

6.0 LAND USE

This section discusses impacts of the Project and Alternatives on the existing land uses in the Homewood Mountain Resort (HMR) Ski Area Master Plan Area (Project area), including the effects of Plan Area Statement amendments and expanding the boundary of residential and tourist plan areas into the Homewood recreational plan area. This chapter discusses impacts on land use, including compliance with land use goals and policies, zoning compliance, land use consistency and conformity with adjacent uses, and identifies potential mitigation to address adverse changes. To provide a basis for land use evaluation, the setting section describes the existing land uses of the Project area. Land use regulations and limits defined in the TRPA Regional Plan and Placer County General Plan are discussed in the Regulatory Setting.

6.1 ENVIRONMENTAL SETTING

6.1.1 Existing Land Uses

As described in Chapter 3, “Description of Proposed Project and Alternatives,” the Project area, encompasses approximately 1,253 acres in the Lake Tahoe region of the Sierra Nevada Mountains. The Project area is located in unincorporated Placer County west of Lake Tahoe, about six miles south of Tahoe City. West Lake Tahoe Boulevard, also called State Route (SR) 89 and Lake Tahoe bound the area to the east, Ellis Peak to the southwest, and Blackwood Ridge to the north. Access to the Project area is typically from Interstate 80 to SR 89. The Project area includes twenty (20) contiguous parcels as shown on Figure 3-4.

TRPA and Placer County have adopted Plan Areas Statements that specify permissible land uses within the Project area. The majority of the Project area is located in TRPA Plan Area Statement (PAS) 157 - the “Homewood/Ski Homewood Area” (Land Use Classification - Recreation). Figure 6-1 shows the location of TRPA PAS boundaries. Figure 3-2 (Chapter 3) shows the location of Placer County Plan Area boundaries. Permissible uses in TRPA PAS 157 include employee housing (S), single-family dwelling (S), hotel, motels and other transient dwelling units (S), eating and drinking facilities (S), food and beverage retail sales (S), general merchandise stores (S), transit stations and terminals (S), skiing facilities (S), riding and hiking trails (A), day use areas (A), and a majority of the resource management uses. Additional information on applicable land-use regulations and standards is set forth below in Section 6.2 -- “Regulatory Setting.”

A small portion of the Project area, consisting of the existing gravel parking lot at the southern end of the North Base area, is located in TRPA PAS 158 - the “McKinney Tract” (Residential). Single family dwelling (A) is the primary use allowed in this Plan Area.

A small portion of the Project area, consisting of the northernmost area of the north base (a portion of the paved parking lot adjacent to SR 89), is located in TRPA PAS 159 – “Homewood/Commercial” (Land Use Classification – Tourist). Permissible uses in PAS 159 include employee housing (S), single-family dwelling (S), hotels, motels and other transient dwelling units (A), timeshares (S), eating and drinking facilities (A), food and beverage retail sales (A), general merchandise stores (A), outdoor recreation concessions (A), skiing facilities (S), cross-country skiing courses (S), day use areas (A), riding and hiking trails (S), and a majority of the resource management uses.

The Placer County General Plan Land Use Classification for PAS 157, 158, and 159 are “Recreation with a Mitigation Management Strategy”, “Residential with a Mitigation Management Strategy” and

‘Commercial/Tourist with a Redirection Management Strategy’, respectively. The County Plan Area Statements include mostly the same or similar permissible uses as listed in the TRPA Plan Area Statements. Appropriate development within TRPA PAS 157, 158 and 159 is addressed in the Placer County West Shore Area General Plan. County PAS 159 includes a special policy that states “Planning for development of this area should include consideration of the adjoining ski areas in PAS 157.”

The 1,253-acre Project area currently has over 1,781,000 square feet of TRPA verified existing land coverage (including public ROW areas), which includes approximately 271,000 square feet at the North Base area and 117,000 square feet at the South Base area. Over 288,000 square feet is hard coverage consisting of parking and ski facilities, lodges, etc. and the balance is compacted dirt roadways and trails. Between 2006 and 2009, HMR reports that it has restored approximately 240,000 square feet of roads and trails on the mountain. This restoration has not yet been inspected by TRPA for completion and to determine whether it is eligible for land coverage banking. An additional 126,324 square feet was restored previously and banked with the TRPA in 2000. If TRPA verifies all or some of the recent restoration as official land coverage restoration, some of the restored land coverage will be permanently retired and some will be banked for future use on the resort or transfer to potential off-site locations. The Project proposes the restoration of 500,000 square feet of the existing verified land coverage. Chapter 14 provides additional details regarding potential sites for the proposed land coverage restoration. The Project area is presently used in the winter exclusively for a snow skiing operation including accessory food and beverage and rental/retail uses. Summer uses include such activities as farmers markets, concerts, wedding receptions and other special uses at the north and south base lodges and parking lots (weddings and receptions are generally held in the lodges and on associated decks rather than the parking lots. Many weddings are held on the mountain with a reception at one of the lodges, usually the South Lodge). See Chapter 18, “Recreation,” for a detailed discussion of existing recreation uses within the HMR Project area.

The Project area can be characterized as mountainous although there is a wide range of topographic values. The North and South Base areas of the Project area range from reasonably flat (slopes of 1 to 10 percent) to slopes up to 30 percent. The Project area includes portions of Quail Lake Creek, Madden Creek and Homewood Creek watersheds. The North Base area and a portion of the South Base area are located within TRPA Intervening Area #7. See Chapter 15, “Hydrology, Water Rights, Surface Water Quality and Groundwater,” for detailed watershed descriptions. Mixed-Conifer forest is the primary vegetation type found within the Project area (see Chapter 8, Biological Resources for a detailed discussion of existing vegetation).

6.1.2 Surrounding Land Uses

The predominant land use in the surrounding area along with some “Commercial/Tourist” uses is “Residential”. Non-residential uses are primarily concentrated immediately adjacent to the SR 89 corridor, including the Maritime Museum directly to the south of the North Base area parking lot. Other uses in the immediate area include the Homewood High and Dri Marina and Obexer’s Marina, West Shore Café on the Lake, a U.S. Post Office, a deli and restaurant, and the recently developed Harborside Interval Ownership Tourist Accommodation project (east of SR 89 from the HMR North Base area). Undeveloped federally-owned lands surround the upper mountain portion of the ski resort.

The following TRPA and County Plan Area Statements are adjacent to the Project area: Plan Area Statement (PAS) 160 – “Homewood/Residential” is located to the North; PAS 152 – “McKinney Lake” (Conservation) and PAS 156 – “Chambers Landing” (Residential) are located to the South; and the remainder of PAS 158 – “McKinney Tract” (Residential) not included in the Project area and the remainder of PAS 159 “Homewood/Commercial” (Tourist) not included in the Project area are located to the East.

6.1.3 Land Ownership

Land areas in the Project vicinity are owned by a variety of individuals and public and private entities. PAS 157 is comprised of land owned by Ski Homewood and adjacent land owned by the USDA Forest Service Lake Tahoe Basin Management Unit (LTMBU) property. Land uses in PAS 158 are primarily residential with individual parcels being owned by a number of private landowners. Land uses in PAS 159 are also primarily in private ownership with a mixture of small commercial uses, marinas and motels, with some residences.

6.1.4 Agricultural Lands

There are no designated agricultural lands in the Project area.

6.1.5 Land Development Policies

According to language in the TRPA Planning Area Statements adopted in 1987, PAS 157 should continue to provide downhill skiing opportunities while PAS 158 should remain in single-family residential use. PAS 157 includes Special Policies indicating there is a need for rehabilitation in the planning area while maintaining the scale and character of the west shore and minimizing conflicts between adjoining land uses. PAS 159 should continue to be a mixed residential and commercial area.

6.2 REGULATORY SETTING

The TRPA and Placer County regulate the type of land use allowed in the Project area along with their respective regulatory settings, which are disclosed below. A third regulatory agency, The California Department of Transportation (Caltrans) will regulate encroachment in the SR 89 right-of-way (ROW) through the permitting process. Lands owned by the USDA Forest Service LTBMU located within the Project area will not be affected by implementation of the Project or alternatives.

6.2.1 Tahoe Regional Planning Agency

TRPA does not have an environmental threshold for land use. However, land use policy is outlined in the Regional Plan and is incorporated into this environmental document by reference. A listing of Regional Plan goals and policies is located in Chapter 4.0 of this EIR/EIS, including an analysis of project consistency with these goals and policies. The Regional Plan (July 1987) consists of the *Regional Goals and Policies Plan*, which sets the basic direction of the Regional Plan, environmental threshold carrying capacities, the Regional Transportation and Air Quality Plan, the Scenic Quality Improvement Program, Code of Ordinances, and PAS, which address the policies, regulations, and programs associated with specific land use areas. These components of the Regional Plan represent an integrated plan that is intended to attain and maintain the regional environmental thresholds established for the Lake Tahoe Basin. The Code of Ordinances establishes the TRPA regulations that are required to implement the policies set forth in the Regional Goals and Policies Plan. Portions of the Code of Ordinances that are of particular importance to land use and potential land use impacts are discussed in detail in the subsections below.

Goals and Policies

The Goals and Policies portion of the Regional Plan establishes the foundation for conservation and overall development of the Lake Tahoe Basin focusing specifically on the following six elements: land use, transportation, conservation, recreation, public services and facilities, and implementation. The *Land Use Element of the Regional Goals and Policies Plan* (TRPA 1986)

sets forth the fundamental land use philosophy of the Regional Plan, including: the direction of development to the most suitable locations within the region; maintenance of the environmental, social, physical, and economic well-being of the region; and coordination of the Regional Plan with local, State, and federal requirements. Land use goals include: (1) restoring, maintaining, and improving the quality of the Lake Tahoe region for the visitor and residents of the region; (2) directing the amount and location of new land uses in conformance with the Environmental Threshold Carrying Capabilities and the other goals of the Tahoe Regional Planning Compact; (3) conformance of all new development with the allowable land capability classifications; (4) providing a distribution of land use that ensures the social, economic, and environmental well-being of the region; and (5) coordinating the regulation of land uses within the region with land uses surrounding the region. Please refer to Chapter 4.0 of this EIR/EIS for a detailed list of applicable land use goals and policies.

Environmental Threshold Carrying Capacities

Environmental threshold carrying capacities were established per Resolution 82-11 in order to measure future projects in the basin against the goals established in the TRPA Compact, and are updated every five years with the most recent update occurring in 2007. Thresholds must be attained and maintained by projects and mitigation through avoidance, relocation, compensation, or removal is required for significant impacts to the threshold levels. Threshold carrying capacities have been established for the following: Water Quality, Air Quality, Scenic Resources, Soil Conservation, Vegetation, Fish Habitat, Wildlife Habitat, Noise, and Recreation. These thresholds are incorporated into the criteria of significance for each applicable resource evaluation in Chapters 8.0 through 18.0. TRPA has not adopted an environmental threshold for land-use impacts.

Community Plans and Plan Area Statements (PAS)

The Regional Plan is intended to guide decision-making as it affects growth and development within the Lake Tahoe Basin, utilizing PASs. Each PAS provides a description of land use for a plan area, identifies planning issues, and establishes specific direction for planning to meet the policy direction of the *Regional Goals and Policies Plan*. The PASs also include plan maps that provide specific regulations for identified areas such as would be found in zoning maps. The proposed Project area is located within all or part of three TRPA Plan Areas. These Plan Areas include PAS 157 – Homewood/Ski Homewood (Recreation), PAS 158 – McKinney Tract (Residential), and PAS 159 – Homewood/Commercial (Tourist). The three relevant PAS boundaries are shown in Figure 6-1.

Pursuant to Chapter 14 of the TRPA Code of Ordinances, a Plan Area Statement may be replaced or modified by the adoption of a community plan. PAS 159 is designated by TRPA as a preliminary community plan area and PAS 157 special policy 1 calls for a coordinated Homewood Community Plan that includes Plan Areas 158 and 159. A Community Plan for this area has not been prepared or adopted by TRPA to date.

Map showing the HMR Master Plan Project Area boundary and existing plan area statements. The map includes labels for Lake Tahoe, North Base Area, South Base Area, and various parcels (PAS 157, PAS 158, PAS 159, PAS 160). A legend at the bottom left defines the symbols for the HMR Master Plan Project Area, Parcels, Existing Plan Area Statements (Recreation, Residential, Tourism), and a scale bar at the bottom right indicates distances in feet (500, 250, 0, 500, 1,000, 1,500) and a scale of 1:16,000. The map is dated November 18, 2010, and is attributed to Hauge Brueck Associates.

Plan Area 157 – Homewood/Tahoe Ski Bowl

PAS 157 encompasses the Ski Homewood and Tahoe Ski Bowl areas. Tahoe Ski Bowl was purchased by Homewood several years ago and now the two resorts are operated as one resort. The Land Use Classification for PAS 157 is “Recreation” with a “Mitigation” Management Strategy and a Special Designation of “Scenic Restoration Area”. “Recreation” areas are those areas with good potential for outdoor recreation, park use, or concentrated recreation. The “Mitigation” Management Strategy includes areas that can accommodate additional development if the impacts are fully mitigated (on- and off-site) and the land is capable of withstanding the proposed use. The “Scenic Restoration Area” Special Designation applies to areas with scenic roadway or shoreline units that are not in compliance with Scenic Thresholds. The Planning Statement for this area establishes that “This area should continue to provide opportunities for downhill skiing within guidelines prepared thorough ski area master plans and scenic restoration plans.”

Special policies for PAS 157 include the following:

1. A coordinated Homewood Community Plan should include this Plan Area as well as Plan Area 159.
2. All affected parties should coordinate planning to assess the feasibility and demand for expanded ski facilities.
3. The water in Quail Lake should be used to provide minimum in stream flows for Quail Creek.
4. Multi-use of ski area base facilities is encouraged, especially joint use agreements between the ski areas and local marinas to share parking space.
5. Common management and consolidation of the two ski areas is encouraged.
6. Upgrading and redevelopment of the Homewood base ski facilities should be encouraged.
7. New commercial facilities are limited to the base areas of the existing facilities.
8. Access for cross country skiing should be improved.
9. Any new or additional commercial uses shall be permitted only pursuant to an adopted Community Plan.

The uses generally permitted throughout the plan area include residential (employee housing and single-family dwellings), tourist accommodations, commercial, public service, recreation, and resource management.

Maximum development densities included in PAS 157 are as follows:

- Single-Family Residential Dwelling – one unit per parcel
- Employee Housing (Multi-family dwellings only) – 15 units per parcel
- Bed and Breakfast Tourist Accommodations – 10 units per acre

- Hotel, Motel, and other Transient Tourist Accommodation Units – 20 units per acre.

Additional Developed Outdoor Recreation targets and limits for PAS 157 are as follows:

- Summer Day Uses – 0 PAOT
- Winter Day Use – 4,000 PAOT (Note: the current PAS lists 4,000, but 1,100 is the correct number)
- Overnight Uses – 280 PAOT
- Other – Five miles hiking trails

The Environmental Improvement Programs for PAS 157 state, “The capital improvement and other improvement programs required by the Regional Goals and Policies Plan and Environmental Improvement Plan (EIP) for this area shall be implemented.” Applicable EIP programs described in the Project Description are required to be implemented within this Plan Area.

