

**TRPA  
GOVERNING BOARD  
PACKETS**

**DECEMBER  
1995**

TAHOE REGIONAL PLANNING AGENCY  
GOVERNING BOARD AND COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on December 20, 1995, the Governing Board of the Tahoe Regional Planning Agency will conduct its regular meeting. The meeting will commence at 9:30 a.m. at the South Lake Tahoe City Council Chambers, 1900 Lake Tahoe Boulevard, South Lake Tahoe, California. The agenda is attached hereto and made a part of this notice.

All Governing Board Committee items are action items unless otherwise noted.

NOTICE IS FURTHER GIVEN that on December 20, 1995, commencing at 8:30 a.m. at the same location, the Finance Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) receipt of the November check register; 3) recommendation on expenditure of abandoned securities; 4) allocation of LTF (\$358,774) for South Lake Tahoe for STAGE; 5) recommendation on purchase of aerial photographs; and 6) member comments. (Committee: Wynn, Neft, Cole, Heller, Chairman Bennett)

NOTICE IS FURTHER GIVEN that on December 20, 1995, commencing at 8:30 a.m. at the same location, the Legal Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) Myers/Nagel, resolution of enforcement, Placer County; 3) evaluation of Agency Counsel and Special Projects Attorney (includes closed session without action); 4) extension of the four-day work week for Agency Special Projects Attorney; 5) TSPC v. TRPA mediation sessions on settlement; 6) member comments. (Committee: Neumann, Miner, Cronk, Sevison, Waldie, Chairman DeLanoy)

NOTICE IS FURTHER GIVEN that on December 20, 1995, commencing at 12:00 noon during the lunch recess at the City Council Chambers, the Capital Financing Committee will meet. The agenda will be as follows: 1) public interest comments (no action); 2) revisions to the 1996 legislative packet, including proposal for Nevada license plate; and 3) member comments. (Committee: Westergard, Miner, Cronk, Waldie, Chairman Cole)

Date: December 11, 1995

By:

  
James W. Baetge  
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.

OVERFLOW PARKING FOR THOSE ATTENDING THE MEETING IS AVAILABLE ON TATA LANE ACROSS FROM K-MART; PLEASE DO NOT DOUBLE PARK IN THE COUNCIL CHAMBER PARKING LOT OR OCCUPY THE 30-MINUTE PARKING SPACES.

TAHOE REGIONAL PLANNING AGENCY  
GOVERNING BOARD

South Lake Tahoe City Council Chambers  
1900 Lake Tahoe Boulevard  
South Lake Tahoe, California

December 20, 1995  
9:30 a.m.

All items on this agenda are action items unless otherwise noted.

AGENDA

Page#

- I. PLEDGE OF ALLEGIANCE
- II. ROLL CALL AND DETERMINATION OF QUORUM
- III. PUBLIC INTEREST COMMENTS (No Action)

Any member of the public wishing to address the Governing Board on any agenda item not listed as a Project Review, Public Hearing, RTPA, Appeal, or Planning Matter item may do so at this time. However, public comment on Project Review, Public Hearing, RTPA, Appeal, and Planning Matter items will be taken at the time those agenda items are heard.

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

- IV. APPROVAL OF MINUTES
- V. APPROVAL OF AGENDA
- VI. CONSENT CALENDAR (see page 3)
- VII. PUBLIC HEARING - (\* items include action on the findings plus action on the related ordinances, resolutions, environmental documents, and/or plans.)

- A. Lowering of the Individual Parcel Evaluation System (IPES) Line in Washoe and Douglas Counties\* 41-54
- B. Amendment of Meyers Community Plan for Consistency with El Dorado County Action\* 55-68
- C. Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis 69
- D. Amendment of the Regional Plan, Man-Modified Determination, Hock, for Douglas County APN 05-181-05\* - 1:30 p.m. 71-88
- E. Certification of Final Supplement to the South Lake Tahoe Redevelopment Project No. 1 EIS/EIR (Embassy Vacation Resorts)\* 2:00 p.m. 89-120

- F. Amendment of Chapter 2, Definitions, and Chapter 15, Redevelopment, Relating to Redevelopment Plans and Projects and Amendment of South Lake Tahoe Demonstration Redevelopment Plan and Ski Run/Stateline Community Plan\* - 2:00 p.m.

