

**TRPA
GOVERNING BOARD
PACKETS**

**MARCH
1990**

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MARCH 1990
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TAHOE REGIONAL PLANNING AGENCY
NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN that on March 28 and 29, 1990, commencing at 9:30 a.m. both days, at the TRPA office, 195 U.S. Highway 50, Round Hill, Zephyr Cove, Nevada, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The official agenda is attached hereto and made a part of this notice.

NOTICE IS FURTHER GIVEN that on March 28, 1990, at 8:30 a.m. at the same location, the Legal Committee will meet to discuss the definition of legal action as used in the Compact, Article VI(p).

NOTICE IS FURTHER GIVEN that on March 28, 1990, at 8:30 a.m. in the same location, the TRPA Finance Committee will meet to discuss receipt of the February financial statement and review of errors and omissions insurance policy and cost.

NOTICE IS FURTHER GIVEN that on March 28, 1990, at 12 noon, in the same location, the Retirement Committee will meet to act on return of retirement funds to a former employee (Kathy Jordan).

NOTICE IS FURTHER GIVEN that on March 29, 1990, at 8:30 a.m. in the same location, the Rules Committee will meet to discuss amendment of Article VII, Advisory Planning Commission.

Date: March 21, 1990

By: David S. Ziegler
David S. Ziegler
Executive Director

NOTE: Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda.

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BODY

TRPA Office 195 U.S. Highway 50
Zephyr Cove, Round Hill, Nevada

March 28, 1990 9:30 a.m.
March 29, 1990 9:30 a.m.

All items are action items unless otherwise noted.

OFFICIAL AGENDA

I PLEDGE OF ALLEGIANCE

II ROLL CALL AND DETERMINATION OF QUORUM

III APPROVAL OF MINUTES

IV APPROVAL OF AGENDA

V CONSENT CALENDAR (see page 3)

VI PROJECT REVIEW

- A. Zephyr Water Utility District, Water System Improvements, Special Use Determination, File #560-300-89/2, Douglas County

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VII PUBLIC HEARING AND ADOPTION OF ORDINANCES/RESOLUTIONS

- A. Amendment of Plan Area Statement 102, Tahoe Keys, Special Area #1 to Add Amusements and Recreational Services as a Special Use and Amendment of Special Policy #7 to Identify Allowed Uses From TRPA/Dillingham Settlement Agreement

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- B. Amendment of Code Chapter 81 (Water Quality Control) and the Related Chapters for Regulation of Hazardous Waste and Toxic Spills

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VIII PLANNING MATTER

- A. Workshop With the Tahoe Transportation District (TTD)
10:30 a.m. - 12:00 noon, March 28

81

1. The Role of the TTD In Regard to Transportation Planning
2. The TTD's Role in Formulating Regionwide Capital Improvement Programs and the California State Transit Improvement Program
3. Staff Support for the TTD
4. Expenditure List for Placer County Sales Tax Measure
5. Relationship of North Shore Transportation Management Association With TRPA and the TTD

- B. Policy on and Procedure for Transmittal of TRPA Comments on Impacts Caused by Projects Proposed Outside the Tahoe Basin Page
91
- C. Response to the U.S. Forest Service Request for Comments on the Proposed Expansion of the Sierra Ski Ranch, El Dorado County 92
- D. Status Report and Action, If Necessary, on California's Legislation Authorizing Transfer of Caltrans Freeway Right-of-Way to the City of South Lake Tahoe and Other Entities and Funding for Construction of a Transit Terminal 98

IX COMPLIANCE MATTER

- A. Security Forfeiture, Davis, 1707 Lakeshore Drive (Highway 29), Washoe County APN 130-331-04 (continue to April)

X COMMITTEE RECOMMENDATIONS AND BOARD ACTION

A. Finance Committee

1. Receipt of the February Financial Statement
2. Errors and Omissions Insurance Policy 99

B. Legal Committee

1. Resolution Defining Procedure for Dealing With Questions of Legal Action 100
2. Report on Kelly Trial by Gary A. Owen

XI REPORTS (no action)

A. Executive Director

1. Projects Reviewed at Staff Level and Emergency Permits Issued by Executive Director 101
2. Movement of the IPES Line
3. Other

