagne Road, Incline Village, Nevada. The parcel is mapped within
geomorphic unit D-2 (Headlands, Moderate Hazard Lands) on the TRPA Geomorphic
Analysis Map of the Lake Tahoe Basin. Tim Hagan, TRPA staff conducted the soils
investigation and this report was prepared. Based on one soil pit and several soil auger
samples, a representative soil profile was described (see Attachment A). After visiting
the parcel, the soils on APN126-262-04 were determined to be consistent with land
capability classes 4 and 6 in accordance with 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:

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SOIL INVESTIGATION FOR
WASHOE COUNTY APN 126-262-04, 721 Champagne Road, Incline Village, Nevada

INTRODUCTION
A soil investigation was conducted on Washoe County APN 126-262-04. This parcel is approximately 43,125 square feet in size (1.05 acres) and is located on 721 Champagne Road, Incline Village in Washoe County, Nevada. A land capability verification was conducted by TRPA staff on this particular parcel.

A land capability challenge was filed with TRPA on November 9, 2006 to determine the appropriate land capability class for this parcel based on a soil investigation.

ENVIRONMENTAL SETTING
This parcel is shown as land capability class 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, 15-30 percent slopes) soil map unit. The UmE soil map unit is consistent with the D-2 (Headlands, Moderate Hazard Lands) geomorphic unit classification. The Umpa soil formed in deposits derived from glacially modified volcanic (andesite) sources. This parcel is on a moderate southwest facing slope. The natural grade is 19 to 40 percent. The overstory vegetation is Jeffrey pine and White fir with an understory of Manzanita and Ceonothus.

PROCEDURES
One soil pit was dug and several soil auger samples were retrieved on this parcel. After examination, the soil was described in detail as representative of the soils on the parcel. A copy of this description is included in this report. Slopes were measured with a clinometer.

FINDINGS
One known soil series and a boundary contact between two Map Units were identified on this parcel. The soils on this parcel are deep and well drained. The soil is characterized as having a very thin (< 1/2") surface mantle of litter over a very dark grayish brown gravelly sandy loam surface layer. The subsoil is comprised and a dark brown gravelly sandy clay loam to a depth of greater than 55 inches. This soil is similar to the central concept of the Tahoma series listed in the Soil Survey for the Lake Tahoe Basin, and would be most accurately described as a member of the JwE/F (Jorge-Tahoma, very stony sandy loam, 15 to 50 percent slopes) soil map units. This soil is appropriately placed in Hydrologic Group B (moderately low runoff). Therefore, based on these physical characteristics and slope class range, this soil is assigned to land capability classes 2 and 4 per the Bailey Land Capability Classification system.

CONCLUSION
Based on the results of the site visit, the soil on APN 126-262-04 was determined to be a known soil series of the Tahoe basin. Based on slope range and previously cited physical characteristics, this soil is associated with the JwE/F (Jorge-Tahoma, very stony sandy loam, 15 to 50 percent slopes) soil map units. The soils on this parcel are associated with land capability classes 2 and 4, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).

3/15/2007
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AGENDA ITEM V.B.
Representative Soil Profile:

Soil Classification: Loamy-skeletal, mixed, frigid Ultic Haploxeralf
Soil Series: Tahoma
Drainage Class: Well Drained
Hydrologic Group: B

Oi  1 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.
Project Name: St. Francis of Assisi Church- Addition/Expansion

Application: Public Service-Church-Addition/Expansion, Transmission and Receiving Facility Accessory Use