Plan Area 158 – McKinney Tract

A portion of the southeastern part of the Project area is located within the McKinney Tract PAS 158. The Land Use Classification for PAS 158 is “Residential” with a “Mitigation” Management Strategy and a Special Designation of “Scenic Restoration Area”. “Residential” areas have potential to provide housing for the residents of the Region. This land use classification identifies density patterns related to both the physical and manmade characteristics of the land and to identify complimentary accessory and non-residential uses. Areas with the “Mitigation” Management Strategy can accommodate additional development if the impacts are fully mitigated and the land is capable of withstanding the use (Chapter 13, TRPA Code of Ordinances). Mitigation for all on-site and off-site impacts is required. The Planning Statement for this area establishes, “This area should remain residential, with a density of one single family dwelling per parcel.”

There is one special policy for PAS 158 that states, “The Scenic Roadway and Shoreline Unit should be reevaluated in this area for attainment.”

Generally permitted uses throughout the plan area include residential (single-family dwellings), public service, recreation, and resource management.

Maximum development densities included in PAS 158 are as follows:

- Single-Family Residential Dwelling – one unit per parcel
- Piers in Visually Modified Character Unit – average one pier per 100 linear feet.

There are no additional Developed Outdoor Recreation targets or limits for PAS 158.

As required for PAS 157, capital improvement and other improvement programs are required in PAS 158 through the Environmental Improvement Program.

Plan Area 159 – Homewood/Commercial

A small portion of the of the Project area along SR 89 bounded by Obexer's Marina, Homewood Ski Area and the Swiss Lakewood Resort is located within the Homewood/Commercial PAS 159. The Land Use Classification for PAS 159 is "Tourist" with a "Redirection" Management Strategy and Special Designations of "Preliminary Community Plan Area," "TDR Receiving Area for Existing Development" and "Scenic Restoration Area." The "Tourist" Land Use Classification applies to areas that have the potential to provide intensive tourist accommodations and services or intensive recreation, including gaming. Areas with a "Redirection" Management Strategy need to improve environmental quality and community character by changing the direction of development or density through facility relocation and rehabilitation or restoration of existing structures and uses. This area has a special designation as a "Preliminary Community Plan Area" as it is eligible for a community plan. This Plan Area is designated as a "TDR Receiving Area for Existing Development" where the existing development designation determines which areas are eligible for the transfer of existing uses permissible in the plan area. The area is a mixture of small commercial uses, a U.S. Post Office, the Villas at Harborside interval ownership resort, the West Shore café and Lodge, base facilities for Ski Homewood, the Maritime Museum, two marinas, motel facilities and some residential uses.

The Planning Statement for this area states that: "This area should continue to be a tourist commercial area. However, there is a need for rehabilitation while maintaining the scale and character of the west shore."

Special policies for PAS 159 include the following:

1. Community planning for development of this area should include consideration of the adjoining ski areas in PAS 157.
2. The Community Plan or the Homewood Marina Master Plan should consider the sea plane base and establish a noise corridor for the sea plane base.
3. This area should be considered for a major water borne transit stop.
4. The marina facilities should be expanded and upgraded to accommodate increasing boating needs.
5. Tourism and recreation compatible with the west shore scale of development should be encouraged in this Plan Area.

The uses generally permitted throughout the plan area include residential (employee housing and single-family dwellings), tourist accommodations, commercial, public service, recreation, and resource management. There are six Special Policies in the plan, one of which is relevant to the proposed project. Special Policy 1 states that: "Community Planning for development of this area should include consideration of the adjoining ski areas in PAS 157." Special Policy 5 states that: "Tourism and recreation compatible with the west shore scale of development should be encouraged in this Plan Area."

Maximum development densities included in PAS 159 are as follows:

- Single-Family Residential Dwelling – one unit per parcel

- Multiple Family Residential Dwelling – 8 units per acre
- Employee Housing – 8 units per acre
- Bed and Breakfast Tourist Accommodations – 10 units per acre
- Hotel, Motel and Transient Units (with less than 10% of units with kitchens) – 20 units per acre
- Hotel, Motel and Transient Units (with 10% or more units with kitchens) – 15 units per acre
- Timeshare – As per above
- Piers in Visually Dominated or Visually Modified Character Unit – average one pier per 100 linear feet.

There are no additional Developed Outdoor Recreation targets and limits for PAS 159.

As required for PAS 157 and 158, capital improvement and other improvement programs are required in PAS 159 through the Environmental Improvement Program.

TRPA Multi-Residential and Tourist Accommodation Bonus Units

TRPA Code Subsection 33.4.A(3) describes how TRPA allocates the development of additional tourist accommodation units (TAU). Code Subsection 33.4.A(3) states that TRPA shall allocate the remaining TAU bonus units to projects within community plans in accordance with Chapter 35.

Bonus units for both multi-residential and tourist accommodation units are governed through Chapter 35 of the Code of Ordinances. Bonus units are additional residential or tourist accommodation units acquired through a system that matches existing units if certain criteria are met. Code of Ordinances Subsection 35.2 establishes policies for granting multi-residential bonus units within plan areas allowing multi-residential uses. These units are granted based on limits established in the plan area, mitigation measures, and type of unit (affordable, moderate-income). While the plan area provides a specific pool of bonus units, the number of units granted for a project depends on the type of unit and the type of mitigation that is proposed. Different types of mitigation result in various levels of points awarded. One residential bonus unit may be approved for every ten points achieved by a project. In addition, scores are improved by a factor of 1.5 if the project is within a community plan and by a factor of 2 if the project is proposing affordable employee housing. Points are awarded as detailed in TRPA Code Section 35.2.D.

Residential bonus units can be earned without mitigation for affordable or moderate-income housing based on need per Code of Ordinances Subsection 35.2.E.

TRPA Code Subsection 35.2.F details the requirements for bonus unit substitutions. A bonus unit may be assigned for each TAU converted to a residential use if each of the four conditions are met when proposed in accordance with the unit of use conversion provisions of Code of Ordinances Subsection 33.7.E.

Tourist accommodation bonus units may be approved within an adopted community plan and when at least one existing TAU is transferred. The number of awarded units are subject to the limits established in the community plan and may only be awarded within a community plan that allows this type of land use. The number of units awarded are subject to a point system in which one unit is awarded for every ten points matched by a transfer from Land Capability Districts 4 through 7, for every seven points from Land Capability Districts 1a, 1c, 2, or 3, and for every five points from Land Capability District 1b or SEZ. Points are earned through mitigation as detailed in TRPA Code Subsection 35.3.D. HMR is proposing an amendment to Code Chapters 33 and 35 to allow for use and distribution of additional tourist accommodation units in Ski Area Master Plans as well as Community Plans.

The bonus units reserved for the HMR Project are from the TRPA “Special Project” pool and are not awarded based on the bonus unit point formula discussed above. In this case, HMR has requested and has been approved for “reservation” of 12 multi-residential bonus units and 50 tourist accommodation bonus units by the TRPA Board via Resolution 2008-11.

Regional Transportation Plan—Air Quality Plan

The purpose of the integrated Regional Transportation Plan—Air Quality Plan is to attain and maintain the Environmental Threshold Carrying Capacities established by TRPA in 1982 and applicable federal, State, and local standards pertaining to air quality and transportation. The TRPA Code of Ordinances, Chapter 91, establishes air quality control regulations. The project's consistency with this plan is analyzed in Chapter 12.0 ("Air Quality").

Water Quality Management Plan

The Water Quality Management Plan (208 Plan) for the Lake Tahoe Region fulfills TRPA's responsibilities under Section 208 of the federal Clean Water Act. The 208 Plan includes the Water Quality Management Plan, Handbook of Best Management Practices, Stream Environment Zone Protection and Restoration Program, and Capital Improvements Program for Erosion and Runoff Control (TRPA 1988). The project's consistency with this plan is analyzed in Chapter 15.0 (“Hydrology and Water Quality”).

TRPA Code of Ordinances

The TRPA Code of Ordinances establishes standards and regulations for implementation of the Regional Plan for the Lake Tahoe Basin. Public agencies and organizations in the Lake Tahoe Basin must comply with TRPA provisions or may establish equivalent or higher requirements in their jurisdiction. The Code of Ordinances is the coordination of a series of documents addressing environmental and land use planning issues in the Basin, including the Tahoe Regional Planning Compact, Environmental Threshold Carrying Capacities, Goals and Policies, the PAS and Maps, and other TRPA plans and programs. The Code of Ordinances is intended to implement the Goals and Policies of the Regional Plan while maintaining the environmental thresholds (TRPA 1987).

Code of Ordinances Chapter 13 addresses Plan Area Statements. Section 13.7 includes regulations for amending a Plan Area Statement. Plan Amendments modify plan area boundaries, special area boundaries, plan area name and number, Land Use Classification, Management Strategy, Special Designations, Planning Statement, Special Policies, and Additional Recreation Development. Modification of Permissible Uses, Maximum Densities, and assigned Maximum Community Noise Equivalent Levels are by ordinance, while modification of the Description,

Planning Considerations and Improvement Programs are by resolution. Findings, as listed in Section 13.7.D, are required prior to amendment adoption. These findings are as follows:

- (1) The amendment is substantially consistent with the plan area designation criteria in Subsections 13.5.B and 13.5.C; and
- (2) If the amendment is to expand an existing urban plan area boundary or to add residential, tourist accommodation, commercial, or public service as permissible uses to a non-urban plan area, it must be found that the amendment will make the plan area statement consistent with an adopted policy or standard of the Regional Plan, and that the amendment will satisfy one or more of the following criteria:
 - a) The amendment is to correct an error which occurred at the time of adoption, including but not limited to a mapping error, an editing error, or an error based on erroneous information; or
 - b) The amendment is to enable TRPA to make progress toward one or more environmental thresholds without degradation to other thresholds as measured by the Chapter 32 indicators; or
 - c) The amendment is needed to protect public health and safety and there is no reasonable alternative.
- (3) If the amendment is to add multiple-family as a permissible use to a plan area or for one or more parcels, except as provided for in (5) below, the plan area or affected parcel must be found suitable for transit-oriented development (TOD). TRPA shall find that the following factors, or a functional equivalent as provided for in (4) below, are satisfied when determining TOD suitability:
 - a) The area must have access to operational transit within a 10 minute walk; and
 - b) Neighborhood services within a 10 minute walk, (e.g., grocery/drug stores, medical services, retail stores, and laundry facilities); and
 - c) Good pedestrian and bike connections; and
 - d) Opportunities for residential infill (at densities greater than 8 units per acre) or infill with mixed uses; and
 - e) Adequate public facilities, (e.g., public schools, urban or developed recreation sites, government services, and post offices).
- (4) In order for TRPA to find a proposal is the functional equivalent of one of the factors listed in 13.7.D (3), or 13.7.D (5) (a), the proposal must be found to facilitate TOD in a manner that is equal or superior to that feature.
- (5) If the amendment is to add multiple-family dwellings as a permissible use to a plan area or for one or more parcels, and would result in deed restricted affordable housing units, the plan area or affected parcel must be found suitable for transit-oriented development (TOD). TRPA shall find that the following factors are satisfied when determining TOD suitability:
 - a) access to operational transit within a 10 minute walk, or a functional equivalent as provided for in (4) above; and
 - b) neighborhood services; or
 - c) public facilities.

6.2.2 Placer County Regulations

The West Shore Area General Plan (Placer County, 1998) was prepared to satisfy the statutory requirements for General Plan adoption for the Placer County portion of the west shore of Lake Tahoe. The West Shore Area General Plan replaces regulations established in the Placer County General Plan, the Lake Tahoe General Plan, and the Ward Valley General Plan. The purpose of the West Shore Area General Plan is to make the County's land use regulations more consistent with those of the TRPA. West Shore Area General Plan policies that are more restrictive than TRPA policies shall be applied. The County utilizes the TRPA Plan Area Statement format and adopts them, with some modification, as County code, including the Plan Area Statement maps and boundaries. Future community plans may tier from this General Plan. A list of West Shore Area General Plan policies and project compliance with those policies is provided in Chapter 4.0 of this EIR/EIS.

Placer County PAS 157 included in the West Shore Area General Plan contains the same land use classification, management strategy and special designation as TRPA's Plan Area. According to the Planning Statement, "This area should continue to provide opportunities for downhill skiing within guidelines prepared through ski area master plans and scenic restoration plans for the west shore." Special Policies are as follows:

1. All affected parties should coordinate planning to assess the feasibility and demand for expanded ski facilities under a ski area master plan.
2. Multi-use of ski area base facilities is encouraged, especially joint use agreements between the ski area and local marinas to share parking space. Further partnerships between the public and private sector should be developed to address transportation needs.
3. Upgrading and redevelopment of the Homewood base ski facilities should be encouraged, including landscaping, installation of BMPs and upgrading of the lodge facilities.
4. New commercial facilities are limited to the base areas of the existing facilities, although accessory facilities may be allowed on the mid or upper mountain.
5. Opportunities exist for development of cross-country skiing on properties of the Tahoe City PUD and access for cross country skiing should be improved.

Permissible uses are similar to those listed in the TRPA PAS, although the West Shore Area General Plan considers eating and drinking places, food and beverage sales, and general merchandise stores as allowable uses and it includes outdoor concert events as a special use. While the maximum development densities are the same, the West Shore Area General Plan allows for a greater amount of additional day-use developed outdoor recreation with summer day uses at 500 PAOT, winter day use at 1,150 PAOT and fewer overnight uses at 0 PAOT, in comparison with TRPA PAS 157 which allows for additional winter day use at 1,100 PAOT, additional overnight uses at 280 PAOT, and additional summer day uses at 0 PAOT.

The West Shore Area General Plan, Placer County PAS 158 contains the same classifications and uses as TRPA PAS 158; however, there are some differences in PAS 159. The Land Use Classification under the West Shore Area General Plan is 'Commercial/Tourist', recognizing commercial as well as tourist uses in this area. In addition, the Planning Statement establishes. "This area should continue to be a mixed residential and commercial area. However, there is a need for rehabilitation while maintaining the scale and character of the west shore. Because of the historic development of the area, for example, residential uses interspersed with commercial, the boundaries of this plan area are not contiguous. Special Areas

have been created with limitations on permissible uses to minimize conflicts with adjoining land uses.” Permissible land uses, development densities, and additional outdoor recreation are the same as the TRPA PAS 159. The West Shore Area General Plan includes Tourist Accommodation Bonus Units and states that the maximum number of tourist accommodation bonus units permitted for the plan area is 50 units.

In addition to the West Shore Area General Plan other Placer County land use regulations apply to the Proposed Project, including the Placer County zoning ordinance, the Placer County Environmental Review Ordinance and the Placer County Housing Element.

6.3 EVALUATION CRITERIA WITH POINTS OF SIGNIFICANCE

HMR must obtain permits from Caltrans (right of way encroachment), Placer County and TRPA and comply with the conditions contained therein. Table 6-1 presents the evaluation criteria for land use. These criteria are drawn primarily from local plans, adapted where necessary to reflect California Environmental Quality Act (CEQA) and TRPA requirements. For the purpose of this analysis, the stated applicable points of significance determine whether implementing the Project will result in a significant impact. These points of significance are based upon Appendix G of the State CEQA Guidelines, the TRPA Initial Environmental Checklist and the associated codified regulations. A land use impact is significant if implementation of the Project meets or exceeds the point of significance shown in Table 6-1.