VIII. MEETING OF THE REGIONAL TRANSPORTATION PLANNING AGENCY (RTPA)

- A. Resolution Adopting 1996 Regional Transportation Improvement Program (RTIP) 121-160
- B. Resolution Allocating Local Transportation Funds to the City of South Lake Tahoe (\$358,774) for Operating Assistance for the South Tahoe Area Ground Express (STAGE) Transit System 161-164

IX. ADMINISTRATIVE MATTERS

- A. Performance Evaluation of Executive Director (including closed session without action), Salary Adjustment - 11:00 a.m.
- B. Performance Evaluation of Agency Counsel and Special Projects Attorney (including closed session without action), Salary Adjustment - 11:30 a.m.

X. PLANNING MATTERS

- A. Resolution Formalizing the Local Government Committee and Appointing the Membership 165
- B. Finding that the City of South Lake Tahoe, El Dorado County, Placer County, Washoe County and Douglas County Have Demonstrated a Commitment to Assume Their Fair Share Responsibility to Provide Low and Very Low Income Housing (Alternatively to Defer Decision for Douglas County)\* 167-172
- C. Resolution of Support for Continued Funding by Federal Aviation Administration for Air Traffic Control Services at Lake Tahoe Airport 173

XI. COMMITTEE RECOMMENDATIONS AND BOARD ACTION

- A. Finance Committee Report
  - 1. Receipt of November Check Register
  - 2. Expenditure of Abandoned Securities
  - 3. Purchase of Aerial Photographs
- B. Legal Committee Report
  - 1. Recommendation on Performance Evaluation of Agency Counsel and Special Projects Attorney
  - 2. Extension of Increased Work Week for Agency Special Projects Attorney
  - 3. TSPC v. TRPA Mediation Sessions on Settlement

C. Capital Financing Committee Report

1. Revisions to 1996 Legislative Packet, Including Proposal for Nevada License Plate

D. Rules Committee Report

E. Shorezone Policy Committee Report

F. Core Policy Statement Committee Report

1. Action on Core Policy Statement

175-178

XII. REPORTS

A. Executive Director

1. Monthly Status Report
2. Notice of Extension on Comment Period to January 24, 1996, Draft EIS for the Lake Tahoe Shorezone Development Cumulative Impact Analysis
3. Letter to the League to Save Lake Tahoe Thanking for Legislative Support

179

B. Agency Counsel Monthly Status Report

C. Governing Board Members

XIII. ADJOURNMENT

CONSENT CALENDAR		
<u>Item</u>	<u>Recommendation</u>	
1. C. C. Myers/Norman Nagel, Resolution of Enforcement, Multiple Use Determination, 4904 and 4910 North Lake Boulevard, Placer County APNs 115-050-38 and 115-050-39	Approval	1-6
2. Vista Pines, New 8-Unit Multi-Family Dwelling, Special Use Determination and Condominium Subdivision, Placer County APN 117-071-14	Approval With Findings And Conditions	7-24
3. Nahas, Shoreline Protective Structure, Special Use Determination, 1070 North Lake Boulevard, Placer County APN 94-160-17	Approval With Findings And Conditions	25
4. Washoe County School District, Incline High School Gym Addition, 499 Village Boulevard, Washoe County APN 124-071-42	Approval With Findings And Conditions	27-38
5. United Methodist Church, New Modular Preschool Building, Special Use Determination, 8425 Dolly Varden Street, Kings Beach, Placer County APN 090-101-34	Approval With Findings And Conditions	39

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

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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. The agenda has also been posted at the North Tahoe Conference Center in Kings Beach, the Incline Village GID office, and the North Lake Tahoe Chamber of Commerce.

TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY

Project Name: C.C. Myers and Norman Nagel, Multiple-use Determination and Violation Resolution

Application Type: Shorezone

Applicant: C.C. Myers and Norman Nagel

Applicant's Representative: Kevin Agan

Location: 4904 and 4910 North Lake Blvd, Placer County

Assessor's Parcel Number: 115-050-38 and 115-050-39

Agency Staff: Jon Paul Kiel, Associate Environmental Specialist

Action Type: Shorezone, multiple-use determination

Violation Type: Commencement of construction to expand a non-conforming pier without prior TRPA authorization.

Staff Recommendation: Staff recommends that the violation be resolved by Governing Board ratification of the attached proposed Settlement Agreement which was prepared to be implemented in lieu of approval of the originally proposed project. At the request of the project applicant, the proposed project which was constructed to near completion without prior TRPA approval will not be pursued. The original application was for an expanded catwalk to facilitate lake access by handicapped persons. The applicant has decided that the conditions of approval for the project are too rigorous, and has elected to return the catwalk to its original size. Approval of the expanded catwalk would have required the TRPA Governing Board to formally designate the pier multiple-use. Even though a multiple-use determination is not required by TRPA at this time, the applicant has requested that the TRPA Governing Board recognize the pier as a multiple-use facility, thus the Settlement Agreement includes provisions which will allow the multiple-use determination.

The proposed Settlement Agreement (attached) was prepared after consultation with the TRPA Governing Board Legal Committee, and based upon Mr. Myers decision to withdraw the project application for the catwalk expansion. The pier currently and historically has been used as a joint pier by two separate property owners, Mr. Myers and Mr. Nagel. The proposed Settlement Agreement requires the subject catwalk (which was expanded without prior TRPA authorization) to be returned to its original size, and remittance of a monetary penalty. Once remitted, the total penalty remitted will be \$5000. The settlement further requires the property owners to record deed restrictions which will prevent the construction of single-use piers on either of the properties in perpetuity.

Project Description: The original, proposed project primarily involved the replacement and expansion of a pier catwalk, resulting in the expansion of a legally existing, non-conforming pier. The pier is nonconforming since it is located in fish habitat, and does not conform to TRPA design and construction standards. The pier currently is used by two property owners, Mr. Myers and Mr. Nagel. The littoral parcel is owned by Placer County. Placer County has issued a letter to TRPA indicating no objection to the project. The pier has not been formally recognized multiple-use. A multiple-use determination would have been required to be made by the TRPA Governing Board to allow approval of the catwalk since it does not meet single-use design standards.

Multiple-use determination allows certain deviations from the standards. The catwalk was modified (construction was stopped by TRPA staff prior to completion of construction) and currently exceeds the standards for catwalks. Single-use pier catwalks may be 3 feet wide and 45 feet long. The original catwalk (prior to the modification) was 3 feet wide and 45 feet long. The catwalk under construction is between 4 and 8 feet wide, and 82 feet long. The primary purpose for the catwalk expansion was to facilitate handicap access from boats on the Lake to the pier. The TRPA Code does not provide exceptions to design standards to facilitate use by handicapped persons except for those deviations allowed for multiple-use piers.

To mitigate potential project impacts to scenic quality due to the catwalk expansion, TRPA staff and the TRPA Governing Board Legal Committee concluded that the applicant must implement a scenic mitigation package which included the following elements: The reduction of height of the pier pilings to deck level, removal of exterior stairs and the upper railings from one of the two boathouses, painting of all mechanical equipment associated with the catwalk lifts flat black, staining the catwalk a darker color to match the existing pier deck, and painting the landward-most boathouse (including trim and rails) and a pumphouse a darker tone to match the lakeward-most boathouse. The applicant has decided that this package is too rigorous to implement, and therefore, the project will not be pursued.