Applicant: St. Francis of Assisi Church

Applicant’s Representative: Jim Borelli AIA, as Agent

Agency Planner: Patrick Dobbs, Environmental Review Services

Location: 701 State Route 431, Incline Village, Washoe County, Nevada

Assessor’s Parcel Number/File Number: APN 124-031-62/20061914

Staff Recommendation: Staff recommends approval of the project 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 renovate The Saint Francis of Assisi Church. This project calls for a remodel the existing church and reconfiguration of the parking lot. The subject property is located in Plan Area Statement (PAS) 038-Wood Creek and is visible from Highway 431 (TRPA scenic roadway unit 23). A communications tower is proposed as an accessory use, designed to be appear as a bell tower. Additional height allowances have been made pursuant to approval of the transmission and receiving accessory use. The proposed exterior colors and materials conform to TRPA’s design guideline standards and are a significant scenic improvement over the existing building. The property’s existing land coverage exceeds the base allowable land coverage. This project calls for existing coverage relocation and additional land coverage to be transferred into the project area pursuant to Subsection 20.3.B(6) of the TRPA Code of Ordinances, which permits public service facilities located outside of a community plan to transfer in land coverage up to 50% of the project area.

Site Description: The parcel is located at 701, State Route 431. The parcel is visible from the highway, although slopes away from the roadway, concealing the lower half of the building from the travel route. The property is approximately 3.14 acres. The majority of the property has been verified as Land Capability Class 4, with an area of Land Capability Class 1B (SEZ) located in the middle. The Base Allowable Land Coverage for the parcel is 24,225 square feet. 38,115 square feet of verified land coverage is currently existing onsite.
Issues: The existing height of the structure exceeds the limitations set forth in Chapter 22, Table A of the TRPA Code of Ordinances. The portion of the structure that is to remain will continue to exceed the allowable height by 4’ 7”. All additions will conform to the allowable height, except the tower which exceeds the allowable height by approximately 21 feet. The proposed project involves the onsite relocation of 3,066 square feet of land coverage. In addition, 3,150 square feet of land coverage will need to be transferred into the project area. The parcel is “scenic” due to its’ visibility from State Route 431. Churches and transmission and receiving facilities are Special Uses in PAS 038, 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, 20, and 22 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.

   Plan Area Statement (PAS) 038-Woodcreek lists churches as a special use. The proposed design and colors meet the standards of the TRPA Design Review Guidelines. The project is visible from TRPA roadway unit 23 (State Route 431) but will not result in the obstruction or degradation on any scenic vista or view open to the public. 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.

   (Refer to paragraph 1b, above.)

Hearings Officer / P.D.
March 22, 2007
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 proposal is to remodel a church which has existed in this neighborhood since 1969. The proposed transmission and receiving tower will increase the height and therefore the scale of the building. However, this location is appropriate and desirable for satisfying the transmission and receiving needs of the communication use.

   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 will include all TRPA-required water quality improvements. Although the project will cause a minor increase in vehicle trips (17 new trips), those air quality impacts will be mitigated. Landscaping has been incorporated into the project’s design to screen views of the building, outside gathering area, and parking lot from the scenic corridor and act as a buffer between this project and adjacent properties. Exterior lighting will not shine directly onto adjacent properties on any off-site location. All project design elements shall be in conformance with Chapter 30 of the TRPA Code of Ordinances.

   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 includes a communications tower which acts as a landmark feature, identifying the structure as a church. Allowances have been made for the additional height of the communications tower. The project proponent has included landscaping to screen views of the project from the scenic corridor.

3. **Chapter 20 – Land Coverage Findings:**

   (a) The land coverage relocation is to an equal or superior portion of the parcel or project area.

   This project will relocate a portion of land coverage out of a Stream Environment Zone (SEZ) setback. The resultant parking lot will have concrete curb and gutter, providing further protection for the SEZ. Additional relocation will occur within Land Capability Class 4 to accommodate the proposed reconfiguration of the church and parking lot. This will result in the removal of some large trees as no feasible
alternative exists to avoid them. Any tree loss will be mitigated through the approval of the landscape/revegetation plan.

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

Restoration will occur in accordance to the approved landscape plan for the project area. This will include decompaction of pre-disturbed areas and restoration in accordance with Chapter 30 and Chapter 77 of the TRPA Code of Ordinances.

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

This permit does not authorize any land coverage relocation within sensitive Land Capability Districts.