Table 6-1

Evaluation Criteria with Point of Significance - Land Use

Evaluation Criteria	Point of Significance	Justification
LU-1. Will the Project be consistent with the land use plan or zoning plan, or land use goals, policies, and provisions of the TRPA Regional Plan, including the Goals and Policies, Code of Ordinances, Plan Area Statements, or Ski Area Master Plan Guidelines, and the Placer County General Plan and West Shore Area General Plan?	a) Non-compliance with land use plans, goals, policies, or provisions as established by TRPA or Placer County adopted for the purpose of avoiding or mitigating an environmental effect b) Failure to make findings required for proposed Plan amendments	CEQA Appendix G Checklist X (b); TRPA Initial Environmental Checklist II (8a); TRPA Regional Plan, Goals and Policies, Chapter 2, Land Use Element; TRPA Code of Ordinances Chapters 2, 12, 13, 18, 41, and 43; TRPA Plan Area Statements 157, 158 and 159; Placer County General Plan and West Shore Area General Plan
LU-2. Will the Project be consistent with adjacent land uses, expand/intensify existing non-conforming uses or transfer development rights that exceed density limits?	a) Inconsistency with adjacent land uses that results from adverse physical impacts (e.g., noise levels that exceed standards) b) Failure to make findings required for transfer of development rights	TRPA Initial Environmental Checklist II (8a, b); TRPA Plan Area Statements 152, 156, 157, 158, and 159 and 160; TRPA Code of Ordinances; Placer County General Plan and West Shore Area General Plan

Source: Hauge Brueck Assoc. 2009

Table Notes:

CEQA Appendix G Checklist items II-a (Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use), II-b (Conflict with existing zoning for agricultural use, or a Williamson Act contract), II-e (Involve other changes in the existing environment which could result in conversion of Farmland to non-agricultural use), X-a (Physically divide an established community), X-c (Conflict with any applicable habitat conservation plan or natural community conservation plan), XI-a (Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state) and XI-b (Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan) are not applicable to the Project as there are no agricultural or mineral resources on-site, there are no HCPs associated with the site, and the Project is contained within the resort boundaries so as not to divide the greater community. TRPA Checklist items 9-a (A substantial increase in the rate of use of any natural resources) and 9-b (Substantial depletion of any non-renewable natural resource) are discussed in Mandated Analysis Chapter.

6.4 ENVIRONMENTAL IMPACTS AND RECOMMENDED MITIGATION

Impact: **LU-1. Will the Project be consistent with the land use plan or zoning plan, or land use goals, policies, and provisions of the TRPA Regional Plan, including the Goals and Policies, Code of Ordinances, Plan Area Statement, or Ski Area Master Plan Guidelines, and the Placer County General Plan and West Shore Area General Plan?**

Analysis: *Significant Impact; No Project (Alternative 2)*

The No Project (Alternative 2) does not result in any changes to existing conditions. The current ski facilities and associated uses will continue to operate and are in compliance with permissible uses specified in TRPA and County land use plans. No Code or Plan Amendments are required for this alternative. However, this alternative would not result in proposed Master Plan development intended to comply with special policies contained in the County or TRPA PAS. Both County and TRPA PAS 157 states that access for cross-country skiing should be improved and that upgrading and redevelopment of the base areas should be encouraged, including multi-use of ski area base facilities. While the No Project (Alternative 2) will not prevent future improvements, it will not advance the listed improvement policies. Although this documentation indicates the ski area would continue to operate under Alternative 2, it should be noted that the ski area has been documented as losing money for a number of years and the current owner has indicated that it cannot continue to operate at a loss indefinitely, leading to eventual closure with current operations (see Alternative 4).

The consistency analysis in Chapter 4 reveals a variety of inconsistencies between the No Project (Alternative 2) and the TRPA Regional Plan, TRPA Plan Area Statements, the West Shore Area General Plan, and the Placer County General Plan. The inconsistencies are generally in relation to circulation and transportation, scenic improvements, SEZ and stream channel improvements, noise, and a lack of recreation expansion and onsite recreation improvements.

In relation to the TRPA Regional Plan, the No Project (Alternative 2) does not meet current standards for circulation or urban design features, nor does it support onsite rehabilitation or the economic health of the West Shore. This alternative may lead to eventual closure of the ski facilities, which is also inconsistent with land use and recreation goals. Affordable housing would not be promoted, and SEZ and aquatic

habitat restoration would not occur. In addition, the area would continue to be in non-attainment for noise levels, which is inconsistent with noise policies.

The No Project (Alternative 2) results in similar inconsistencies with the TRPA Plan Area Statements. This Alternative does not provide a ski area master plan or expanded, improved or redeveloped ski facilities as indicated in Special Policies 2, 4, and 6. Improvements to the scenic quality rating also would not occur to promote attainment in PAS 159.

Similar inconsistencies occur between the No Project (Alternative 2) and the West Shore Area General Plan. Inconsistencies include a lack of affordable housing, roadway improvements, alternative transportation, pedestrian facilities, redevelopment of ski base facilities, and expansion of recreation opportunities. In addition, this alternative maintains noise levels that exceed threshold limits.

In relation to the Placer County General Plan, this alternative does not meet recreation goals of winter ski facility expansion or scenic goals for reaching attainment within the scenic corridor. The No Project (Alternative 2) also does not support Placer County General Plan economic development goals because it would not expand the unique summer or winter recreational opportunities at the ski facility. Improvements to circulation and alternative transportation would not occur, which is inconsistent with the transportation goals and policies. The lack of improvements to SEZs and stream channels would also result in inconsistencies with the Placer County General Plan. In addition, maintaining structures and roads within the floodplain results in inconsistencies with policies related to floodplain management and drainage.

Mitigation: No mitigation is feasible.

After

Mitigation: *Significant and Unavoidable Impact; Alternative 1*

Under the No Project Alternative, the project area would continue to be inconsistent with numerous goals and policies included in the TRPA Regional Plan, TRPA Plan Area Statements, the West Shore Area General Plan, and the Placer County General Plan.

Analysis: *Less than Significant Impact; Alternatives 1, 3 and 6*

The Proposed Project (Alternative 1) and Alternatives 3 and 6 require changes to the boundaries and content of County and TRPA Plan Areas 157, 158, and 159, because some proposed land uses, such as interval ownership units (residential timeshares), are not permitted in Plan Area 157, but are permitted in Plan Area 159. Expanding the tourist plan area (159) boundary to include these land uses places the appropriate mix of land uses with the Plan Area that most represents and best regulates such uses, as well as the West Shore General Plan. As documented in Chapter 3, these alternatives will expand the boundary of Plan Areas 158 and 159 to encompass the base areas of Homewood Mountain Resort, reducing the size of the recreational Plan Area 157. Appendix E includes the proposed amended text for Plan Areas 157, 158, and 159. Figures 6-2 and 6-3 show the proposed changes to existing Plan Area boundaries at the North and South Base areas under each of the HMR MP Alternatives.

Figure 6-2. Existing and Proposed Plan Area Boundaries – Alternatives 1 and 2

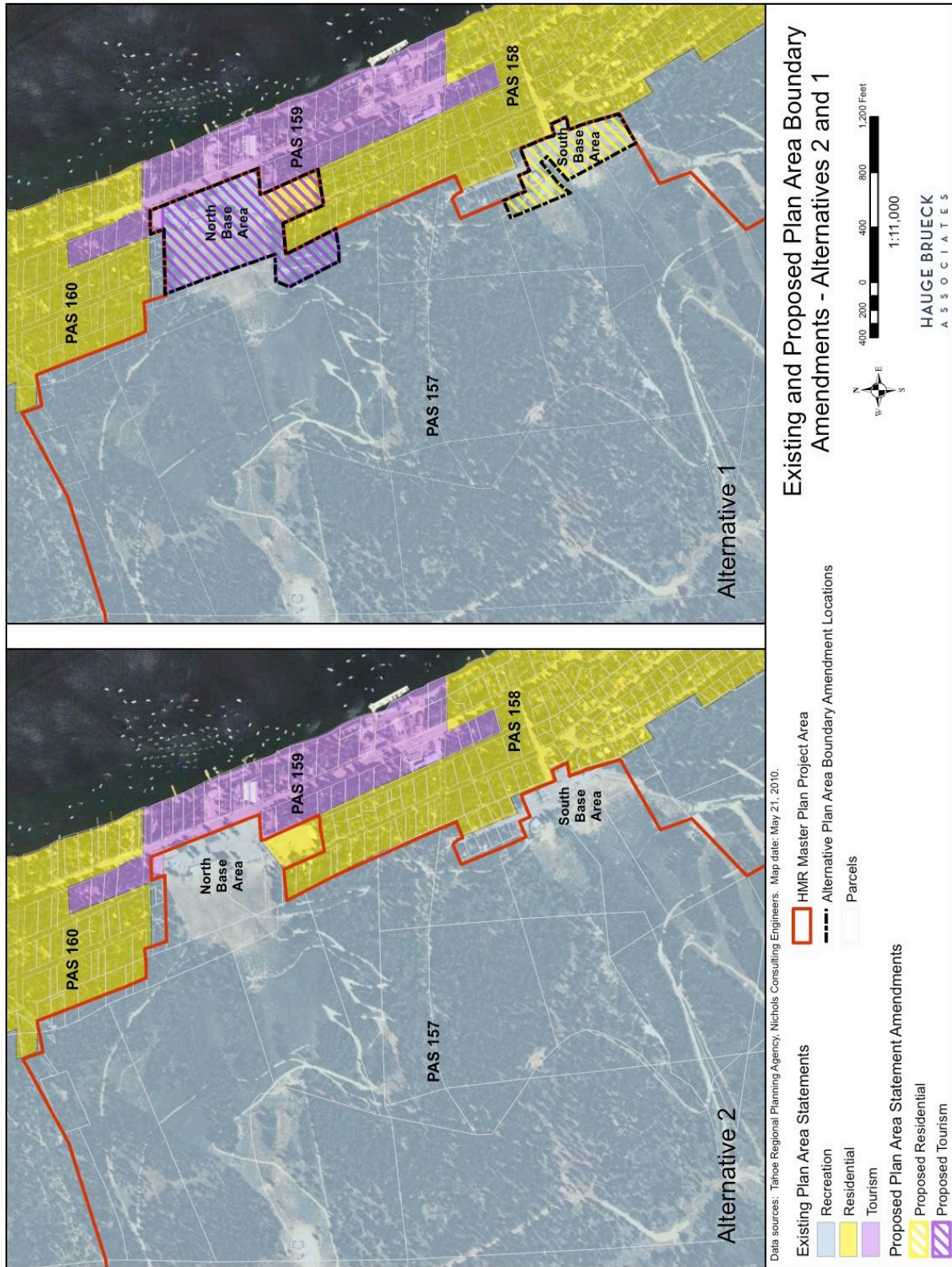
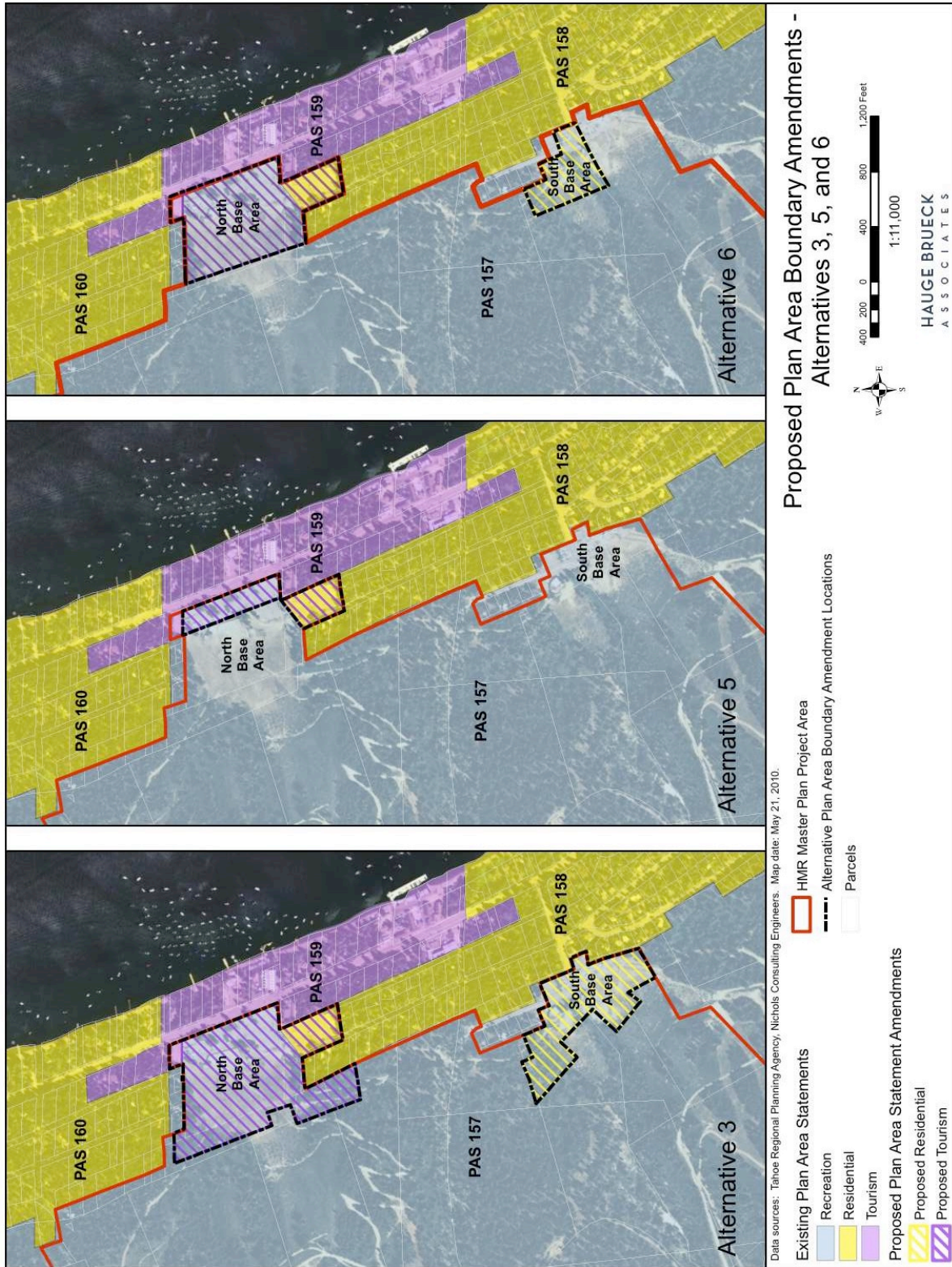


Figure 6-3. Existing and Proposed Plan Area Boundaries – Alternatives 3, 5 and 6



Plan Area Amendment – Boundary Line: At the South Base, TRPA and Placer County Plan Area 158 will be expanded to include the proposed development area currently included in Plan Area 157. Under the Proposed Project (Alternative 1), approximately 6.6 acres located within Plan Area 157 will be added to Plan Area 158. Under Alternative 3, approximately 10.1 acres will be added to Plan Area 158. Under Alternative 6, approximately 3.6 acres will be added to Plan Area 158. Under Alternatives 1 and 3, the South Base development area will be entirely located within Plan Area 158 and this expanded area will be identified as a “Special Area” within Plan Area 158 in which an additional set of rules and conditions apply. This will allow a different set of permissible land uses only within the “Special Area”. The uses proposed in this area include multi-family dwelling and skier services. Under Alternative 6, only the proposed multi-residential building located north of Homewood Creek would be located in Plan Area 158, identified as a “Special Area”.