B. Agency Counsel

C. Governing Board Members

XII RESOLUTIONS

For Former Board Members Jim Reed and Rex Hime 102

XIII PUBLIC INTEREST COMMENTS (no action)

XIV ADJOURNMENT

CONSENT CALENDAR

<u>Items</u>	<u>Recommended Action</u>	<u>Page</u>
1. Sea-Cap Villas, Multi-Residential Foundations Determination of Eligibility and Project Approval, Washoe County APN 127-080-10	Approval With Findings And Conditions	1
2. South Tahoe Public Utility District, Luther Pass Spill Containment Tank, El Dorado County APN 36-370-19	Approval With Findings And Conditions	17
3. City of South Lake Tahoe, Pioneer Trail/ Al Tahoe Boulevard, Bicycle Trail, APN 510-100-89/2	Approval With Findings And Conditions	25
4. Essam Khashoggi, Resolution of Enforcement Action, Douglas County APN 03-050-01	Approval	32
5. U.S. Coast Guard, New Boatlift, Placer County APN 94-140-15	Approval With Findings And Conditions	34

These consent calendar items are expected to be routine and noncontroversial. They will be acted upon by the Governing Board at one time without discussion. The special use determinations will be removed from the consent calendar at the request of any member of the public and taken up separately. If any Governing Board member or noticed affected property owner requests that any item be removed from the consent calendar, it will be taken up separately under the appropriate agenda category.

Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows:

(1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken.

(2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency.

(3) For routine business and for directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

- Article III(g) Public Law 96-551

This agenda has been posted at the TRPA office and at the following post offices: Zephyr Cove and Stateline, Nevada, and Tahoe Valley and Al Tahoe, California.

TAHOE REGIONAL PLANNING AGENCY
STAFF SUMMARY

Project Name: SeaCap Villas, Multi-Residential Foundations Determination of Eligibility and Project Approval

Application Type: Multi-Residential Foundation Exemption

Applicant: Alexander Mortazavi

Applicant's Representative: Gregg R. Lien, Hoffman, Lien, and Faccinto

Location: Washoe County, 198 Village Blvd. Incline Village, NV

Assessor's Parcel Number/ Project Number: 127-080-01 thru 10

Project Description: The proposed project involves the construction of nine 3-story townhouse/garage units on .63 acre. The existing foundations, which were installed under the original permit, will be used. The project was originally approved by TRPA in 1979 at 35% coverage and then, in an effort to be exempt from TRPA review under Ordinance 81-1, was revised to comply with the Bailey coefficients, (land classification 6, 30% coverage) per a 1981 permit. In order to redesign the driveway and parking to bring it into substantial compliance with Chapter 24 standards, the additional 5% coverage shall be transferred to this parcel from hydrologic area 1 (Incline). The project approved in 1979 was known as Seacap Villas.

The project includes completion of the 9 residential units, installation of redesigned driveways and parking, landscaping and BMPs.

Site Description: The project area is 27,312 square feet in size and consists of 9 existing foundations. The site slopes at approximately 7 percent from north to south. The existing tree cover consists of a mixed stand of pine and fir trees with some manzanita understory covering. See also attachments A and B for project location and subdivision map.

Issues: The proposed project involves a multi-residential foundation exemption permit and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issues are:

1. Multi-Residential Foundation Exemption:

Prior to approval of permits for multi-residential foundations under section 11.11. of the TRPA Code, the Governing Board must hold a hearing with notice to affected property owners in accordance with TRPA's Rules of Procedure. In order to approve the project TRPA must make findings 4 thru 13 of section E, below.

2. Driveways and Parking:

The 1981 approved plans do not substantially comply with Chapter 24, Driveway and Parking Standards. To bring the driveway and parking design into substantial compliance the applicant must redesign and transfer in 1366 square feet of coverage bringing the total allowed coverage back to the 35% which was originally approved in 1979. In order to ensure organized and well-designed ingress and egress of vehicles from the driveways in areas located within the public right-of-way, the applicant must redesign the entry drives and mitigate the impervious coverage, over that which was approved in 1981, at the rate of \$5.00 per square foot.