The proposal also included the removal of six davits (a pole and winch assembly used to lift objects from lake level to pier deck level). The applicant has indicated that two davits were removed prior to TRPA staff inspection and issuance of the cease and desist order. The legal existence of the davits has not been substantiated (they do not appear on 1970/1975 aerial photographs), therefore, mitigation credit for removal of the davits was not being recommended by staff.

Multiple-Use Determination:

The proposed handicapped accessible catwalk could only have been approved if the shorezone facility was recognized as a multiple-use facility. Only multiple-use facilities are allowed to deviate from the standards set forth for single-use catwalks. Chapter 54 of the TRPA Code provides that the extent of deviation shall be dependant upon 1) reduction in development potential, and 2) the number of people utilizing the facility or the extent to which the facility is available for general public use.



The pier is not being proposed to be available for public use. The property owners have requested that the pier be designated a multiple-use facility even though the original project is not being pursued. As a condition of that designation, the proposed Settlement Agreement requires that the two subject properties each be deed restricted from having a separate single-use pier, thus requiring both properties to share the existing pier.

Plan Area Statement: The project is located within Plan Area 016B -- Carnelian Bay Subdivision. The Land Use Classification is Residential and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area Statement and determined that the project would have been consistent with the applicable planning statement, planning considerations and special policies. The proposed activity (pier) is an allowed use within shorezone Tolerance District 6.

Design Standards for Piers: The existing pier deck elevation is 6,231 feet, Lake Tahoe Datum. This is consistent with Subsection 54.4.B(2) of the TRPA Code. The width of the existing pier deck is 7 feet plus a 4 to 8 foot wide handicap-access catwalk (The proposed addition which is no longer being pursued will be reconfigured to original dimensions). The pier contains two existing boathouses. The width of the pier and boathouses at their widest point is 52 feet. The maximum boathouse height is 6244.5 feet Lake Tahoe Datum (15.5 feet above high water lake elevation). The pier, including the modified catwalk, and the boathouses are nonconforming.

Required Actions: Agency staff recommends that the Governing Board resolve the alleged violation and approve the multiple-use determination by making the following motions based on this staff summary and the evidence contained in the record:

- I. A motion based on this staff summary to ratify the proposed Settlement Agreement.
- II. A motion to recognize the pier as multiple-use, based upon the historical shared-use of the structure, and conditions contained in the attached proposed settlement agreement which will restrict the pier to multiple-use and prevent approval of single-use piers at the subject properties.

# TAHOE REGIONAL PLANNING AGENCY

308 Dorla Court  
Elks Point, Nevada

P.O. Box 1038  
Zephyr Cove, Nevada 89448-1038

(702) 588-4547  
Fax (702) 588-4527

## SETTLEMENT AGREEMENT

This agreement is made by and between Mr. Clinton C. Myers, (hereinafter Myers) and the Tahoe Regional Planning Agency (hereinafter TRPA).

This settlement represents full and complete compromise and settlement of the certain violations alleged by TRPA, as described below:

1. Unauthorized pier expansion consisting of an enlarged adjustable catwalk to the north side of the pier.

Execution of this agreement shall not be construed as an admission of the allegations.

This settlement is conditioned upon approval of this agreement by the TRPA Governing Board. Execution of the agreement prior to Board action shall not be binding on either party in the event that the Board does not authorize settlement on the terms set forth below.

In order to fully resolve this matter, the parties hereby agree as follows:

1. Myers agrees to withdraw the application submitted to TRPA for review of the expanded catwalk. Since the project review process was substantially completed, Myers is not eligible for an application filing fee refund, in part or whole.
2. Myers agrees to return the catwalk to its original configuration/footprint (outside dimension of catwalk equals three feet as measured from outside of pier pilings, catwalk length not to exceed 45 feet) prior to the unauthorized modification/enlargement. Reconstruction of the catwalk shall occur within sixty (60) days from ratification of this settlement agreement by the TRPA Governing Board.
3. Myers agrees to submit an additional monetary penalty in the amount of \$3865 to TRPA. Remittance of the penalty shall occur within thirty (30) days from ratification of this settlement agreement by the TRPA Governing Board. Total penalty remitted to TRPA will then be \$5000 (\$1135 was previously remitted).
4. Myers agrees to remove all unauthorized davits from the pier. Removal shall occur within sixty (60) days from ratification of this settlement agreement by the TRPA Governing Board.