At the North Base, TRPA and Placer County Plan Area 159 will be expanded to include the proposed development area currently included primarily in TRPA Plan Area 157 and partially in TRPA Plan Areas 158 (gravel parking lot) and 159 (far north end of paved parking lot) and Placer County Plan Areas 157 and 159. Under the Proposed Project (Alternative 1), approximately 16.4 acres located within Plan Areas 157 and 158 will be added to Plan Area 159. Under Alternative 3, approximately 20.4 acres will be added to Plan Area 158. Under Alternative 6, approximately 14.1 acres will be added to Plan Area 158. The proposed boundary adjustment will place all of the North Base development area within Plan Area 159. Uses proposed in this area include a hotel, interval ownership tourist units, condominiums, townhouses, employee housing, commercial uses, skier services, and parking. The amended area of Plan Area 159 will be identified as a “Special Area” in which a separate set of land uses is permitted, including multi-family dwellings and privately owned assembly and entertainment. The portion of Plan Area 157 that is being added to Plan Area 159 presently includes the hotel use as a permissible use, but the hotel land use cannot be subdivided to create the interval ownership/residential timeshare use, nor are multi-family dwellings permissible as is necessary to allow the subdivision into condominiums for sale, or the amphitheater use which is defined as “privately owned assembly and entertainment” by TRPA.

The proposed Plan Area boundary adjustments will increase the amount of land within the urban area. TRPA Code Chapter 2 defines “urban area” as follows: “Urban areas are those areas designated as residential, tourist, or commercial/public service, by the plan area statements.” Increasing urban area typically allows for a greater intensity of urban uses at the expense of conservation and recreation uses. Although Plan Area 157 is classified as recreation, this area currently includes single family residential, commercial and tourist accommodation uses as well as recreational and public service uses in the list of permissible uses under provisions for a special use. Regarding new uses, TRPA Plan Area 157 Special Policy 7 states that new commercial facilities are limited to the base areas of the existing facilities. Presumably, this means the two existing base areas at Homewood Mountain Resort – north and south.

TRPA Plan Area 157 Special Policy 1 states, “A coordinated Homewood Community Plan should include this Plan Area as well as Plan Area 159.” A community plan prepared for both Plan Areas would have likely addressed the future growth and use patterns of the Homewood base areas; however, no TRPA sponsored community plan has been prepared to address this policy. Further, Policy 9 states, “Any new or additional commercial uses shall be permitted only pursuant to an adopted Community Plan.” As such, this policy must also be amended to permit additional commercial uses pursuant to

adoption of the proposed Ski Area Master Plan. Although a TRPA Community Plan has not been developed and adopted, this Project establishes a Ski Area Master Plan that plans for and establishes the location of recreation, tourist, residential and commercial uses. The Master Plan proposes commercial uses along the SR 89 corridor and intermixes these uses with tourist, residential and recreation facilities. The Master Plan also indicates the commercial uses will serve the greater residential community, giving consideration to local and tourist needs. These neighborhood serving commercial uses (hardware store, deli, ice cream shop, etc.) are in response to input from community residents who attended workshops held by the Applicant to seek public input on direction of the proposed Master Plan. The Master Plan also coordinates development with surrounding recreational and tourist resources such as area marinas, all of which would have been considered in a Community Plan. Coordination with marinas includes alternative transportation through water borne transit, parking, and summer programs. It should be noted that current County PAS 157 allows new commercial facilities in the base areas and accessory facilities in the mid or upper mountain; however PAS amendments to allow the mix of land uses proposed and to maintain PAS boundary consistency between the County and TRPA are required.

The Planning Statement for Plan Area 158 states, "This area should remain residential with a density of one single family dwelling per parcel." This will require an amendment to allow multi-family units within a "Special Area" and increase the allowable density in this special area to 15 units per acre via transfer of existing development rights. The addition of multi-family units and the increase in density confined to a special area are appropriate for a Plan Area classified as "residential". The character of the area is maintained by limited higher density units to the area at the South Base where adjacent land uses include higher density and more commercial uses. This would not affect the overall density character of the Plan Area, but would allow for a greater range of residential options. The Planning Statements for Plan Areas 157 and 159 do not require amendment.

For an amendment to the TRPA Plan Area boundaries, findings must be made by TRPA per Section 13.7.D of the TRPA Code of Ordinances. First the amendment must be substantially consistent with the plan area designation criteria and any special designations. The designation criteria (land use classification/management strategy) for Plan Area 158 is Residential/Mitigation and for Plan Area 159 is Tourist/Redirection. New Homewood uses proposed in Plan Area 158 are residential multi-family condominiums, and a small skier services structure proposed to replace the existing lodge, neither of which are currently permissible uses in Plan Area 158. Multi-family dwellings and skiing facilities (skier services structure) are consistent with the Residential/Mitigation designation criteria because multi-family dwellings provide new residential units to the area and skiing facilities in the form of skier services would not adversely alter the character of the Plan Area, as the use has been in place for several decades. The Planning Statement and development density for Plan Area 158 limit residential density to one single-family dwelling per parcel, with which multi-family units are consistent when implemented through the TRPA's two-step subdivision process, which is required to create residential condominiums that are classified by the TRPA as single-family residential units.

New Homewood uses proposed in Plan Area 159 include a hotel, condo-hotel units, multi-family condominium and townhouses, residential design timeshare (interval ownership tourist accommodation units), commercial uses, employee housing, and skier services, which are permissible uses in Plan Area 159, with the exception of the multi-

family dwelling units. Commercial uses, employee housing, and skier services are existing uses. Plan Area 159 would be amended to allow multi-family residential dwellings within “Special Area #1”. Special Area #1 would be limited to the North Base area of the Project. Multi-family dwelling units, particularly within an area of hotel and timeshare units at the resort, will support the tourist designation by providing predominantly second homes and vacation rentals for persons visiting the area regularly; therefore, multi-family units within “Special Area #1” are consistent with the Tourist land use classification.

Each of the Plan Areas includes a special designation as a scenic restoration area, which would not change as a result of the amendments. In addition, Plan Area 159 has a special designation as a TDR Receiving Area for existing development. Plan Area 159 would be amended to add TDR Receiving Area for multi-residential units. It is consistent to amend this special designation for Plan Area 159 because it will support the “Tourist/Redirection” designation criteria for this Plan Area. Multi-family dwelling units will support visitors who seek second homes in the area and will support the continued viability of the resort, which draws recreational oriented tourism to this portion of the Basin. The amendment of the TDR Receiving area is also required to allow for the transfer of multi-residential bonus units to Plan Area 159 for affordable employee housing, which is currently a permissible use under the provisions for a special use. Plan Area 158 would be amended to add the special designation of TDR Receiving Area for 1) existing development and 2) multi-residential units to the newly created “Special Area.” These special designation amendments are needed to allow the transfer of development rights for the multi-family residential units. It is consistent to amend these special designations to allow for the proposed multifamily units, which are appropriate to support the continued operation of the winter recreational resort and the “Residential/Mitigation” designation criteria.

TRPA Code Section 13.7.D.2 documents the findings required to expand an existing urban plan area boundary. Alternatives 1, 3, and 6 propose to expand the urban plan area boundary for Plan Area 158 (South Base area) and 159 (North Base area). To allow such an amendment “it must be found that the amendment will make the plan area consistent with an adopted policy or standard of the Regional Plan, and that the amendment will satisfy one or more of the following criteria:

- a. The amendment is to correct an error which occurred at the time of adoption; or
- b. The amendment is to enable TRPA to make progress toward one or more environmental thresholds without degradation to other thresholds as measured by the Chapter 32 indicators; or
- c. The amendment is needed to protect public health and safety and there is no reasonable alternative.”

The proposed Plan Area boundary amendment is not needed to protect public health or safety and, according to a review of TRPA files, is not intended to correct an error which occurred at the time of Plan adoption. Therefore, to allow the proposed amendment of Plan Area 158 and 159 boundaries, TRPA must determine that the amendment will satisfy criteria “b”, and will help make progress towards one or more of the environmental thresholds without degrading other thresholds as measured by the Chapter 32 indicators. Table 6-2 identifies Project elements proposed by HMR in the Master Plan to achieve environmental improvements and benefits. The HMR Master Plan incorporates measures to fulfill TRPA Code requirements as well as to exceed these requirements as called for in the TRPA Resolution 2008-11 recognizing the HMR Master

Plan and related elements as eligible for CEP designation and reservation of commodities such as commercial floor area, tourist accommodation bonus units, and multi-family bonus units for employee housing. Table 6-2 enumerates the combined environmental improvements and benefits attributable to the Master Plan implementation.

Table 6-2**HMR Ski Area Master Plan - Environmental Improvements and Benefits**

Environmental Resource	Improvements/Benefits
EIP Projects	<ul style="list-style-type: none"> • Project Number 632 - Homewood Ski Area Master Plan • Project Number 86 - Scenic Roadway Unit 11- Homewood • Project number 775 - Homewood Area Pedestrian Facilities • Project Number 855 - Tahoe City “Y” Realignment (fair share participant) • Project Number 725 – Design a stormwater treatment system to treat the 50 year/1 hour storm event within the north and south base areas • Project Number 996 – SR 89 stormwater treatment
Water Quality	<ul style="list-style-type: none"> • Treatment of the 50 year/1 hour Storm Event for proposed redevelopment areas (EIP 725). Capture of water runoff planned through a series of vaults and infiltration galleries. • Removal of culvert and fill from the SEZ at the South Base area and day lighting Ellis/Homewood Creek channel. • Participation in local Homewood elements of environmental improvement project (EIP 996); a 9 mile segment of SR 89 in Placer County by helping to implement runoff treatment facilities, and erosion control features, including high level stormwater treatment vault and a series of additional vegetated basins to treat SR 89 runoff. • Substantial land coverage reduction and restoration on the upper mountain areas (there is a commitment in the Master Plan for a total of 500,000 square feet of total land coverage restoration, – all of which must be verified by TRPA for potential relocation, banking or retirement). • A majority of building footprints to be located on land capability classes 4 and higher.
Recreation	<ul style="list-style-type: none"> • By keeping the ski resort open, existing PAOTs assigned to Homewood would remain in operation and the 1987 TRPA Regional Plan assignment of 1,100 PAOTs to HOMEWOOD would remain available for potential use at the Resort (although the Master Plan does not propose to expand PAOT capacity). • Provide five miles of hiking trails within PAS 157. Trails include directional markings, mapping, and interpretive signs. Trails will also be linked to pedestrian access pathways at the North and South Bases. • Mid-mountain lodge located at the top of the proposed Gondola would be available for the public to use (pool, access to hiking, etc.) The lodge will include a space dedicated to members of the HMR HOA. Use of the pool will be open to residents of the west shore from Tahoma to Sunnyside (proximate to Homewood) to fulfill a void for area residents. • New outdoor amphitheater at the North Base area for hosting outdoor concert events and use as the permanent home of the Lake Tahoe Music Festival.

Environmental Resource	Improvements/Benefits
Air Quality/ Transportation	<ul style="list-style-type: none"> • A cross country ski connection, which is an extension of the old Olympic course, is proposed for future consideration. • Winter VMT reduction (based on reducing existing weekend day visitors with residents and guests of the proposed resort facilities). • Provision of transit kiosk with signs, maps, etc. • Integrate transportation linkages. • A Tahoe City Public Utility District (TCPUD) bike path into the North Base area. An eight-passenger gondola will bring guests up to the Mid-Mountain Base area. The existing Tahoe Area Regional Transit (TART) stops will be furnished with shelters (two possibly three stops at resort), and proposed dial-a-ride, shuttle, and water taxi services will be provided to reduce vehicle miles traveled (VMTs). • Alternative transportation initiatives include 2-20+ passenger water taxis for use during summer months, summer and winter dial-a-ride service (7 days a week, at a minimum from 8 AM to 6 PM), and shuttle service. Shuttle service between bases will reduce parking demand at the North Base. Additional alternative transportation measures planned include a free-use bicycle fleet for resort guests, 5-hybrid electric rental vehicles for resort guest use, implementation of the missing bike trail segment. TART passes provided for employees, and shuttle service provided to/from employee housing areas not on a TART route. Summer scheduled shuttle service to/from Tahoe City, 7 days a week from 9 AM to 8 PM (scheduled to augment existing TART service). • Pedestrian facilities will be built in the Homewood area to serve commercial businesses, improve access, improve drainage collection and treatment and provide scenic improvements (EIP 775) • Pedestrian oriented plans with pedestrian access to neighborhood oriented retail and TCPUD bike trail connection to North Base area reduces VMT. On-site daycare to reduce vehicle trips. • Fair-share participant in SR 28/SR 89 intersection improvement project (EIP 855) • Limitation of total maximum ticket sales during the winter season & limiting day skier parking to 400 on-site parking spaces; electronic signage at the Tahoe City "Y" alerting travelers when ski parking is full, alternative means of transportation. Plan calls for a limitation on ticket sales to those arriving via transit only once parking lot at site is full. • Potential to stockpile excavated materials on-site for use by other area projects such as the Blackwood Creek Restoration Project. This would reduce truck trips and VMT caused by material hauling during construction.
Scenic Resources	<ul style="list-style-type: none"> • Underground utility lines throughout the Project area. • Existing landmark trees integrated into landscape design. • Implement landscape frontage improvements, access controls, building upgrades, sign conformance & walkways throughout project site. • Underground parking and replacement of surface parking lot at frontage with landscaping and pedestrian paths. • Articulated design and incorporation of natural building materials. • Public outdoor artwork at: hotel landscaped area, day skier drop-off landscape area and public ice pond. Public art also planned at indoor public spaces in hotel and day skier facility. Artwork by local/regionally based artists.

HOMWOOD MOUNTAIN RESORT SKI AREA MASTER PLAN EIR/EIS

Environmental Resource	Improvements/Benefits
Forest Health	<ul style="list-style-type: none"> Homewood Mountain Resort has treated over 400 acres of forested areas to reduce the threat of catastrophic fire. There is a plan to continue the forest thinning/fuels management for all forested areas within the 1,200 acre Homewood Mountain Resort and the adjacent 100-acre TCPUD open space parcel. The fuels management program uses a chipper that grinds up fuels waste and spreads the resulting chip material onto the forest floor which helps to reduce storm water runoff and maintain a healthier forest floor.
Housing	<ul style="list-style-type: none"> Provision of 13 on-site affordable employee housing units under the proposed Master Plan. Employee transportation (buses & shuttles) to be provided for off-site employee housing locations (Tahoma/Sunnyside).
LEED Certification	<ul style="list-style-type: none"> The north base proposal has been accepted into and will be designed under the LEED for Neighborhood Development Pilot Program. The south base, although not a part of the LEED for Neighborhood Pilot Program, will also be designed to stringent sustainable development standards using the LEED criteria as a template. Although the goal is to achieve LEED Silver certification, the US Green Building Council initial formal feedback suggests plan is on course for Gold Level.
Open Space	<ul style="list-style-type: none"> All open space in master plan proposal are publically accessible. Primary open space areas at north base centered around the seasonal public ice pond area/miniature golf & landscaped frontage adjacent to SR 89. Deed restriction from further non-recreational development to be placed on whole of mountain beyond the North and South Base areas & Mid-Mountain Base area. Linkage from the public/pedestrian oriented spaces at base areas to a hiking trail system on mountain aided through a new way finding/graphic system.