(d) Other Public Service Facilities Outside Community Plans: The maximum land coverage (base coverage plus transferred coverage) for other public service facilities located outside of an approved community plan is 50 percent of the project area.

The additional land coverage proposed with this project will result in more onsite parking spaces and a larger vestibule and deck. Currently people gather in the parking lot after Mass which creates a public safety problem with vehicles moving amongst them. It is for this safety reason, the reconfiguration of the parking lot is necessary. The expanded outdoor gathering is also required for a number of specific functions to the church.

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.

When viewed from State Route 431, the remodeled church will not extend above the forest canopy or a ridgeline. The proposed tower breaks up the structure’s roof expanse and adds interest and identification to the church.

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

Although situated in a residential area, the church fronts a state highway and the proposed height will be consistent with the surrounding non-residential uses. There is another church to the north and a Washoe County maintenance station which the remodeled structure will be consistent with.
(c) With respect to that portion of the building which is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

Although visible from a scenic highway there are no existing views that the remodeled church will interfere with. As conditioned in this permit, the additional height will be utilized by the North Lake Tahoe Fire Protection District and/or the Immaculate Heart Christian Radio Company as a communication tower to transmit and receive radio frequency. This communication tower requires the structure to be a greater maximum height than is otherwise provided for in Chapter 22 of the TRPA Code of Ordinances. This additional height is the minimum necessary to feasibly implement the project and there are no feasible alternatives requiring less additional height.

(d) 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 calculated in Subsection 22.7(8) of the TRPA Code.

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 calculated in Subsection 22.7(8) of the TRPA Code of Ordinances.

Required Actions: Agency 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 and Building Elevations
3. Simulation Photos

Hearings Officer / P.D. 
March 22, 2007
PROJECT DESCRIPTION: St. Francis of Assisi Church  
Addition/Expansion - Transmission and Receiving Facility Accessory Use

APN: 124-031-62

FILE #20061914

COUNTY/LOCATION: 701 State Route 431, Incline Village, Washoe County, Nevada

Having made the findings required by Agency ordinances and rules, the TRPA Hearings Officer approved the project on March 22, 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 March 22, 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 THE PERMITTEE OBTAINS 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. NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA’S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL 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 AND A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED. TRPA’S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT.

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 __________________

/prd

PERMIT CONTINUED ON NEXT PAGE
D-R-A-F-T

APN: 124-031-62
FILE NO. 20061914

Air Quality Mitigation Fee (1): Amount $510.00 Paid___ Receipt No._____

Excess Coverage Mitigation Fee (2): Amount $______ Paid ____ Receipt No._____

Offsite Coverage Mitigation Fee (3): Amount $5,380.00 Paid ____ Receipt No._____

Security Posted (4): Amount $_________ Posted ______ Type ___ Receipt No._____

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

Notes:
(1) See Special Condition 3.C, below.
(2) To Be Determined, See Special Condition 3.D, below.
(3) See Special Condition 3.E, below.
(4) To Be Determined, See Special Condition 3.G, below.
(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 the remodel of an existing church and
reconfiguration of the parking lot. A communications tower has been
incorporated into the design to allow transmission and receiving of radio
frequency for public service and commercial uses. The communications tower is
to be disguised as the church’s bell tower and is not to be constructed without
TRPA approval for a transmission and receiving facility in this location. BMP’s will
be installed with this project.

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) The following revised land coverage calculations:

(a) Remove reference to the 551 square feet of unverified railroad tie steps and stepping stones. Alternatively, transfer in an additional 551 square feet of land coverage to the project area.

(b) Revise total coverage to be transferred to 3,150 square feet.

(2) Indicate with an “X” the trees that are to be removed.

(3) Concrete curb and gutter bordering the parking lot able to accommodate the snow removal and storage necessary for the project area.

(4) 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.

(5) 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.”

(6) 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 BMP/Stormwater Management Plan shall be revised and collaborated with TRPA staff prior to acknowledgement of this permit.

C. The permittee shall submit a $510.00 air quality mitigation fee. This fee is based on the addition of 17 vehicle trips at $30.00/trip.