SETTLEMENT AGREEMENT CONTINUED ON NEXT PAGE

SETTLEMENT AGREEMENT CONTINUED

5. Myers agrees to record a deed restriction or other covenant running with the land permanently limiting pier development potential to one pier within the project area, and providing permanent access to the subject pier from APNs 115-050-38 and 115-050-39. The deed restriction shall be approved by TRPA prior to recordation.
6. TRPA agrees to formally designate the Myers/Nagel pier multiple-use upon recordation of the above deed restriction.
7. As a result of the project application withdrawal, the requirements imposed by the proposed, conditional TRPA permit to enhance scenic quality (modifications to structures in the shorezone) are not required.
8. Execution of this agreement shall not relieve the property owners (currently Myers/Nagel) from compliance with TRPA ordinance 52.3.H which may require subsequent modification to or removal of the non-conforming shorezone structures. However, both parties agree that this agreement does not serve as notice to the property owners pursuant to TRPA ordinance 52.3.H.

Signed:

\_\_\_\_\_  
Mr. Clinton C. Myers

\_\_\_\_\_  
Date

\_\_\_\_\_  
James W. Baetge, Executive Director  
Tahoe Regional Planning Agency

\_\_\_\_\_  
Date

END SETTLEMENT AGREEMENT

TAHOE REGIONAL PLANNING AGENCY  
STAFF SUMMARY

Project Name: Vista Pines

Application Type: Residential, Multi-Family Special Use Determination and Subdivision

Applicant: Larry and Sharon Kramer

Applicant's Representative: Paul Kaleta / Basin Strategies

Agency Planner: Paul Nielsen, Associate Planner

Location: 6678 State Highway 28, Tahoe Vista, Placer County, California

Assessor's Parcel Number/Project Numbers: 117-071-14/950476, 950807

Staff Recommendation: Staff recommends approval of the subject project. The required actions and recommended conditions are outlined in Section F of this staff summary.

Project Description: This project consists of two separate components. The first component is the construction of eight detached multi-family dwellings on a 4.8 acre parcel located in Tahoe Vista. Each two story unit consists of approximately 1,700 square feet of land coverage which includes a two car garage (1,800 square feet of living area). The units are similar in design and share a common driveway. Proposed common area facilities include a volleyball court, two BBQs, game areas and a small pitch and putt golf area. Eight residential allocations have been issued to the property by Placer County. The applicant will be required to obtain and transfer eight development rights to the site.

The second component involves the subdivision of the multi-family dwellings. Chapter 43 of the TRPA Code of Ordinances permits subdivisions in urban areas after the approval of an underlying project. The condominium style (airspace ownership) subdivision will create eight building envelopes with a common area and will change the use from a multi-family development into a single family dwelling development. The establishment of multi-family dwellings in the Plan Area is a special use and requires the applicable findings.

Site Description: The vacant 4.8 acre parcel fronts the north side of State Highway 28 in Tahoe Vista. The parcel is scattered with numerous fir and pine trees and has slopes ranging from 3% to 34%. The land capability districts are classes 2, 4, 5 and 6 which allows a total of 48,588 square feet of land coverage. The total proposed onsite land coverage is 32,643 square feet. Surrounding land uses consist of single family dwellings to the north and tourist accommodation facilities to the west, east and south.