Staff Analysis:

A. Environmental Documentation: The applicant has completed an Initial Environmental Checklist (IEC) in order to assess the potential environmental impacts of the project. No significant environmental impacts were identified and staff has concluded that the project will not have a significant effect on the environment. A copy of the completed IEC will be made available at the Governing Board hearing and at TRPA. This project was specifically identified in the development of Ordinance 88-10, and one of the projects on which that finding of no significant effect for the ordinance was based.

B. Plan Area Statement: The project is located within Plan Area 045 Special Area #1. The Land Use Classification is Commercial/Public Service 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. The proposed activity is listed as an allowed use.

C. Land Coverage:

1. Land Capability District:

The land capability district of the project area is class 6. The total project area is approximately 27,312 square feet.

2. Existing Coverage:

Hard Coverage:	8193	square feet
Soft Coverage:	0	square feet
Total:	<hr/> 8193	<hr/> square feet

3. Proposed Coverage:

Hard Coverage:	8193	square feet
Soft Coverage:	0	square feet
Total:	<hr/> 8193	<hr/> square feet

4. Allowed Coverage:

Class 6 Area:	8193	square feet
Transfer (5%)	1366	square feet
Total:	<hr/> 9559	square feet

D. Building Height: Based on a 7% cross-slope retained across the building site, and a 4:12 roof pitch, the maximum allowed height for the proposed building under the Code is 30 feet, 6 inches. Regional Plan and Code. The original approval allowed 34 feet maximum height. The proposed building has a maximum building height of 34 feet, 0 inches. In order to approve this additional height, finding 6a. of Section E, below, must be made.

E. Required Findings: The following is a list of the required findings as set forth in Chapters 6 and 11 of the TRPA Code of Ordinances. Following each finding, Agency staff 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.

a. Land Use: The proposed project is consistent with the applicable Plan Area Statement, including planning considerations and special policies. Since the 9 residential units associated with this project are within the original approved amount, no new residential allocations are required.

b. Transportation: The applicable vehicle trip rate for residential condominiums is identified in the TRPA Trip Table (Resolution 87-18). Based on the Trip Table, the project as proposed will generate 54 vehicle trip ends. The project, as proposed, will generate 54 vehicle trip ends. Based on the criteria established in Chapter 93 (Air Quality and Transportation Mitigation), the proposed project will result in a minor increase in daily vehicle trips and is required to offset all regional and cumulative impacts that may result from this increase. Pursuant to Subsection 93.3.D of the Code, an air quality mitigation fee of \$100 per vehicle trip shall be assessed to offset regional and cumulative impacts. The required air quality mitigation fee for this project is \$5,400.

c. Conservation: The project complies with the land coverage mitigation program required by Chapter 20 of the Code as well as all applicable standards pertaining to scenic quality and energy conservation. The project shall include landscaping and installation of BMPs.

d. Recreation: There is no aspect of the project which would impact implementation of the Recreation Element of the Regional Plan.

- e. Public Service and Facilities: The project can be adequately served by existing public services and facilities.
 - f. Implementation: The project requires no additional development allocations and is consistent with the Implementation Element of the Regional plan.
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 Governing Board 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. The original project, plans for which are produced and included in the record, had received all required discretionary approvals.

The basis on which this finding is made includes the following:

- a. The original plans are available for inspection at TRPA's office.
 - b. TRPA approval was obtained August 29, 1979. The plans were modified and reapproved by TRPA staff June 22, 1981
 - c. The Washoe County building permits were obtained July 5, 1979. Permits have been updated as necessary since that time. Current permits are valid until July 27, 1990. (Permit numbers 60421, 45133, 48402, 52556, 56338, 45134, 60420, 48401, 53555, 56337, 60419, 45132, 48400, 52554, 56340.)
5. The county or city permits for the original project were valid or renewed through at least January 27, 1989.

As indicated above, Washoe County building permits are currently valid.