D. The affected property has 17,740 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 #1 (Incline Village) 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 0.0275% (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 $20.00 for projects within Hydrologic Transfer Area #1 (Incline Village). 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.

E. The permittee shall submit an offsite coverage mitigation fee of $5,380.00 for the creation of 269 square feet of land coverage in the public right-of-way. This fee is calculated at $20.00/square foot within the Incline Hydrologic Area.

F. Permitee shall transfer 3,150 square feet of coverage to this parcel. All transferred coverage shall be from land capability class 4, 5, 6, or 7, and be located within Hydrologic Area #1 (Incline). (Note all coverage transfers must be in compliance with Chapter 20 of the TRPA Code of Ordinances, and the TRPA Rules of Procedure.)

G. The security required under Standard Condition A.3 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. In no case shall the security be less than $7,500.00

H. In order to provide the minimum necessary separation between the base elevation of infiltration systems and groundwater, a soil hydrology report shall be performed to determine the location of groundwater in the proposed infiltration sites. All Rainstore installations shall be configured to maximize this separation while maintaining flow.

I. The final construction drawings shall have notes indicating conformance to the following design standards for color, roofs, and fences:

1. **Color:** The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, and umber. The Munsell Color charts, located at the TRPA offices, provide a
reference for the appropriate range of earhtone colors. The approved colors shall be noted on the final site plan.

(2) **Roofs:** Roofs shall be composed of non-glare earhtone or woodtone materials that minimize reflectivity.

**J.** The permittee shall provide a revised landscape plan and fertilizer management plan in accordance with the standards required in Sections 30.7 and 81.7 of the TRPA Code of Ordinances for TRPA review and approval. Please indicate the preferred methodology that addresses soil de-compaction. Incorporation of organic material is required to restore the road to a natural state. Indicate the type of fertilizer and distribution frequency to be used in the revegetated areas.

4. 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.

5. 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.

6. The architectural design of this project shall include elements that screen from public view all external mechanical equipment, including refuse enclosures, satellite receiving disks, communication equipment, and utility hardware on roofs, buildings or the ground. Roofs, including mechanical equipment and skylights, shall be constructed of non-glare finishes that minimize reflectivity.

END OF PERMIT
TAHOE REGIONAL PLANNING AGENCY
HEARINGS OFFICER STAFF SUMMARY

Project Name: High Pockets Limited Partnership

Application Type: Residential – Single Family Dwelling Addition/Expansion

Applicant: High Pockets Limited partnership, Joe Pehanick, Principal

Applicant’s Representative: James Croft, Sweeney Architecture, as Agent

Agency Planner: Mike Cavanaugh, Senior Planner, Environmental Review Services

Location: 682 Lakeview Blvd, Zephyr Cove, Douglas County

Assessor’s Parcel Number / Project Number: APN 1318-10-310-015 TRPA File #20060878

Staff Recommendation: Staff recommends approval of the project based on this staff summary and the evidence contained in the project record.

Project Description and History: The applicant is proposing the renovation and expansion of an existing single family residence located in the Zephyr Cove Unit #1, a Historic District in Douglas County, Nevada. The proposal is to renovate the existing cabin, formally known as the Harvey House built in 1927, and add approximately 2500 square feet of living area and a detached garage with living area above. The project will also include the addition of a paved driveway, associated walkways, decks, porches and patios. Approximately 3000 square feet of coverage will be removed or relocated as part of the project all within Class 4 Land Capability. All temporary and permanent BMP’s will be installed as a result of this project.