Issues: The proposed project involves a multi-family development greater than four units and a special use (multi-family dwellings), and therefore requires Governing Board review in accordance with Chapter 4, Appendix A, of the TRPA Code. The primary project related issue is the subdivision of post-1987 structures. The applicant is proposing to subdivide the eight residential units into a condominium subdivision with common area. The TRPA subdivision ordinance only allows approval of a subdivision in urban areas for existing or approved projects. Urban areas are defined in the TRPA Code of Ordinances as those areas designated as Residential, Tourist, or Commercial/Public Service by the Plan Area Statement. The land use classification for the applicable Plan Area Statement for this project is Tourist. The Plan Area Statement identifies this area as a preferred affordable housing area. The TRPA Code of Ordinance amendments approved by the TRPA Governing Board on December 21, 1994, which limit the ability to subdivide in preferred affordable housing areas, do not go into effect until December 31, 1995. After December 31, 1995, approval of this project would be prohibited unless TRPA finds the County has demonstrated its commitment to assume its "fair share" responsibility to provide lower and very low income housing within the existing urban areas pursuant to Goal #1 of the TRPA Housing Subelement of the Regional Plan Goals and Policies.

Staff Analysis:

- A. Environmental Documentation: TRPA staff 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.
- B. Plan Area Statement: The project is located within Plan Area 022, Tahoe Vista Commercial. The Land Use Classification is Tourist and the Management Strategy is Redirection. The Plan Area Statement identifies this area as a preferred affordable housing area. TRPA staff has reviewed the Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations and special policies. Multi-family dwellings are listed as a special use and single-family dwellings are listed as an allowed use.

C. Land Coverage:

1. Land Capability District:

The land capability districts of the project area are class 2, 4, 5 and 6 which allow 1%, 20%, 25% and 30% land coverage respectively. The total project area is 210,827 square feet in size (approximately 4.8 acres).

2. <u>Total Allowed Coverage:</u>	48,588	square feet
3. <u>Total Existing Coverage:</u>	0	square feet
4. <u>Proposed Hard Coverage:</u>		
Total on-site	32,643	square feet
Total off-site	350	square feet

D. Building Heights:

The allowed and proposed building heights for the structures are as follows:

<u>Structures</u>	<u>Slope</u>	<u>Roof Pitch</u>	<u>Allowed Height</u>	<u>Proposed Height</u>
Unit #1	4%	12:12	37'0"	27'0"
Unit #2	8%	12:12	38'0"	28'0"
Unit #3	10%	12:12	38'6"	29'6"
Unit #4	10%	12:12	38'6"	29'6"
Unit #5	10%	12:12	38'6"	29'6"
Unit #6	12%	12:12	39'0"	29'0"
Unit #7	12%	12:12	39'0"	29'6"
Unit #8	12%	12:12	39'0"	29'6"

The proposed building heights comply with Chapter 22 of the TRPA Code of Ordinances.

E. Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18 and 22 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: Multi-family dwellings are a special use and single-family dwellings are an allowed use for the Plan Area.

- (b) Transportation: The permittee will be required to mitigate the new regional daily vehicle trip ends created by the project. The proposed project will create 80 (10 per single family dwelling) vehicle trip ends. The air quality mitigation fee rate for a new residential use is \$200 per vehicle trip. Therefore, the applicant will be required to pay a \$16,000 air quality mitigation fee.
  - (c) Conservation: The applicant will be required to apply Best Management Practices (BMPs) to the project area. The project is not located within a scenic shoreline unit. The project is located within scenic roadway unit 20, Tahoe Vista which is not in attainment. The proposed structures have been designed to replicate the "Old Tahoe" look and the required landscaping plan will enhance the appearance of the property as viewed from the roadway. Currently there is a six foot high wood fence located along the entire highway frontage which will be partially screened by the required landscaping. There are no known special interest species, sensitive or uncommon plants or cultural resources within the project area.
  - (d) Recreation: This project does not involve any recreation facilities or uses.
  - (e) Public Service and Facilities: This project does not require any additions to public services or facilities.
  - (f) Implementation: Construction of the eight multi-family units will utilize eight allocations. Since this property is located within a community plan area and is eligible for tourist accommodation and commercial uses, a residential development right has not been assigned to the property pursuant to Chapter 21 of the TRPA Code of Ordinances. Therefore, the applicant will be required to transfer eight development rights to the property.
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.