6. The proposed project substantially complies with Chapters 22, 24, 27, 30, 64, and 78.

As a basis and supporting evidence for this finding, the following information has been provided:

- a. Chapter 22 - Height Standards: The proposed maximum height is 34'0". This is the height that was approved in the original project's plans. The additional height will not cause a building to extend above the forest canopy and the additional height is consistent with the surrounding uses. A reduction in height would eliminate the parking under the units and cause an increase in land coverage and therefore a height reduction is not feasible.
- b. Chapter 24 - Driveway and Parking Standards: Ingress and egress are proposed for both Village Blvd. and Southwood sides of the parcel. The proposed revised ingress/egress, driveway width, and number of parking spaces, as conditioned, substantially complies with the requirements set forth in Subsections 24.2.D and 24.2.E(3) of the TRPA Code of Ordinances.
- c. Chapter 27 - Basic Service Requirements: The proposed revised driveway and parking area will be paved. Electrical service will be provided by Sierra Pacific Power Company. Water and sewer services will be provided (as per 5/14/79 letter) by the Incline Village General Improvement District (IVGID). According to the North Lake Tahoe Fire Protection District (per 5/8/79 letter), the current fire flow in this area is in excess of that which is required.
- d. Chapter 30 - Design Requirements: The existing foundations will be utilized, thereby confining proposed improvements to disturbed rather than undisturbed areas (Subparagraph 30.5.A.(2)). Additional design details include the following:
 - (1) The perimeter of the onsite parking area will be landscaped in accordance with the Handbook of the Best Management Practices.
 - (2) A pedestrian circulation system is included to assure safe year round access between residence and parking areas (Subparagraph 30.5.B.(2)).
 - (3) Adequate access for emergency vehicles has been confirmed by the North Lake Tahoe Fire Protection District (Subparagraph 30.5.B. (3)).
 - (4) The site plan shall be revised to indicate on-site snow storage spaces (Subsection 30.5.C).
 - (5) Refuse containers will be enclosed (Subparagraph 30.6.A.(1)).
 - (6) Roofs, including mechanical equipment and skylights shall be constructed of nonreflective finishes that minimize reflectivity (Subparagraph 30.6.A.(2)).

- (7) Landscaping species will be selected from the TRPA Recommended Native and Adapted Plant List. In addition, selected species of non-native "accent" vegetation (not included on the TRPA list) may be used along borders and at the entrance of the building (Section 30.7). A landscape and revegetation plan will be required as a condition of approval.
- (8) Non-glare exterior lights will be used. Parking and building lights will comply with the specification of Subsection 30.8 of the Code.
- e. Chapter 64 - Grading Standards: This is a relatively flat parcel, which will require minimal grading. Proposed grading activities will take place between May 1 and October 15.
- f. Chapter 78 - Wildlife Resources: No Stream Environment Zones (SEZs), movement and migration corridors, or other critical habitat areas exist on this property.
7. The proposed project substantially complies with the interim standards of Section 4.20 of Ordinance 87-8.

On-site parking standards are substantially met by the 18 proposed spaces in the 9 two-car garages.

8. The proposed uses are in compliance with Chapter 18 and the applicable Plan Area Statement.

The property is located within Special Area #1 in Plan Area 045 - Incline Village Commercial which allows the proposed multiple family use as an allowed use.

9. In the case of multi-residential projects, the proposed project area coverage complies with the Bailey coefficients or, if the project was previously approved in excess of the Bailey coefficients, that excess coverage shall be mitigated by a transfer of coverage in conformance with Chapter 20 and that in no event will coverage exceed 50 percent.

The original 1979 TRPA approval allowed 9559 square feet of coverage (35%) on this parcel. Because the proposed and approved coverages (9559 square feet) are in excess of the Bailey coefficients (8194 square feet), excess coverage shall be mitigated by transferring 1365 square feet of coverage within Hydrologic Area 1 (Incline) onto the project site in accordance with Chapter 20 of the TRPA Code of Ordinances. A plan for land coverage transfer shall be submitted and approved by TRPA prior to recommencement of construction.

The applicant shall have the option of posting a security with TRPA, in accordance with section 8.8, in an amount equal to the excess coverage mitigation standard cost (\$5.00 per square foot) to mitigate all excess coverage as required by Subparagraph 11.11.B(7). If a program

to mitigate excess land coverage within the community plan has not been adopted by TRPA and an irrevocable commitment made by the time of final inspection of the project by TRPA, or three years after commencement of construction, whichever is sooner, the security shall be forfeited to TRPA. Securities forfeited to TRPA under this subparagraph shall be forwarded to a land bank to provide land coverage reduction.

10. The proposed project is located in land capability districts 4, 5, 6, or 7.

The entire parcel is located in land capability district 6.