Originally constructed as a family “summer cabin” in the 1920’s the Applicant proposes to renovate the existing structure and construct a larger, yet architecturally similar, residence. TRPA requested comments from the Nevada Office of Historic Preservation in October and November of 2005. The Nevada State Office of Historic Preservation reviewed the proposed site plan and provided comments relative to the proposed design and suggestions so as not to endanger or adversely impact the historical or architectural significance of the existing structure. These suggested design changes include, but may not be limited to, the removal or relocation of dormers, enclosure of the front porch or breezeway, retention of the existing wall porch, removal of several lakeside rails and replacement of roof materials with like material. Based on these comments the applicant has revised the plans accordingly to include all of the suggested changes and modifications. In addition, as a condition of project approval the applicant will be required to comply with all the applicable requirements and conditions of Chapter 29, Historic Resource Protection, of the TRPA Code of Ordinances this would include subsections 29.6. A. and D. and 29.7. B and C.

Zephyr Cove Unit #1 has experienced much development pressure in recent decades. Many properties are occupied by large lakefront homes that exhibit little of the rustic Tahoe architectural style. Other properties are well maintained Tahoe “rustic resort” style homes that exhibit little or no modification or alteration from their original construction. Homes in the subdivision are both primary and second homes.
Site Description: The proposed building site is a relatively flat lot located on Lakeview Blvd in the Zephyr Cove Unit #1 Subdivision. The Zephyr Cove Unit #1 area is currently eligible for the National Register of Historic Places and the Tahoe Historic Sites Register. The structure was originally constructed in 1927 and was formally known as the Harvey House. The original structure is an approximately 1200 square foot stone and log building constructed in the “resort rustic” Tahoe style of architecture. The subject property is primarily Class 4 land capability. TRPA has verified 5996 square feet of existing on-site coverage (TRPA File #980690 dated February 1, 2001). The project will remove or relocate approximately 3000 square feet of coverage. Total land coverage at project completion will be 5992 square feet. No additions or modifications are proposed in the backshore.

Issues: The project is located in Plan Area Statement 067-Marla Bay/Zephyr Heights. The subject parcel is located in Zephyr Cove Unit #1 and is currently eligible for inclusion on the National Register of Historic Places and the Tahoe Historic Sites Register. Chapter 4, Appendix A, I, Hearings Officer 3. requires that a project involving additions, reconstruction or demolition of a structure eligible for designation as a historic resource is subject to Hearing Officer review.

1. Section 29.6.A, of the TRPA Code of Ordinances states that:

   Additions to historic structures, adjacent to a historic structure, within a historic district, or on a historic site, shall be in compliance with subsection 29.6. D. Additions shall be eligible for the exceptions in section 29.7, if such construction is required to attain the objectives of that section. Provisions from the Design Review Guidelines may be required as conditions of approval.

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 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.

B. Plan Area Statement: The project is located within Plan Area 067-Marla Bay/Zephyr Heights. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations, and special policies. Several references are included in the Marla Bay/Zephyr Heights PAS as to the historic architectural quality of the area including the reference to enhancing and preserving the old-style summer recreation atmosphere. The proposed use (single family dwelling) is listed as an allowed use. The Nevada State Office of Historic Preservation has provided comments and suggestions on the design of the proposed residential addition and the applicant has revised the design, based on those comments, to maintain the architectural style and character of the neighborhood.

Required Findings: The following is a list of the required findings as set forth in Chapters 6 and 29 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. 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.

Based on the findings provided on the V(g) Findings checklist, there is sufficient evidence in the project file to make this finding.

2. 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.

3. 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 2, above.)

4. Additions to Historic Structures (Chapter 29.6. A)

The site, structure or district is designated as a historic resource; and

Based on information provided by the Nevada State Office of Historic Preservation and TRPA Historic Resource files the subject property is eligible for inclusion in the National Register of Historic Places and the Tahoe Historic Sites Register.

The reconstruction, modification or repair is in the public interest.

The addition/Modification to the existing eligible historic structure shall be in compliance with this subsection (29.7. A. (1), (2)) as the overall project will provide environmental and life-safety benefits by the removal of asbestos containing roofing materials, removal of lead based paint finishes, removal of deteriorated and unsound building materials that would include unsafe wiring, inadequate and obsolete plumbing, removal of substandard and pollution emitting heating systems and the integration of energy efficient non-polluting mechanical systems and reduced emission equipment and appliances. Thus the addition/Modification shall serve not only the interest of the current homeowners, but also work to serve the greater public interest by contributing to the improvement of local environmental quality.