HMR Master Plan, 2010

As shown in Table 6-2, Alternatives 1, 3, and 6 propose measures and features to achieve environmental benefits, including land coverage reduction, stormwater treatment above current regulatory requirements, community-wide recreational facilities, deed restricting the upper mountain for only recreational development, deed restricting affordable housing to ensure its presence is maintained, alternative transportation, SEZ protection and enhancement, and scenic quality improvements. While each of the items included in Table 6-2 will provide some amount of environmental benefit, several of the proposed measures will tangibly improve soil and recreational quality and help TRPA with attainment of soil conservation, scenic and recreation threshold standards.

The project includes removal and restoration of existing on mountain roadways no longer needed to operate the ski resort. To earn additional building height under the proposed TRPA Code Chapter 22 amendment, HMR has agreed to permanently retire a minimum of ten (10) percent of existing verified land coverage within the Project area, which equates to an approximate 178,000 square foot reduction in land coverage within the HMR Project area. Detailed analysis of land coverage is provided in Chapter 14, Soils, Geology and Seismicity. The land coverage reduction would be realized in the upper mountain area because existing land coverage located at the base areas as well as land coverage proposed for relocation is required for base area uses included in the Master Plan development plans. As documented in the land coverage analysis in Chapter 14, the overall Project area is shown to be under allowable land coverage limits. However,

existing land coverage is over allowable limits in land capability districts 1a and 2. The permanent retirement of land coverage proposed in the Master Plan and required to mitigate excess land coverage would help achieve soil conservation threshold standard SC-1. The relocation and permanent retirement of existing low capability land coverage would not occur if the proposed plan area boundary is not adopted to allow the proposed multi-family residential uses included in the HMR Master Plan. HMR's Master Plan objectives include the addition of residential and tourist accommodation units at the base areas to increase mid week visitation to the ski resort to make it a sustainable business.

The Proposed Project includes improvements to the quality of an existing winter day use recreational resource with the replacement and upgrade of existing facilities (e.g., lifts, lodges, snowmaking systems, etc.). The project also includes new summer day use recreational facilities (e.g., hiking trails, bike paths, mid mountain swimming, public gathering place, and amphitheater at North Base area) that will expand community wide recreational opportunities in the west shore of Lake Tahoe. These improvements and new facilities will be privately funded and available to the public to increase recreational opportunity and quality and would not occur if the proposed plan area boundary is not adopted to allow the proposed multi-family residential uses included in the HMR Master Plan. As a result, implementation of the Master Plan would help achieve recreational threshold standard R-1.

As part of the proposal to amend the urban plan area boundaries at the North and South Base areas, HMR has agreed to deed restrict the upper mountain area for solely recreational use. At present, the HMR Project area could be developed as estate home development, with one unit on each recognized lot (Alternative 4 studies potential use of the HMR Project area for non-recreational uses). The proposed deed restriction would preclude future non-recreational uses in a Master Plan amendment or as part of a future permit application initiated by a new property owner or owners. Although proposed improvements as shown in Table 6-2 support finding 13.7.D(2)(b), onsite construction would result in temporary impacts to air quality that are significant despite the implementation of BMPs to reduce the intensity of the impact. During construction, criteria pollutant levels would increase and particulate matter levels would temporarily exceed Placer County Air Pollution Control District threshold levels during Phase 1a. Although construction activities may impact air quality, this would be temporary, and other aspects of the project designed to improve soil conservation, energy efficiency, circulation and alternative transportation would support overall air quality thresholds in the long-term. As a result, finding 13.7.D(2)(b) can be made for the proposed amendments to the urban plan area boundary based on the environmental benefits and protections included in the proposed Master Plan and documented progress toward achievement of the soil conservation, scenic and recreation thresholds.

Plan Area Amendment – Permissible Uses: If findings are made for expansion of urban plan area boundaries, amendment to the urban plan area land uses would be required. Table 6-3 lists the land uses proposed under the Proposed Project (Alternative 1) and Alternatives 3 and 6 by TRPA Plan Area. Each alternative includes currently allowed uses, currently allowed special uses, and uses for which an amendment to the Plan Area is required. As shown in the table, a transfer of existing development rights (TDR) within a newly created “Special Area” is proposed as an amendment for Plan Areas 158 and 159 to allow the transfer of multi-residential (PAS 158 and 159) and tourist accommodation bonus units (PAS 159) into the Plan Areas. Because the Master Plan requires an adjustment to the Plan Area boundaries to place all of the North Base in

PAS 159 and all of the South Base in PAS 158, the land uses listed in the table reflect the uses by Plan Area as proposed in the Master Plan and corresponding PAS amendments.

As discussed above under Plan Area Amendment – Boundary Line, adding the land uses listed in Table 6-3 will promote the respective plan area “plan designations”. For Plan Area 157, personal services and participant sports facilities support ski resort function and the overall “Recreation” land use classification by either providing additional recreational facilities or services that attract visitors to the resort. These uses are proposed for Plan Area 157 to support year round use of the mid mountain lodge located at the top of the proposed gondola. Year round use of recreational facilities is encouraged in the TRPA Ski Area Master Plan Guidelines and Developed Recreation Policy 2 of Goal 4, which states “Seasonal facilities should provide opportunities for alternative uses in the off-season, whenever appropriate.”

Table 6-3

Alternatives 1, 3 and 6 Proposed Land Uses by TRPA Plan Area Statement

PAS	Allowable Use	Special Use	Amended Use
157	-Day Use Areas	-Cross Country Skiing Courses -Skiing Facilities -Eating and Drinking Places -Food and Beverage Retail -General Merchandise -Recreation services	-Personal Services (S) -Participant Sports Facility (S)
158	-Single-family Dwelling		-Multi-Family Dwellings (S) ¹ -Skiing Facilities (A) ¹ -TDR Receiving Area for Existing Development and Multi-Residential Units ²
159	-Hotel/motel/transient dwelling -Participant Sports Facilities -Outdoor Recreation Concessions -Day Use Areas -Eating and Drinking Places -Food/Beverage Retail -General Merchandise	-Employee Housing -Single-family Dwelling -Timeshare (hotel and residential design) -Skiing Facilities -Outdoor Retail -Amusements and Recreation Services -Outdoor Amusements -Personal Services	-Multi-Family Dwellings (S) ¹ -Privately Owned Assembly and Entertainment (S) ¹ -TDR Receiving Area for Multi-Residential Units ² -TDR Receiving Area for TAU Bonus Units (special area at North Base only) ²

1. Amended Uses added to a newly created “Special Area” within the Plan Area and not the entire Plan Area.
2. Amended Use added to a newly created “Special Area” within the Plan Area specifically for existing development and multi-residential units.

Multi-family dwellings and skiing facilities would be added to the list of permissible land uses in a “special district” within Plan Area 158. The special area would be limited to the existing South Base area of the HMR. Because the Plan Area is a “Residential” land use classification area, the addition of multi-family dwellings would be consistent with the Plan Area designation. Since dwelling density is limited to exclude multi-family dwellings, it is appropriate to limit this type of development to a “special district” within the resort. This will maintain the overall character of the predominantly single family residential area, while providing for a more varied mix of residential options at the base of the ski resort.

Permissible land use changes for Plan Area 159 include the addition of multi-family dwellings and privately owned assembly and entertainment. Proposed maximum densities for multi-family dwellings and employee housing are proposed to increase from 8 units per acre to 15 units per acre to enable the proposed development boundary to be more consistent with the past development footprint in the North Base area. At only 8 units per acre, the acreage of land area required for the proposed development would extend up the base of the mountain onto lands that are not as compatible for base area residential development. While the proposed Master Plan development would still be clustered at the existing base area, the larger development boundary required for lower density could create project permitting conflicts in the future because of its greater size.

The proposed uses are consistent with the “Tourist” land use classification by providing permanent and second home options for Homewood visitors, improving the quality of the Homewood Mountain Resort, and providing new attractions that entice visitation to the recreational amenities provided in this area. There are existing commercial and tourist uses in the vicinity of the Project area such as marinas that will benefit from additional tourist and housing options. The goals of the Project are to: 1) Optimize the quality of the existing winter ski experience and improve the year-round use of the site while responding to changes in technology, market trends and user preferences; 2) Maintain consistency with the scale and character of Homewood, California; 3) Enhance the lifestyle and property values of West Shore residents; and 4) Generate sufficient revenues to support the proposed environmental and fire safety improvements and ensure the continued viability of the ski operations. These land uses enable the goals to be achieved by allowing a vertical mix of uses that promote year-round tourism and economy and by locating higher density growth along the commercial corridor of SR 89, within the scale and character of Homewood.

Proposed special uses, as listed in Table 6-3, will require TRPA Code Section 18.1.B(1-3) findings for approval. The findings for Subsection 18.1.B(1-3) follow:

1. *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.*

The Project proposes expanded resort facilities that encourage visitation to existing recreational uses, improve land values, provide environmental benefit, provide neighborhood benefits, and plans for development that is located to compliment the urbanized area along SR 89. Although the Project will increase visitation by providing new overnight accommodations and increased density, these are goals of the affected Plan Areas to improve the viability of the existing resort and maintain the tourism based economy of the area.

For Plan Area 157, skiing facilities, recreation services, food/beverage sales and merchandise sales are all uses that either currently exist or that support current ski facilities. Expansion or modification of these uses is appropriate on the site as discussed above. TRPA PAS 157 states, “Upgrading and redevelopment of the Homewood base ski facilities should be encouraged.” As discussed in the Needs Assessment (HMR Master Plan Appendices), there is a need to better serve the skiers while on the mountain to improve the recreation experience. Skiers should not have to come all the way to the bottom of the mountain for food, restrooms, shelter and other related services. The proposed mid mountain lodge will provide these services on the upper mountain.

As discussed above, multi-family dwellings and skiing facilities are proposed for Plan Area 158 within a new “Special District” in which these uses would be confined. Because they are limited to the “Special District” within the existing ski resort property, the nature, scale, intensity, density, and type of use are appropriate at this location and reflect the recreation and tourist uses that exist in this area or that are currently allowed at the resort. Multi-family dwellings are residential uses, reflecting the land classification of this Plan Area and the confinement of these higher density dwellings to the resort property prevents changes to the overall residential character of the Plan Area. By keeping multi-family dwellings within the urban area, higher density use is appropriately placed within a more urbanized area, instead of the recreational open space area. Likewise, skiing facilities in this area help to tie this special district to the resort to distinctly recognize the special district’s affiliation with the resort base area.

For Plan Area 159, the special uses proposed support or include ski facilities. While some of these uses will expand the degree and intensity of use on the site, the uses are consistent with the primary land use on-site, which is a ski resort. The special uses listed expand upon resort facilities by including a variety of housing opportunities, including employee housing, or by including secondary recreation or entertainment uses that promote the year round viability of the existing and proposed resort facilities. The proposed increased range of uses is designed to allow the ski area to both respond to the Needs Assessment and improve the recreational experience, as well as to provide an economically viable resort so that the ski area can remain open. Based on HMR calculations (see Section 3.4 of this EIR/EIS), the proposed development levels included in Alternative 6 are the minimum size, scale, density and intensity of use necessary to support an economically viable resort. The proposed density is consistent with limits included in a majority of TRPA and Placer County Plans that allow multi-family residential use. The primary change sought by the Master Plan is the ability to subdivide tourist and residential units, which is not otherwise allowed outside an urban plan area boundary. The Master Plan proposed tourist and residential units could be built under the current TRPA and Placer County plan area regulations in PAS 157 but not subdivided for sale to individual owners. Under existing plan area regulations, the tourist and residential units would have to be owned and rented by HMR. According to HMR, the ability to sell some of the proposed tourist and all of the residential units is critical to the economic survival of the resort. Section 3.2 of this EIR/EIS lists the project objectives developed by HMR for the Project.

2. *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 the land, water and air resources of both the applicant's property and that of surrounding property owners.

The layout of the proposed land uses reflects the current use of the site as well as the surrounding neighborhood. The most intense land uses are proposed along the SR 89 corridor, with less intensive use on the mountainside of the existing ski area facilities. Although some of the land uses will be placed back from the SR 89 ROW, this area is currently used during winter for ski resort operations (e.g., parking and skier services). The removal of substandard structures and large expanses of surface parking and the addition of landscaping will improve the visual appearance of the site. Placement of housing and tourist accommodation units on-site will result in fewer vehicle trips during peak winter operations (e.g., weekends and holidays). The incorporation of ground and water transit, water quality improvements both on and off-site, land coverage restoration throughout the site, and extensive forest fuels reduction will substantially improve the environment of the Project area, as well as improve the public health and safety of surrounding urbanized areas.

3. *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 ski resort has a large impact on the character of the adjacent residential neighborhood. Each of the proposed special uses either directly reflect the existing uses (ski facilities, commercial uses, housing) or are uses that support the ski resort or enhance its year-round use as a recreational facility. As a whole, the Project maintains the purpose of the Plan Area Statements and locates the various types of uses within the appropriate areas with improved ski facilities on the mountain and more commercial and tourist oriented uses adjacent to the SR 89 corridor where they presently exist. With the provision of adequate on-site parking located primarily underground or in designated structured parking, adjacent uses should experience fewer land use related conflicts (e.g., noise, congestion, glare from parked cars) with operation of the ski resort during peak winter operations. New summer operations would occur as a result of the inclusion of tourist and residential land uses. However, these uses would also benefit from improved access and parking for the Project area. The replacement of existing surface parking and off-site parking on the street throughout the neighborhood with a day skier parking structure and lodging guest sub-structure parking will substantially improve the access and safety throughout the neighborhood. Also, the addition of improved transit options, neighborhood serving commercial, year round recreation resources, and other accessory facilities will contribute positively to the character of the residential and tourist oriented community.

Some proposed Master Plan uses require amendment of the list of permissible land uses in Plan Area 158 and 159. According to Subsection 13.7.B of the TRPA Code, modifications to permissible land uses shall be amended by ordinance. Under 13.7.D, the Code includes specific findings for amendments to add multi-family housing as a permissible use. To include multi-family housing, the plan area must be suitable for transit-oriented development (TOD). In determining TOD suitability, the following factors must be found:

- a) The area must have access to operational transit within a 10 minute walk; and
- b) Neighborhood services within a 10 minute walk (grocery, drug, retail stores, laundry services, medical services); and

- c) Good pedestrian and bike connections; and
- d) Opportunities for residential infill (at densities greater than 8 units per acre) or infill with mixed uses; and
- e) Adequate public facilities (schools, recreation, government services, and post offices).

The Proposed Project (Alternative 1) and Alternatives 3 and 6 include on-site transit operations and retail services, with a small market and other services located within walking distance. Resort operated dial-a-ride and other transit shuttle services, including waterborne shuttles, are proposed in the Master Plan to augment the existing TART system. A sidewalk and bike connections will also be located along the SR 89 corridor. The Proposed Project and Alternatives 3 and 6 propose infill with mixed uses. A post office and 2 marinas, cross – country ski trails, and other recreational uses are located either on-site or nearby. Although schools and government services are not located on-site, they are located nearby in Tahoe City. A majority of the multi-family units are expected to be second homes and not occupied by permanent residents that require school facilities and other governmental services.

Because deed restricted affordable housing is also proposed, TOD suitability is determined through the following factors:

- a) Access to operations transit within a 10 minute walk; and
- b) neighborhood services; or
- c) public facilities.