11. The proposed project complies with the applicable provisions of Subsection 11.11.C.

- a. A complete TRPA commercial/multi-residential foundation exemption application and filing fee of \$470 were submitted in June, 1988, as determined by the Governing Board. The originally approved plans were still with TRPA. Supplemental materials, including an IEC, "will-serve" letters, public notification master list and envelopes have all been submitted.
- b. According to Code Subparagraph 11.11.C(2) (c), modification to original plans may be permitted if the project will not result in an increased number of residential units, provided that findings (3) through (10) in Subsection 11.11.B can be made, and provided that the component of the project to be modified results in a net improvement in the environment with respect to that component. The project has been modified with respect to parking and driveways. Revised ingress/egress will have a positive impact on traffic flow and safety.

12. The proposed project complies with Chapters 1 through 13, inclusive, 23, 25, 26, 52, 65, 75, 77, 81, 82, 91, and 93.

The following information is provided as a basis for this finding:

- a. Chapters 1 - 5 : The proposed multi-residential structures were approved prior to the effective date of the Regional Plan, and may be permitted to proceed in accordance with prior conditions of approval, according to the provisions specified in Subsections 3.2 and 3.3. Environmental documentation has been provided (Chapter. 5) and the project has reviewed and conditioned in accordance with Chapter 4.
- b. Chapter 6: (Refer to Findings 1, 2, and 3, above.)
- c. Chapter 7 - 10: The project has no effect on current TRPA provisions regarding temporary structures, compliance and remedial action plans.

- d. Chapters 12 - 13: The project has no effect on the official TRPA maps, and is consistent with the restrictions set forth in Plan Area Statement 045 - Incline Village Commercial.
- e. Chapter 23: The proposed use will have no effect on existing community noise levels.
- f. Chapter 25: The project conditions of approval require that all necessary BMPs are installed.
- g. Chapter 27: The proposed driveway and parking area are paved. Electrical service will be provided by Sierra Pacific Power Company. Water and sewer service will be provided by the Incline Village General Improvement District (IVGID).
- h. Chapter 62: The project conditions of approval require that the proposed grading and construction schedule complies with Chapters 62 and 64.
- i. Chapter 65: The project conditions of approval require the protection of vegetation during construction in accordance with TRPA Code requirements.
- j. Chapter 75: The project will have no effect on sensitive plant communities, as it is not located in a designated sensitive habitat and no rare or unique plants have been located on or near the site.
- k. Chapters 81 and 82: The project, as conditioned, will comply with the water quality standards required in Chapter 81. Since no water quality mitigation fee was required or paid pursuant to the original approval, a water quality mitigation fee of \$2,376 (8193 square feet assessed at \$.29 per square foot) shall be required.
- l. Chapter 91: All fireplaces, heaters and appliances will be in accordance with TRPA's approved list to ensure that Code requirements concerning combustion appliances are met.
- m. Chapter 93: The applicable Vehicle Trip rates for residential condominiums are identified in the TRPA Trip Table. As proposed, the project will generate approximately 54 daily vehicle trip ends. Based on the criteria established in Chapter 93 (Air Quality and Transportation Mitigation), the proposed project will result in a minor increase in daily vehicle trips and is required to offset all regional and cumulative impacts that may result from this increase.

Pursuant to Subsection 93.3.D of the Code, an air quality mitigation fee of \$100 per vehicle trip shall be assessed to offset regional and cumulative impacts. The required air quality mitigation fee for this project is \$5,400.

13. There is a reasonable possibility, based on a factual summary prepared by the Executive Director with the assistance of the Agency Counsel, that the applicant would prevail on a claim of vested rights. For purpose of this finding only, evidence of construction in each building season shall not be a prerequisite to making this finding. The Board shall consider the following factors:

- a. Extent of Construction: Nine foundation structures were constructed consisting of two fourplex buildings and a single unattached unit. During the 1981 building season, all excavations were completed, erosion control work done, sewer, water, electric, telephone and TV cable were installed to each building and complete foundations were installed. In the fall of 1985 further work on this parcel was completed (concrete work, installation of driveways and approaches, and installation of BMPs).
- b. Expenditures in connection with the project: The applicant has expended in excess of \$95,000 on actual construction on the units and subdivision improvements.
- c. Extent of Reliance on Governmental Communications: The applicant has represented that, on the basis of the 1981 reapproval which qualified the project as "exempt" under Ordinance 81-1, he did not understand that there was a need to pursue construction in each building season.