Incorporation of the design changes suggested by the Nevada State Office of Historic Preservation and the draft Permit conditions will maintain the historical and architectural integrity of the structure and provide environmental and public safety benefits.

Required Actions: Staff recommends that the Hearings Officer take the following actions:
I. Approve the findings contained in this staff summary, and a finding of no significant environmental or historical effect.

II. Approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA Permit.
March 13, 2007

James Croft
Sweeney Architects
3614 Lakeside Drive
Reno, Nevada 89509

SINGLE FAMILY DWELLING ADDITION/EXPANSION, 682 LAKEVIEW BLVD., DOUGLAS COUNTY, NEVADA, ASSESSOR’S PARCEL NUMBER (APN) 1318-10-310-015, TRPA FILE NUMBER 20060878

Dear Mr. Croft:

Enclosed please find a Tahoe Regional Planning Agency (TRPA) permit and attachments for the project referenced above. TRPA will acknowledge the original permit only after all standard and special conditions of approval have been satisfied. Failure to satisfy these conditions of approval will cause unnecessary time delays. TRPA acknowledgement is required prior to application to other reviewing agencies and commencement of construction.

Please schedule an appointment with me to finalize your project. Due to time demands, TRPA cannot accept drop-in or unannounced arrivals to finalize plans. I am usually available for telephone calls and appointments on Mondays and Wednesdays.

Please note that combined security and mitigation fee payments can be accepted. Acceptable ways to post a security are listed in the enclosed handout entitled “Attachment J.”

Pursuant to Rule 11.2 of the TRPA Rules of Procedure, this permit may be appealed within twenty-one (21) days of the date of this correspondence.

Thank you very much for your patience in this matter. Please feel free to call me if you have any questions regarding this letter or your permit in general.

Sincerely,

Mike Cavanaugh
Senior Planner
Environmental Review Services

/mc

Enclosures

c: High Pockets LP
2200 Huntington Drive
Fairfield, California 94533
DRAFT PERMIT

PROJECT DESCRIPTION: Single Family Dwelling Addition
APN 1318-10-310-015

PERMITTEE(S): High Pockets LP, James Croft, Sweeney Architecture, as Agent
FILE # 20060878

COUNTY/LOCATION: Douglas County/682 Lakeview Blvd, Zephyr Cove

Having made the findings required by Agency ordinances and rules, TRPA approved the project on March 22, 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 March 22, 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 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 PREGRADE 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.

Signature of Permittee(s) __________________________ Date __________________________

PERMIT CONTINUED ON NEXT PAGE
APN 1318-10-310-015
FILE NO. 20060878

Scenic Security Posted (1): Amount $2500.00 Posted _____ Type _____ Receipt No. _____

Security Posted (2): Amount $5,000.00 Type _____ Paid _____ Receipt No. _____

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

Additional Application Fee (4) Amount $2196.64 Paid _____ Receipt No. _____

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

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 renovation and expansion of an existing single family residence located in the Zephyr Cove Unit #1, a Historic District in Douglas County, Nevada. The project includes renovation of the existing cabin, formally known as the Harvey House built in 1927, and the addition of approximately 2500 square feet of living area and a detached garage with living area above. The project will also include the addition of a paved driveway, associated walkways, decks, porches and patios. Approximately 3000 square feet of coverage will be removed or relocated as part of the project all within Class 4 Land Capability. All temporary and permanent BMP's will be installed as a result of this project. No additional disturbance in the backshore is proposed or authorized.

2. The Standard Conditions of Approval listed in Attachment R 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) The following revised land coverage calculations:

(a) The lot area below high-water line must be deducted from the parcel area to determine the project area.

| Parcel Area                        | 33,423 square feet |
| Area Below High Water Line         | 120 square feet    |
| Project Area                       | 33,303 square feet |
(b) Allowable land coverage for each land capability district including backshore area is the following:

Backshore 1,840 square feet X 1% = 18 square feet
Class 4 31,463 square feet X 20% = 6,293 square feet
Total allowable coverage 6,311 square feet

(c) Existing land coverage for each land capability district, including backshore areas.