As discussed above, public transit stops are included on-site as well as local neighborhood services. Other neighborhood services and public facilities are located within walking distance along SR 89. Resort operated dial-a-ride and other transit shuttle services, including waterborne shuttles, are proposed in the Master Plan to augment the existing TART system.

As discussed above, amendments to the West Shore Area General Plan are needed to alter the Special Designation for Plan Areas 158 and 159 and amendments to the list of permissible uses is also required. Because County Plan Area 157 Special Policies allow new commercial facilities at the base areas (Policy 4) as well as accessory uses on the mid or upper mountain (Policy 4), special policy amendments are not needed for County Plan Area 157. Since participant sports facilities are already permissible as a special use, only personal services (weddings, receptions, etc.) would need to be added to the list of permissible land uses for the Mid Mountain Lodge area. County Plan Area 158 requires the same Special Designation addition of TDR Receiving Area for 1) Existing Development and 2) Multi-Residential Units to the newly created “Special Area.” County Plan Area 158 also requires the addition of Multi-Family Dwellings and Skiing Facilities to the newly created “Special Area.” County Plan Area 159 requires the Special Designation addition of TDR Receiving Area for Multi-Residential Units and Tourist Accommodation Bonus Units. In addition, the list of permissible land uses will need to be expanded to include Multi-Family Dwellings and Privately Owned Assembly and Entertainment, although outdoor concert events are currently permissible as a special use. The urban plan area boundary amendment for Plan Area 158 would be the same for both the County and TRPA. For Plan Area 159, the County’s Plan Area boundary amendment would be smaller because the existing paved parking lot at the North Base area is currently located in County Plan Area 159.

According to County Code Section 17.60.090 (G) amendments to General Plans are processed through 1) a Planning Commission Hearing and Recommendations followed by 2) a Board of Supervisors Hearing and Decision per County Code Sections 17.60.090 (A through D). As discussed above for amendments to TRPA Plan Areas, it is feasible for County amendments to occur as these changes do not alter the intent of classification of their respective plan areas and they would be in keeping with proposed TRPA mapping.

The consistency analysis in Chapter 4 reveals inconsistencies between the Proposed Project (Alternative 1), Alternative 3, Alternative 6 and the TRPA Regional Plan, TRPA Plan Area Statements, the West Shore Area General Plan, and the Placer County General Plan. Implementation of proposed amendments results in inconsistencies with policies related to transfer of development rights, plan area boundaries, height and allowable uses that would otherwise result in an inconsistency. Implementation of proposed mitigation measures eliminates the other inconsistencies with policies related to noise, habitat, SEZ function, operational air quality, groundwater, fertilizer use, transportation and circulation, erosion control, species protection, scenic improvements, development fees, and affordable housing.

Mitigation: No mitigation is required.

Analysis: *Significant Impact; Alternative 4*

One PAS amendment is proposed under Alternative 4. Alternative 4 proposes commercial uses within the north base parking area currently located in TRPA Plan Area 157 and Placer County Plan Area 159. In this area, a variety of commercial uses may be considered under the provisions of a special use including eating and drinking places, food and beverage retail sales, general merchandise stores, outdoor retail sales, amusements and recreation services, and secondary storage. However, at present, Plan Area 157 is not a TDR receiving area for existing development. To allow for transfer of commercial floor area to Plan Area 157 under Alternative 4, a special area is required that would allow TDR for existing development. The same amendment is required for Alternatives 1 and 3 for transfer of commercial floor area to the mid mountain lodge. Although it is currently unknown what types of commercial uses will occupy the proposed commercial lot under Alternative 4, the variety of allowable and special uses already established within the Plan Area indicate that any future commercial use proposed under Alternative 4 will likely be compliant with the existing list of permissible uses for Plan Area 157. Commercial development at the North Base parking area would be inconsistent with existing Plan Area 157 special policies, which state "Any new or additional commercial uses shall be permitted only pursuant to an adopted Community Plan." Alternatives 1 and 3 proposed to amend this special policy to also allow new or additional commercial uses pursuant to an adopted Ski Area Master Plan. However, under Alternative 4, there would be no Ski Area Master Plan. As such, this impact is considered to be significant.

Single-family estate lots are proposed for the remainder of the proposed development area under Alternative 4. Single-family dwellings may be considered under the provisions for a special use in Plan Area 157.

Because single-family dwellings are a special use, they will require TRPA Code Section 18.1.B(1-3) findings for approval, as follows:

1. 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.

Alternative 4 proposes 16 residential estate lots. The low density of lots reflects surrounding residential uses. With large lots, the residences will be well separated and will not intensify urbanization in the area. The proposed estate lots are located on the lower portion of the existing ski resort and may be visible from off-site locations, including Lake Tahoe. However, the dense forest vegetation and large size of the proposed lots (e.g., approximately 20 acres) will facilitate substantial screening from adjacent land uses.

2. 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 the land, water and air resources of both the applicant's property and that of surrounding property owners.

Because a small number of estate residential lots are proposed, the effect of 16 single-family residences will be negligible on the adjacent residential neighborhood. In addition, the overall use of the Project area will decrease with the elimination of the winter ski resort operations. However, with the sale of the Project area to individual land owners, there will be more parties responsible for the installation and maintenance of BMPs for new development and upkeep of the remnants of the former ski resort (e.g., on mountain dirt roadways). As such, implementation of Alternative 4 could lead to greater potential for soil erosion and corresponding water quality impacts in addition to the loss of the existing recreational skiing opportunity.

3. 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 single-family estate lots will not change the character of the neighborhood. The surrounding area is characterized by a commercial corridor along SR 89 with residential uses tucked within the natural landscape beyond the commercial developments. This alternative will continue to reflect this existing character; however, closure of the ski resort to allow residential estate lots will eliminate the Project area's ability to meet the recreational goals of Plan Area 157.

As addressed above and in Chapter 4 (Relationship to Existing Land Use Plans, Policies, and Regulations), Alternative 4 is not consistent with many TRPA or Placer County land use plans, goals, policies, and provisions adopted for the purpose of avoiding or mitigating environmental effects. For example, closure of the ski resort is considered a significant land use impact as a major recreational provider would cease to exist/operate affecting recreation resources available in the Lake Tahoe Basin and supporting commercial services. As a result, numerous policies included in the County and TRPA Plan Areas would not be achieved. Ski Resort closure would also affect the adjacent tourist plan area 159 as the resort area would be substantially redefined and future commercial uses would be severely limited without the tourist draw of the ski resort. As discussed above, long-term environmental impacts may also result, such as water quality impacts from the on mountain roadway network. Therefore, this impact is considered to be significant and unavoidable.

Mitigation: No mitigation is available.

After

Mitigation: *Significant and Unavoidable Impact; Alternative 4*

No mitigation is available to offset the closure of the ski resort under Alternative 4. While Plan Area Statements may be amended to allow commercial development within the existing North Base area parking lots, the degree of change from the closure of the ski resort would necessitate the complete reclassification of the Project area. Loss of a large winter day use recreation resource could not be mitigated because there are no sites available for its replacement in the Lake Tahoe Basin.

Analysis: *Significant Impact; Alternative 5*

As with Alternatives 1 and 3, Alternative 5 requires an amendment to the Plan Area 159 boundary to include the existing ski area parking lot at the North Base area. Under Alternative 5, approximately 5.1 acres located within Plan Areas 157 and 158 will be added to Plan Area 159. As shown in Figure 6-3, the Plan Area 159 amendment would not include the remainder of the North Base area located west of the existing parking lot under Alternative 5 because proposed uses in this portion of the North Base would be consistent with uses presently permitted in Plan Area 157. No amendment is required to the Plan Area 158 boundary at the South Base area, because Alternative 5 proposes single family homes at the South Base area, which are currently a permissible use in Plan Area 157 (special use). In summary, under Alternative 5, all proposed multi-family housing units would be located in the area used for existing North Base parking lots. The existing gravel parking lot is located in TRPA Plan Area 158, a residential plan area. The existing paved parking lot is located in TRPA Plan Area 157, a recreation plan area. However, under the Placer County West Shore Area General Plan, the paved parking lot is located in Placer County Plan Area 159, a tourist plan area considered to be appropriate for residential development.

As with Alternatives 1 and 3, Alternative 5 proposes to amend the list of allowable land uses for Plan Area 157 to add personal services and participant sports facility and Plan Area 159 to add multi-family dwellings. In addition, Alternative 5 requires the addition of TDR Receiving Area for existing development to Plan Area 157 to allow for the transfer of Tourist Accommodation Units and commercial floor area, which are currently allowed uses in Plan Area 157 but cannot be transferred to the plan area from outside areas. Unlike Alternatives 1 and 3, Alternative 5 also requires the addition of privately owned assembly and entertainment use to Plan Area 157 to permit the proposed amphitheater which would be located in Plan Area 157 rather than Plan Area 159. The proposed multi-family dwelling use for Plan Area 159 would be limited to a newly created "Special Use" area at the North Base Development Area (e.g., in the existing gravel and paved parking lot area). This Plan Area 159 "Special District" will also be proposed to be a TDR receiving area for multi-family residential units. Because of the smaller size of the proposed Plan Area 159 boundary amendment for Alternative 5 (only approximately 5 acres consisting of the existing parking areas), the required density maximum for the multi-family residential units would be approximately 45 units per acre.

The necessary findings for amendment of the Plan Area boundaries and allowable uses are described above under Alternatives 1 and 3. Under Alternative 5, the size of the urban area expansion would be smaller than Alternatives 1 and 3, limited to the existing parking area at the North Base area, an area presently used for urban type land uses (e.g., parking and skier services). As mentioned above, a portion of the existing north base

parking area is presently recognized by both TRPA and Placer County as an urban plan area. Therefore, restricting the Alternative 5 multi-family for sale uses to the existing parking areas is being studied as an alternative to expanding an urban plan area (159) into non-urban plan area 157. As discussed above, the environmental benefits of the Project, which would also occur under Alternative 5, and the inclusion of transit oriented development into Project design indicate the necessary findings can be made for the amendment to the plan area boundary and uses. However, as addressed above and in Chapter 4 (Relationship to Existing Land Use Plans, Policies, and Regulations), Alternative 5 is not consistent with several TRPA or Placer County land use plans, goals, policies, and provisions adopted for the purpose of avoiding or mitigating environmental effects. For example, in order to fit the multi-family units proposed in Alternatives 1 and 3 into the existing north base parking areas, necessary density is increased to 45 units per acre, using 4- and 5-story buildings. Forty-five (45) units per acre is not currently a permitted density in the TRPA Regional Plan and would require an amendment to TRPA Code Chapter 21, Density. However, a density amendment for Alternative 5, if proposed, would result in significant impacts to scenic quality as documented in Chapter 10, Scenic Resources. Therefore, this impact is considered to be significant and unavoidable.

Mitigation: No mitigation is feasible.

After

Mitigation: *Significant and Unavoidable Impact; Alternative 5*

No mitigation is feasible to accommodate up to 45 multi-family units per acre in the existing north base parking areas under Alternative 5. While Plan Area Statements may be amended to expand boundaries and add necessary land uses, the required building massing and height for the density proposed in Alternative 5 would result in significant and unavoidable impacts to adjacent land use (see Impact LU-2 below) and scenic quality.

Impact: **LU-2. Will the Project be consistent with adjacent land uses, expand/intensify existing non-conforming uses, or transfer development rights that exceed density limits?**

Analysis: *Less than Significant Impact; No Project (Alternative 2)*

No change to existing conditions will occur under the No Project (Alternative 2). While HMR has said that continued operation of the existing ski resort is uncertain without approval of a Master Plan to allow residential and tourist development of the base areas, under the No Project (Alternative 2) the Project area is assumed to continue to be used for ski resort operations without tourist accommodation or residential units. No change will occur to the 13,943 square feet of skier services at the North Base and 11,084 square feet of skier services and maintenance at the South Base. Existing facilities include the warming shelter, vehicle shop/maintenance facility, food services, restrooms, ski school, rentals/repairs, snowmaking, ski lifts, administrative offices, employee services, ski patrol, and sales. The 980 total parking spaces at the North Base and 242 total parking spaces at the South Base will remain in their current locations. No expansion, intensification, or new uses are proposed under the No Project (Alternative 2). Since existing conditions will continue in the same capacity as they currently operate, this impact is considered to be less than significant.

Mitigation: No mitigation is required.

Analysis: *Significant Impact; Alternatives 1, 3 and 6*

Consistency with Adjacent Land Uses. The Proposed Project (Alternative 1) and Alternatives 3 and 6 will result in substantial changes to the existing conditions, with proposed new land uses as defined by TRPA, expansion or modification of existing land uses, and overall changes to the layout, height and density of the developed base areas at Homewood Mountain Resort. Existing structures will be deconstructed. As discussed in Chapter 3, the Proposed Project (Alternative 1) and Alternatives 3 and 6 will result in a mixed-use base area (North Base), a residential base area (South Base), and a lodge at the Mid-Mountain Base area, including:

	Alternative 1	Alternative 3	Alternative 6
NORTH BASE AREA			
Hotel			
Rooms	75	75	50
Condo/Hotel Units	40	40	25
Penthouse Condos	30	30	0
Residential Condos	36	36	145
Fractional Condos	20	20	0
Townhouses	16	16	0
Residential Lots	0	0	0
Workforce (Affordable) Housing	13	13	12
Commercial	25,000 sf	25,000 sf	25,000 sf
Skier Services	30,000 sf	30,000 sf	20,000 sf
Parking spaces			
Day skier structure	272	272	156
Surface parking	47	47	80
Underground	410	410	410
<i>Total Parking</i>	<i>729</i>	<i>729</i>	<i>646</i>
SOUTH BASE AREA			
Residential Condos	99	99	50
Maintenance	0	0	0
Parking spaces	117	117	65
Residential Lots	0	0	14
Skier Services	2,000 sf	2,000 sf	2,000 sf
MID-MOUNTAIN AREA			
Day Lodge	15,000 sf	15,000 sf	15,000 sf
Gondola terminal	18,000 sf	18,000 sf	18,000 sf
Maintenance facility	15,000 sf	15,000 sf	15,000 sf
Water storage tanks (250,000 gallons each)	2	2	2

In addition to the units described above, Alternatives 1, 3 and 6 will include changes to ski lifts (without any increase to verified PAOT capacity) and the addition of bike trails, a cross-country ski connection, amphitheater, ice skating facilities, swimming facilities, and small miniature golf facility that are either common to a ski resort and compatible with a resort function or are features that are open to the community and enhance overall recreation and community gathering opportunities. These uses will be located on the mountain in Plan Area 157 or at the North Base area in the proposed Plan Area 159 expansion area. Plan Area 157 lists day use areas and riding/hiking trails as acceptable uses and cross-country ski courses, and skiing facilities as special uses. Plan Area 159 lists local assembly and entertainment, day use areas, and participant sports facilities as allowable uses, with cross-country skiing courses, riding/hiking trails and skiing facilities as special uses. Because the project site currently houses recreation facilities, modifications to ski facilities and the addition of new recreation facilities that either expand winter recreation options (cross-country ski connection and ice skating) or expand summer recreation opportunities beyond the existing hiking trails (swimming, biking, miniature golf) are considered to be consistent with existing and adjacent land uses. Neither of these Alternatives would require an allocation of additional TRPA PAOTs.