The applicant was also advised during the 1985 building season, that he could proceed with construction. There is no evidence in the project file that he was advised to pursue construction each building season or warned about the need for diligent pursuit. Additionally, Washoe County has continually extended the county building permits for these units.

The California/Nevada standard for a vested right generally requires that:

- (1) The permittee has acted in good faith;
- (2) The permittee has made substantial and unrecoverable expenditures; and
- (3) The permittee has made the expenditures subsequent to and in reliance on the permit.

The applicant has represented that work was suspended in 1986 due to the default of the buyer and related litigation involving the project. Although the litigation was not "legal action" which supports an extension pursuant to Article VI (p), the pursuit of the litigation and the maintenance of the site and county permits evidence an intent to pursue the project. Thus, there is a reasonable possibility that the permittee could establish good faith.

The permittee has spent in excess of \$95,000 on the project subsequent to the permit. This figure does not include design and engineering or other "soft" costs. Estimated total construction costs are \$900,000, so that the expenditures to date represent over 10 percent of the total cost.

In conclusion, the applicant has shown, to the satisfaction of the Executive Director and Agency Counsel, that he has a reasonable possibility of prevailing on a vested right claim.

F. Required Actions and Findings: Agency staff recommends that the Governing Board approve the project by making the following motions and findings based on this staff summary and the evidence contained in the record:

- I. A motion based on this staff summary, for the findings contained in Section E above, and a finding of no significant environmental effect.
- II. A motion to approve the project, based on the staff summary, subject to the following conditions:
 1. The Standard Conditions of Approval listed in Attachment N.
 2. Prior to recommencement of construction the following special conditions of approval must be satisfied:
 - a. The site plan shall be revised to include:
 - (1) The following revised land coverage calculations:
 - (i) Allowable land coverage.
 - (ii) Proposed land coverage. (Transferred land coverage not to exceed 5% or 1,366 square feet.)
 - (iii) Off-site land coverage created in the public right-of-way.
 - (2) A three inch layer of gravel (3/4" drainrock) beneath all raised decks.
 - (3) A surveyed site plan that includes existing coverage, existing coverage to be removed, and proposed coverage.
 - (4) Valley gutters and appropriate sized drywells to infiltrate driveway runoff.
 - (5) A minimum driveway slope of three percent toward an infiltration trench sized at a minimum of 18" wide and 8" deep, filled with 3/4" drainrock.
 - (6) Mechanical stabilization of the driveway cut/fill slope in accordance with the TRPA Handbook of Best Management Practices (BMPs).

- (7) A note indicating and requiring: "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."
 - (8) Temporary erosion control structures located downslope of the proposed construction area.
 - (9) Vegetation protective fencing around the entire construction site.
 - (10) Edge of pavement (existing roadway) to allow calculation of new land coverage in the public right-of-way.
 - (11) Location of all recorded easements.
 - (12) Parking barriers to restrict parking to approved parking surfaces only.
- b. A water quality mitigation fee of \$2,376 shall be paid to TRPA. This rate is based upon the assessment of 8,193 square feet of impervious coverage created at \$.29 per square foot.
 - c. The applicant shall submit a \$5,400 air quality mitigation fee.
 - d. The security required under Standard Condition A.3 of Attachment N shall be determined upon the applicant's submittal of required Best Management Practices plan and related cost estimate. Please see Attachment J, Security Procedures.
 - e. The applicant shall pay an offsite coverage mitigation fee assessed at \$5 per square foot for the creation of any impervious coverage in excess of that originally approved in the public right-of-way.
 - f. The applicant shall mitigate transfer land coverage for the project in accordance with Chapter 20 of the Code in the following amount: 1,366 square feet in Hydrologic Area 1 (Incline). A plan for land coverage transfer shall be submitted and approved by TRPA prior to commencement of construction. The applicant shall have the option of posting a security with TRPA, in accordance with Subsection 8.8 of the Code, in an amount equal to the excess coverage mitigation standard cost (\$5.00 per square foot) to mitigate all excess coverage required under Subsection 20.5. If a program to mitigate excess land coverage within the community plan has not been adopted by TRPA and an