(d) Specific amount in square feet of land coverage to be removed.

(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. Please clarify how the infiltration will be constructed.

(3) Do not locate the staging area in the root zone of trees. Estimate tree root zones to be a one foot diameter for each one inch on tree trunk dbh. The construction material storage/staging area shall be located on a paved surface to avoid additional disturbance.

(4) 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.”

(5) 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.”

(6) A note on the plans stating “The design of the proposed building shall be in accordance with the U. S. Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. See TRPA Code of Ordinances, Section 29.6.D.”

(7) 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. The fencing shall comply with the TRPA Code of Ordinances Chapter 65.

(8) A note stating that the visual assessment for the proposed project was evaluated under and complies with Level 5, Option 2 of the Visual Magnitude System (Section 30.15.C.5(a) of the TRPA Code of Ordinances). The total square feet of visible area allowed for this project as viewed from Lake Tahoe shall not exceed 1365 square feet.

(9) Vegetation protective fencing around individual trees where required. 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 the residential foundation. No equipment, personnel or disturbance is allowed within the vegetation fencing. Only the portion of the vegetation fencing necessary to place the foundation may be removed. No motorized/heavy vehicles shall be allowed within the dripline of this tree regardless of whether vegetation protection fencing is in place or not. Please note this condition on the
site plan and ensure the contractors working on site are notified and aware of this permit condition.

(10) Parking barriers, wood bollards, to restrict parking to approved parking surfaces only.

B. The security required under Standard Condition A.3 of Attachment R shall be $5,000.00. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.

C. The permittee shall submit a landscape/revegetation plan for the project area. The landscape plan shall include the replacement planting of three trees for every one tree removed. All vegetation shall be consistent with the requirements of Chapter 30 of the TRPA Code of Ordinances, including the specification for sizing and species of plants.

D. The applicant shall retain an arborist or qualified forester to supervise the grading and construction activities during excavation to ensure compliance with the tree preservation and tree removal. The following measures shall be added as notes to the tree removal plan and temporary BMP plan, as required, in regard to the trees to remain:

(1) Severing of tree roots shall be flush with the surface of excavation.
(2) Provide a tree protection zone around the tree one foot in radius for every one inch in dbh, to the extent practicable, to be maintained during excavation and all construction activities.
(3) Minimize to the extent practicable construction and other surface compacting activities within this protection zone.

E. The permittee shall indicate finished floor elevations on the final construction drawings relative to the contours shown on the site plan. The building height must be measured from the lowest elevation of natural ground elevation at the foundation.

F. The permittee shall post a Shoreland Scenic security of $2500.00. The security shall be held for a minimum of 5 years after project completion to ensure that the landscaping considered a scenic mitigation measure, is determined to be healthy and well established per TRPA. The amount of the security will be determined when the scenic review is complete.

(1) A note stating that all vegetation shall be consistent with the requirements of Chapter 30 of the TRPA Code of Ordinances, including the specification for sizing and species type.
(2) The location and landscape treatment of areas of coverage to be removed and re-vegetated.
(3) A note stating that fertilizer use in the erosion control areas such as swales, backshore areas and shorezone area shall not be used except as outline in TRPA Code of Ordinances section 81.7.A.

G. The final construction drawings shall have notes indicating conformance to the following design standards for color, roofs, and fences:

(1) Color: The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthen tone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing vegetation and earth hues. Earthen tone colors are considered to be
shades of reddish brown, brown, tan, ochre, and umber. The Munsell Color charts, located at the TRPA offices, provide a reference for the appropriate range of earthtone colors. The approved colors shall be noted on the final site plan.

(2) **Roofs:** Roofs shall be composed of non-glare earthtone or woodtone materials that minimize reflectivity.