The proposed hotel is consistent with the existing land uses in the Project area and is an allowable use in both Plan Areas 157 and 159. Condo-hotels, residential condos, employee housing, and single-family dwellings are all special uses within PAS 157 and 159. Only single-family dwellings are allowed in PAS 158. Timeshare units are a special use in Plan Area 159 and are not allowed in Plan Area 157. With the proposed amendment to Plan Area 159 boundaries, each of the proposed Master Plan uses would be located in Plan Area 159 under Alternatives 1, 3 and 6.

Existing uses, ski facilities and ski services, conform to Plan Area 157. These uses will be upgraded, but the TRPA verified PAOT capacity will not increase for resort use because some lifts have already been, or will be removed entirely and others will be replaced with increased capacity (e.g., the existing Madden chair lift will be replaced with a high speed gondola). New uses include non-skiing recreation resources, tourist accommodations and residential use to support the existing and proposed recreation operations, and commercial services that support the recreation operations such as food and beverage sales. Expansion of these recreation and residential uses would enhance the recreation and visitor experience and help achieve the land use direction for the applicable Plan Areas at Homewood. Adjacent land uses include single-family homes, commercial uses, recreation facilities, and tourist accommodations. The existing commercial uses are centered along SR 89 with the majority of single family homes located off SR 89 to the north and south of the existing base areas. Increased density along the SR 89 corridor, while providing scenic enhancements included in the Master Plan, is consistent with the community planning direction as discussed in Impact LU-1. Therefore, the proposed land uses and their locations in Alternatives 1, 3 and 6 are consistent with adjacent land uses and would not expand/intensify existing non-conforming uses.

Expand/Intensify Existing Non-Conforming Uses. Existing facilities include the warming shelter, vehicle shop/maintenance facility, food services, restrooms, ski school, rentals/repairs, snowmaking, ski lifts, administrative offices, employee services, ski patrol, parking and sales. These are considered skiing facilities or uses accessory to skiing facilities, such as the maintenance facility and administrative offices, and are special uses listed under Plan Area 157. Non-conforming uses are considered existing

uses not listed in Plan Area 157. Since ski facilities are listed as a special use in Plan Area 157, they are not considered non-conforming. There are no existing non-conforming uses onsite; therefore, the Proposed Project (Alternative 1) and alternatives would not expand or intensify existing non-conforming uses.

Transfer of Development Rights. Alternatives 1, 3 and 6 propose to transfer residential units, development rights, tourist accommodation units and bonus units to the Project area. The transfer of development rights would increase the overall development density within the project area. Table 6-4 outlines the proposed tourist and residential units and the existing inventory of transferable units for each action alternative.

The Project Applicant currently has 152 Tourist Accommodation Units (TAUs) available for the Project associated with the North Shore Lodge/Sierra Tahoe (13) and the Tahoe Inn (139). TAUs are required for the 155 proposed traditional hotel units, condo-hotel units and fractional (e.g., timeshare) units. In addition, under the CEP application, Homewood has applied for 50 bonus TAUs from the TRPA special project's pool available based on restoration of low capability lands associated with 50 units at the Tahoe Inn property (located on Class 3 land). These 50 bonus units will replace 50 TAUs from the Tahoe Inn that Homewood is proposing to convert to ERUs under the provisions of TRPA Code Chapter 33.7. With the 152 TAUs in the Project Applicant's inventory, a deficit of three TAUs exists under Alternatives 1 and 3. Under Alternative 6, there would be a surplus of 77 TAUs.

The TAUs proposed for construction at the HMR Project area under Alternatives 1, 3 and 6 will, for the most part, be larger than the TAUs removed from the sending sites. The average TAU size under the Proposed Project (Alternative 1) and Alternatives 3 and 6 is approximately 637 square feet. The TAUs proposed in Alternatives 1 and 3 consist of 75 traditional hotel rooms that average 450 square feet each, 40 condo/hotel units that average 1,000 square feet (20 of which will have lock offs and therefore will utilize two TAUs each at 500 square feet), and 20 fractional condos that average 1,250 square feet each. The TAUs proposed in Alternative 6 consist of 50 traditional hotel rooms that average 450 square feet each, and 20 condo/hotel units that average 1,000 square feet. The average size of the TAUs demolished within the sending parcels is approximately 325 square feet (approximately 13 by 25 feet). However, transferring the TAUs to the HMR Project area would eliminate potential impacts (e.g., trip generation, land coverage, etc.) that could result within the sending Plan Area or Community Plan because the transferred TAUs would not be rebuilt at the sending location in the future. For example, the Tahoe Inn site at North Stateline is largely Class 3 land and that sensitive land will be restored and deed restricted to open space. The new TAUs planned at Homewood would be built on higher capability land (Class 4 or better) and will utilize less water and energy resources per unit than the units removed from off-site locations proposed for TAU transfer. The North Base area mixed-use development proposal has been accepted into and will be designed under the Leadership in Energy and Environmental Design (LEED) for Neighborhood Development Pilot Program as an example of exemplary green and sustainable development. The south base, although not a part of the LEED for Neighborhood Pilot Program because it is not a mixed-use development (residential only), will also be designed to stringent sustainable development standards using the LEED criteria as a template.

Table 6-4**Proposed Tourist and Residential Units by Alternative**

Units	Alt 1	Alt 3	Alt 4	Alt 5	Alt 6
Tourist Accommodation Units (TAU – Hotel and Timeshare Units)					
Proposed TAU:					
Hotel Rooms	75	75	0	75	50
Condo Hotel ²	60	60	0	0	25
Fractional Units	<u>20</u>	<u>20</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL TAUs	155	155	0	75	75
HMR Purchased TAU available for Transfer ¹	102	102	102	102	102
Bonus TAU requested by HMR in CEP ¹	50	50	50	50	50
Total TAU available to HMR	152	152	152	152	152
Additional TAUs Required	3	3	0	0	0
Equivalent Residential Units (ERU – Whole Ownership and Single Family Units)					
Proposed ERU:					
Residential Condominiums	135	135	0	225	145
Townhouses	16	16	0	0	0
Penthouse Condominiums	30	30	0	0	0
Residential Lots	<u>0</u>	<u>0</u>	<u>16</u>	<u>16</u>	<u>14</u>
TOTAL ERUs	181	181	16	241	159
Homewood owned TAUs to be converted to ERUs (based on low capability restoration match) ¹	50	50	0	50	50
HMR Purchased ERU available for Transfer ³	3	3	3	3	3
HMR Purchased Development Rights ³	23	23	23	23	23
Total ERUs and Development Rights Available	76	76	76	76	76
Additional ERUs Required	105	105	0	165	83
Multi-Family Residential Bonus Units (MBRU - Affordable Housing)					
Proposed MRBU (TRPA bonus pool)	13	13	0	12	12

Source: HMR, September 9, 2009

- 1 HMR has an inventory of 152 TAUs from two properties in the North Shore (North Shore Lodge – 13 TAU and Tahoe Inn – 139 TAU). HMR proposes to convert 50 of the restored TAU from the Tahoe Inn Class 3 lands to ERUs under the provisions of TRPA Code Chapter 33.7 (one ERU for each TAU with low capability land restoration credit). HMR has requested 50 bonus TAUs from the TRPA special project pool that may be granted as a result of low capability (Class 3) restoration associated with units at the Tahoe Inn.
- 2 Although 40 units are proposed, the design on the 20 units with lockoffs requires two TAUs per unit with a lockoff. Therefore 60 TAUs are required for the 40 Condo-Hotel units.
- 3 HMR has an inventory of 26 ERUs and developments rights from two sources – TVI (23 development rights) and the Tahoe Inn (3 ERUs).

Note: Less than 10% of the hotel rooms would include kitchens. All other units (residential condominiums, fractional units, condo hotel, penthouse condominiums, townhouses) would include kitchens.

Equivalent residential units (ERUs) are required for the penthouse condominium, residential condominium, and townhome units. The Project Applicant currently has an inventory of 26 ERUs associated with the Tahoe Inn (3) and 23 development rights acquired from Tahoe Valley Investments (TVI). In addition, HMR proposes to convert 50 of the restored TAU from the Tahoe Inn Class 3 lands to ERUs under the provisions of TRPA Code Chapter 33.7 (one ERU for each TAU with low capability land restoration credit) for a total of 76 ERUs.

The units transferred from a portion of the Tahoe Inn in the North Stateline Community Plan (NSCP) are eligible for conversion to ERU because of the low capability land coverage restoration that would occur on the Tahoe Inn sending site. While the NSCP encourages the transfer of TAUs into this urban area, the transfer of units out of this area may be considered beneficial because a nearly equivalent number of TAUs is proposed to be transferred into the NSCP for the proposed Boulder Bay CEP Project. Most of the land in the NSCP is land capability class 3 and is not eligible for additional coverage or unit transfer, because TRPA Code limits the transfer of development into low capability sites unless there is no increase in existing land coverage or parking. Development rights, which are needed for each additional residential unit approved, can be transferred if the transfer complies with the density limitations of the receiving site. Therefore, the Plan Area Statement amendments discussed above in LU-1 must be approved to allow the proposed transfer because multi-family residential is currently not allowed.

Chapter 33.7 allows the conversion of TAUs to ERUs at a one to one ratio as stated in Section 33.7.A – Transfer from Sensitive Lands, “Conversion of an existing residential or tourist accommodation units to a residential, tourist, or commercial use may be permitted when a residential or tourist unit is transferred from a parcel classified as land capability districts 1, 2, 3, or SEZ, and the parcel is restored.” The 50 TAUs from the Tahoe Inn restoration site may be converted to ERUs based on the provisions of Chapter 33.7.A. With this conversion and transfer included, Alternatives 1 and 3 will have 76 ERUs and development rights available, resulting in a demand for 105 additional ERUs to accommodate total buildout. However, Alternatives 1 and 3 require 66 ERUs for Phase 1 (North Base) development and therefore additional ERUs would be needed for Phase 2 (South Base) development. Under Alternative 6, there would be a remaining demand for 83 additional ERUs, but 33 of those additional ERUs would be needed for Phase 1 (North Base) development, leaving Alternative 6 short for both Phase 1 and Phase 2.

The 13 affordable housing multi-family units proposed under Alternatives 1 and 3, and 12 affordable housing units proposed under Alternative 6 will require multi-family residential bonus units (MRBU) from TRPA’s bonus pool for affordable housing. HMR is requesting 13 MRBUs from TRPA for Alternatives 1 and 3; however, the February 2008 Resolution only identifies reservation of 12 MRBUs. The 2008 Resolution also requires deed restrictions in perpetuity for the use of MRBUs for affordable housing to ensure they are not later converted to market rate units. The 13 workforce housing units will be located at the North Base area adjacent to the parking structure (Building P). As discussed in Chapter 7, the 13 two-bedroom apartments will accommodate a maximum of 52 employees for Alternatives 1 and 3. With only 12 units recognized by TRPA, there is a deficit of one MRBU allocation for Alternatives 1 and 3. However, there are many MRBU available and the provision of affordable housing is one of the goals of the TRPA CEP and Placer County General Plan.

Many of the TAUs proposed for transfer are from the NSCP area. However, approximately 45 of the TAUs have already been removed and banked on the site of the Tahoe Inn and as a result, are not being physically removed as a result of the proposed transfer. The parcels from which these TAUs originated were overdeveloped at the time of their construction and exceeded the allowable land coverage limits. In addition, a portion of the Tahoe Inn units were located within sensitive low capability Class 3 lands that are being restored to earn bonus TAUs from TRPA's special project pool. Although the transfer of 139 TAUs associated with the Tahoe Inn would result in a decrease in the available TAUs in the NSCP, it would also contribute to water quality and scenic quality improvements, helping to meet other applicable Community Plan goals.

The physical effects at the Project TAU receiving site have been analyzed in this EIR/EIS and have been mitigated where necessary to avoid significant impacts. The proposed TAU transfer will reduce existing development potential in the NSCP. However, the Boulder Bay CEP Project is currently proposing to utilize 31 bonus TAUs available from the NSCP and a transfer of 136 TAUs (40 bonus TAUs and 96 Boulder Bay owned TAUs) into the NSCP. Therefore, slightly more units will be added to the NSCP (from bonus pools and Washoe and El Dorado County transfers) under Alternatives 1 and 3 than will be transferred out for the HMR Project, helping to balance the overall TAU supply in the NSCP.

Section 34.4 of the TRPA Code of Ordinances outlines the process for transferring TAUs and ERUs. Existing developments may be transferred within the same classification (ERU to ERU or TAU to TAU) to a receiving parcel in a Plan Area or an adopted community plan designated for receiving such transfers. In addition, the Plan Area or Community Plan must allow the type of use to be transferred or findings must be made to allow a special use transfer. Historical structures and affordable housing may or may not be transferred and the transfer shall be evaluated for adverse impacts that must be mitigated (Section 34.4.B(7)). The Code further states that the receiving parcel shall be land Class 4 Capability or greater unless: there is greater than 25 percent reduction in existing land coverage with restoration on the receiving parcel with no adverse impacts, or parking, vehicle, or structural volume increases; or the transfer is from sensitive land to equal or less sensitive land with a reduction of coverage and restoration equal to 300 square feet of the land coverage. Following transfer, the development from which the transfer occurred must be removed or modified consistent with the terms of the transfer, and the land must be restored and maintained to eliminate the units that once existed on that site. If some of the transfer units originated on sensitive lands, that land shall be permanently restricted from transferring development back to the parcel through a deed restriction or other recorded covenant. With the proposed use of Class 4 land capability or better on the Project site as well as the restoration of the Tahoe Inn site, transfer of the units from the Tahoe Inn site to the HMR Project area is feasible with the approval of the proposed Plan Area Statement amendments discussed in LU-1 above.

The proposed Homewood Master Plan receiving area for the transferred TAUs (currently located in Plan Area 157) does not currently allow transfer of existing development rights. As discussed under Impact LU-1, the proposed Master Plan includes a Plan Area amendment that would move the North Base development area into Plan Area 159 and would allow for transfer of TAUs into the Project area. Both Plan Areas 157 and 159 currently allow for tourist oriented development, but Plan Area 159 does not require special use findings for hotel units and Plan Area 157 does not allow the timeshare use that is allowed in Plan Area 159 under the provisions of special use.

In addition to residential and tourist units, Alternatives 1, 3 and 6 request 25,000 square feet of commercial floor area (CFA) from TRPA's bonus pool. According to the February 2008 TRPA Resolution, up to 23,237 CFA have been reserved for the project. Pursuant to Chapter 33 of the TRPA Code of Ordinances, projects that create additional CFA cannot be constructed without first receiving an allocation approved by TRPA. Therefore, the CFA reservation recommended in the Resolution must be approved prior to construction; however, the requested CFA (25,000) exceeds the recommended CFA reservation (23,237 CFA) by 1,763 CFA. Since no additional CFA may be constructed without TRPA CFA allocation and approval, the project request currently exceeds the 2008 reservation and a reduction shall be required or additional CFA will need to be reserved. As shown in Table 6-2, the Project demonstrates environmental benefits needed to approve the CFA reservation.

Since the proposed uses are either an appropriate expansion of facilities as discussed in LU-1 or are uses that will be amended to the Plan Area in support of Plan Area and community-wide goals, the Proposed Project and Alternatives 3 and 6 are determined to be consistent with adjacent land uses. Although some TAU, ERU, and CFA have been allocated or purchased, the proposed mix of tourist, residential, and commercial uses will require the allocation of additional CFA, MFBU, and ERU before permits can be finalized.