(3) **Fences:** Wooden fences shall be used whenever possible. If cyclone fence must be used, it shall be coated with brown or black vinyl, including fence poles.

H. The permittee shall submit an additional $2,196.64 application fee. The following is the fee calculation per TRPA Fee Schedule:

| Proposed area under roof | 7,828 square feet |
| Existing area under roof  | 2,582 square feet |
| New (additional) area under roof | 5,246 square feet |
| Maximum fee              | $5,000.00 |
| Scenic review fee        | $310.00 |
| I. T. fee                | $88.00 |
| Total fee                | $5,398.00 |
| Less filing fee paid     | $3,113.36 |
| Less I. T. fee paid      | $88.00 |
| Additional fee           | $2,196.64 |

I. The permittee shall provide verifiable documentation demonstrating that the new fireplaces comply with the TRPA Code of Ordinances Chapter 91.

J. The permittee shall submit a scenic monitoring plan which includes post-construction photos taken annually for a period of not less than five years from the time of construction completion and from the same vantage points as the submitted in the photographs in the project file. Additional landscaping may be required to replace landscaping that fails or to increase the screening mitigation required for the project.

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

4. The space over the garage as proposed is a residential unit. The TRPA Code of Ordinances does not permit a second residential unit on parcels less than one (1) acre. Review the TRPA Code of Ordinances Section 18.2.F for the limitations on parcels of less than an acre. Prior to permit acknowledgement the permittee shall record a deed restriction that declares that the living area above the garage is an accessory use to the primary residence and as such shall not contain cooking facilities. A TRPA “approved as to form” signature is required on the deed restriction. Evidence of documenting recordation is required prior to final acknowledgement of this permit.

5. Excavation equipment shall be limited to the foundation footprint to minimize site disturbance. No grading or excavation shall be permitted outside of the building footprint.

6. The permittee must get approval from the Ground Water Technical Advisory Committee for excavations greater than 5 feet. Complete a Soils/Hydro Report Application and submit to the Land Capability Division at TRPA.
7. By acceptance of this permit, the permittee agrees to all the requirements, terms, conditions and exceptions set forth in Chapter 29 of the TRPA Code of Ordinances including, but no limited to, Sections 29.6.A, 29.6.D, 29.7.A, B and C.

8. Blasting of rocks and rock outcroppings should be kept to an absolute minimum in order to avoid damage to surrounding rocks and vegetation.

9. All excavated materials shall be hauled away from the site to a TRPA approved out of basin location. No fill or re-contouring other than backfill for the cut retaining structures is permitted.

10. No activity associated with this property shall be undertaken within the backshore which converts existing vegetation to a non-native or artificial state; including but not limited to the introduction of grass or sod.

11. If any cultural resources are discovered during construction, construction will cease and an archeologist consulted for an assessment and potential mitigation measures. TRPA shall be notified immediately of such discovery.

12. See TRPA Code of Ordinances Chapter 71 Section 71.2 for the Late Seral/Old Growth Enhancement and Protection requirements. To remove trees greater than twenty-four (24) inch dbh on this parcel it must be demonstrated that there is no feasible alternative including redesigning the project. Provide a written statement justifying the removal of the twenty-six (26) inch Pine and the forty-four (44) inch Cedar trees or redesign the project to retain trees greater that twenty-four (24) inch dbh. 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 a condition of this permit.

13. 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.

14. All exterior lighting shall be consistent with TRPA Code of Ordinances, Chapter 30, Section 30.8, Exterior Lighting Standards.

15. The architectural design of this project shall retain the historical architectural character of this building. The material used on the exterior of the new and old sections of the building must consistent with the materials identified in the historical records. Such as, the majority of the roof covering is diamond shaped asphalt (composition) shingles and the exterior wall surfaces not covered with rock are wood shingles.

16. Indication that all mechanical equipment shall be screened from view of Lake Tahoe. This equipment would include, but not be limited to, trash receptacles, satellite receiving dishes, communication equipment and utility hardware on the roof, building or the ground.

17. 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.

18. 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.

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