Mitigation: **LU-2a. Purchase and Transfer of Additional ERUs**

Prior to permitting ERU development associated with the proposed Master Plan in excess of current entitlements, HMR shall obtain ERUs adequate for the proposed project application. At present, HMR is lacking ERUs for their proposed Phase 2 development at the South Base and the Townhouses at the North Base under Alternatives 1 and 3, and a portion of the proposed Phase 1 development under Alternative 6. These ERUs can be obtained by either converting excess TAUs that originated on low capability lands or by purchasing ERUs from other off-site locations. Prior to transfer, HMR shall demonstrate that the transfer of these additional units does not result in negative impacts to the Plan Area or Community Plan from which the purchased units came. Preferably, the units will be transferred from a nearby Plan Area or Community Plan area located in Placer County, and will be associated with the restoration of sensitive lands.

If the TRPA Governing Board does not approve an increase in the number of MRBUs included in the TRPA February 2008 Governing Board resolution, then the proposed affordable housing units shall be reduced to 12 or an additional ERU may be transferred to the Project Area (Alternatives 1 and 3) area to accommodate the proposed 13 affordable housing units.

LU-2b. CFA Reduction or Additional CFA Reservation

To comply with the CFA allocation reserved by TRPA under the 2008 Resolution, the project must reduce total CFA by 1,763 square feet or obtain an additional 1,763 square feet of CFA pursuant to TRPA Code Section 33.3. If additional CFA is pursued, the additional CFA must be obtained prior to the permitting of the development phase for which it will be applied.

After

Mitigation: *Less than Significant Impact; Alternatives 1, 3 and 6*

Implementation of mitigation measures LU-2a and LU-2b will reconcile requested entitlements with those available to the Proposed Project (Alternative 1) or Alternatives 3 and 6. The addition of additional entitlements or the reduction of the proposed project to match supply will reduce this impact to a less than significant level assuming the proposed Plan Area amendments are approved (as discussed in Impact LU-1).

Analysis: *Less than Significant Impact; Alternative 4*

Alternative 4 will result in substantial changes to the existing conditions, with the demolition of existing ski related structures and elimination of winter day use recreation uses and the development of 17 lots. As discussed in Chapter 3, Alternative 4 will result in up to 15,000 square foot of commercial floor area at one lot located at the North Base area and 16 residential estate lots located on the lower portion (face area) of the Project area. Lot line adjustments are proposed for Alternative 4.

The 15,000 square feet of commercial floor area will need to be purchased and transferred to the Project area, or a Special Project allocation will need to be requested from TRPA under Alternative 4. Depending on the source of the commercial floor area, there must be a purchase and transfer under provisions for transfer defined in TRPA Code of Ordinances Chapter 34.4, or an allocation and assignment to the Project area. The commercial lot will be located entirely within TRPA Plan Area 157 and therefore if the commercial floor area is to be purchased, an amendment would be required to allow transfer of existing development rights, which is not currently allowed. No amendment would be required for a Special Project designation and allocation. While TRPA Plan Area 157 includes provisions for commercial use if special use findings can be made, it also includes special policies that state “any new or additional commercial uses shall be permitted only pursuant to an adopted Community Plan.” As such, the proposed commercial uses under Alternative 4 would not be consistent with existing plan guidance from TRPA. However, the proposed commercial lot is partially located in Placer County Plan Area 159 (the portion of the parking lot that is paved), which allows commercial use without special use findings and is considered by the County to be a Community Plan area.

Alternative 4 is not considered under the TRPA CEP. Therefore, the 23,237 square feet of CFA reserved for the Homewood Master Plan CEP project would not be available for use on the commercial lot. Pursuant to Chapter 33 of the TRPA Code of Ordinances, projects that create additional CFA cannot be constructed without first receiving an allocation approved by TRPA or purchasing and transferring the CFA from another private source. Therefore, a CFA transfer would be required to approve commercial development proposed under Alternative 4.

The 16 residential estate lots would be in compliance with permissible land uses for Plan Area 157. According to the proposed conceptual map for Alternative 4, each of the residential estate lots would be located within Plan Area 157. Therefore, special use findings would be required for the residential lots. Since the location of these residential lots indicates the ski resort would cease to exist, this would substantially alter the direction of this Plan Area and would result in the substantial loss of a large winter day use recreation facility that could not be replaced within other recreational plan locations.

While Alternative 4 substantially changes the type of land use on the Project area, the proposed reduction in use of the site from a ski resort to residential and commercial uses near the base areas would be consistent with land uses on adjacent properties. The area closest to the roadway will be commercial, which is indicative of this portion of the SR 89 corridor and reflects current uses north and south of the site. In addition, the Project area is adjacent to existing single-family residences in the Homewood and Chambers Landing areas. Therefore, this impact is considered to be less than significant.

Mitigation: No mitigation is required.

Analysis: *Significant Impact; Alternative 5*

Alternative 5 will also result in substantial changes to present conditions, with the demolition of existing structures and the development of a 75-unit hotel, 225 multi-family residential units (condominiums), and 16 single-family residential lots as shown in Table 6-4. Under Alternative 5, no on-site affordable housing units are proposed to minimize the size of the North Base area development footprint. As discussed in Chapter 3, Alternative 5 will also include the 25,000 square feet of commercial area and up to 30,000 square feet of skier services at the North Base area that is proposed under Alternatives 1 and 3. Alternative 5 differs from Alternatives 1 and 3 at the South Base area and only includes a small skier services building (with no parking) and 16 residential lots.

Existing uses, ski facilities and ski services, conform to the Plan Area. These uses will be modified, but it is not anticipated that the PAOT will increase for resort use as some lifts will be removed and replaced with new lifts, such as the gondola. New uses include non-skiing recreation resources, tourist accommodations and residential use to support the existing and proposed recreation operations, and commercial services that support the recreation operations such as food and beverage sales. As discussed above under Alternatives 1 and 3, expansion of the summer recreational uses is consistent with the existing Plan Area direction and other existing uses located nearby. The addition of tourist and residential uses would enhance the recreation and visitor experience and help achieve the land use direction for the applicable Plan Areas at Homewood. Adjacent land uses include single-family homes, commercial uses, recreation facilities, and tourist accommodations. The existing commercial uses are centered along SR 89 with the majority of single family homes located off SR 89 to the north and south of the existing base areas. Increased density along the SR 89 corridor, while providing scenic enhancements included in the Master Plan, is consistent with the community planning direction as discussed in Impact LU-1. However, under Alternative 5, the residential development is limited to the existing parking lots at the North Base area, an area equal to approximately 5 acres. While this alternative reduces the acreage of urban plan area expansion compared to Alternatives 1 and 3, the required density for the 225 multi-family residential units increases from 15 units/acre to 45 units/acre because only 5 acres is available for the multi-family residential uses. The residential building design in this area under Alternative 5 includes four full stories plus a roof level and building heights up to 55 feet immediately adjacent to SR 89 and the single family residential units located west of Sacramento Avenue. Under Alternatives 1 and 3, buildings in this area are two and three stories with heights up to 40 feet. The greater massing and density of structures included in Alternative 5 for the multi-family residential uses would not be consistent with either historical or existing land uses in the vicinity of the HMR North Base area. As such, this impact is considered to be significant.

The 25,000 square feet of commercial floor area will need to be obtained and transferred to the Project area. According to the February 2008 TRPA Resolution, up to 23,237 CFA are reserved for the project. Pursuant to Chapter 33 of the TRPA Code of Ordinances, projects that create additional CFA cannot be constructed without first receiving an allocation approved by TRPA. Therefore, the CFA reservation recommended in the Resolution must be approved prior to construction; however, the requested CFA (25,000) exceeds the recommended CFA reservation (23,237 CFA) by 1,763 CFA. Since no additional CFA may be constructed without TRPA CFA allocation and approval, the project request currently exceeds the 2008 reservation and a reduction shall be required or additional CFA will need to be reserved. As shown in Table 6-2, the Project demonstrates environmental benefits needed to approve the CFA reservation.

The 16 single-family residential lots proposed for the South Base area under Alternative 5 will be in compliance with the existing Plan Area guidance for the Project area. Plan Area 157 considers single-family dwellings as a special use. However, the proposed residential units would be located nearby other existing residential uses located below (to the east and south) the base of the existing ski resort. Development of these single-family lots would not prevent the primary use of Plan Area 157 as a ski resort.

Alternative 5 proposes to transfer residential and tourist accommodation units to the Project area. Table 6-4 outlines the proposed tourist and residential units and the existing inventory of transferable units for each action alternative.

As shown in Table 6-4 above, 75 TAUs are proposed, which can be accommodated through the transfer of the 152 TAUs currently owned by Homewood Mountain Resort. No additional TAUs are needed. However, as discussed for Alternatives 1 and 3, the NSCP from which these units are being transferred seeks to increase the number of TAUs, whereas Alternative 5 will reduce the total number of available TAUs (although Alternative 5 will require fewer NSCP TAUs than Alternatives 1 and 3). Since other projects in the NSCP are transferring TAUs from other areas of the Basin into the NSCP, a net increase in TAUs is proposed for the NSCP area under Alternative 5.

The 16 ERUs needed for the single-family residential lots and the 225 ERUs needed for the condominiums will not be sufficiently covered through the transfer of existing ERUs owned by Homewood from TVI development rights (23), Tahoe Inn (3), or the Tahoe Inn TAUs (50) that are proposed for conversion to ERUs. As shown in Table 6-4, 165 additional ERUs are needed. Since the 225 condominium units are planned for Phase 1, an additional 149 ERUs (16 ERUs are for the single family units included in Phase 2) will be needed before construction of Alternative 5 begins.

It is possible for a portion of the 85 excess TAUs owned by Homewood to be converted to ERUs at a one to one ratio pursuant to TRPA Code Section 33.7. The units may only be converted if adverse impacts can be mitigated and the sending units are located on sensitive lands (Class 3 or lower). Since a portion of the units from the Tahoe Inn result in a transfer of units from sensitive land, the conversion may be approved under Section 33.7.A since the Tahoe Inn site was restored and the units would be transferred to higher capability lands. However, even if TRPA can allow the conversion of each remaining unused TAU unit, an additional 80 ERU would still be needed for Alternative 5 development.

Because many of the ERUs necessary for transfer to the Project area for Phase 1 Alternative 5 development are not known at this time, it is not possible to analyze

whether there are land use effects from removing development potential at the sending sites. Therefore, this impact is considered to be significant.

Since only 12 employee housing units are proposed, Alternative 5 does not need to pursue additional MRBUs.

In summary, because the massing and density of multi-family residential uses proposed for the HMR North Base area are not consistent with adjacent land uses and because Alternative 5 requires additional ERU from unknown sources, this impact is considered significant.

Mitigation: LU-2b. CFA Reduction or Additional CFA Reservation

To comply with the CFA allocation reserved by TRPA under the 2008 Resolution, the project must reduce total CFA by 1,763 square feet or obtain an additional 1,763 square feet of CFA pursuant to TRPA Code Section 33.3. If additional CFA is pursued, the additional CFA must be obtained prior to the permitting of the development phase for which it will be applied.

LU-2c. Purchase and Transfer of Additional ERUs

Prior to approval of Alternative 5, HMR shall obtain up to 165 additional ERUs. Prior to transfer, HMR shall demonstrate that the transfer of these units does not result in negative impacts to the Plan Area or Community Plan from which the purchased residential units originated. Preferably, the units will be transferred from a nearby Plan Area or Community Plan area or will be purchased as a result of restoration of sensitive lands.

After

Mitigation: *Significant and Unavoidable Impact; Alternative 5*

Obtaining additional ERUs and CFA or the reduction in CFA would allow the resort to develop the proposed uses and/or comply with TRPA allocations. However, under Alternative 5, the massing and density of multi-family residential units is inconsistent with adjacent land uses because the residential units proposed for development are confined to a relatively small area currently identified as urban land uses by TRPA and Placer County. Because the purpose of Alternative 5 is to study the effects of implementing the HMR MP program in a reduced development footprint, there is no mitigation available other than the reduction of multi-family residential units that would reduce this impact to a less than significant level. According to HMR, a reduction of residential units would not meet the objectives of the project and is therefore not feasible (see Chapter 3.4).

6.5 CUMULATIVE IMPACTS AND MITIGATION MEASURES

Impact: LU-C1: Will the Project have significant cumulative impacts to land use?

Analysis: *Less than Significant Impact; No Project (Alternative 2)*

The No Project (Alternative 2) will not result in changes to existing land use and will not contribute to a cumulative impact or change in land use. According to HMR, continued operation of the existing ski resort is not financially viable and therefore, under No Action, it is possible that the ski resort would eventually be sold or closed for re-use of the Project area. However, because this conclusion is speculative, it is assumed that under the No Project (Alternative 2), the existing ski resort would remain in operation

and would continue to provide recreational land uses listed as permissible in existing planning guidance for the site.

Mitigation: No mitigation is required.

Analysis: *Less than Significant; Alternatives 1, 3, and 6*

The Proposed Project (Alternative 1) and Alternatives 3 and 6 would amend the list of permissible uses in the three affected Plan Areas and would increase tourist, commercial, and residential growth in these Plan Areas, particularly in the area fronting SR 89. These alternatives would also increase the size of urban land use boundaries. While some of these changes are promoted in the Plan Area Statement, the result is that the overall urbanization of the region increases, especially when cumulatively considered. However, by placing commercial and higher density development within the urban area, this helps to unify growth in the region instead of promoting development outside the existing tourist corridor. It should be noted, that the project and alternatives include a deed restriction on the majority of the property from future non-recreational development and also include other environmental benefits not required under existing codes and regulations. These benefits are magnified as there are other publicly-sponsored projects in the area that implement traffic improvements, water quality improvements, soil stabilization, coverage reduction or land restoration, and scenic quality improvements. The recreation benefits of the project are considerable in that they serve both residents and tourists to the basin. With new tourist facilities planned in the north shore, bike trail expansions, and improved access, new facilities at HMR will result in an overall improvement to the tourist and recreation experience, thereby improving the vitality and long-term viability of the area in conjunction with long-term environmental and scenic improvements.

Mitigation: No mitigation is required.

Analysis: *Significant Impact; Alternative 4*

Alternative 4 will result in the closure of the ski resort and the loss of a regional recreation resource. Although other projects may propose new recreational resources (new parks, expansion of existing recreation sites, new or enhanced bike or pedestrian trails), the loss of this resource is considerable, especially when other projects propose increased residential or tourist facilities that increase the demand for such resources. Alternative 4 is cumulatively significant.

Mitigation: No mitigation is feasible.

After

Mitigation: *Significant and Unavoidable Impact; Alternative 4*

No mitigation is feasible for Alternative 4 that would reduce the cumulative impact of ski facility loss.

Analysis: *Significant Impact; Alternative 5*

Alternative 5 would amend the list of permissible uses in the affected Plan Areas and would increase tourist, commercial, and residential growth in these Plan Areas, particularly in the area fronting SR 89. These alternatives would also increase the size of urban land use boundaries. While similar actions occur under the Proposed Project (Alternative 1) and Alternatives 3 and 6, the degree to which this change occurs under Alternative 5 is intensified by the proposed height, massing, and density, which may alter the land use development patterns in the area, particularly in combination with other

developments along the roadway. Allowing significantly higher densities changes the direction of the area by encouraging high-density development. The density proposed (45 units/acre) is greater than any TRPA maximum density limits. Large, dominant structures along SR 89 also change the development character established in the Plan Areas and shift the development character towards high-density urban uses, uncharacteristic of the west shore. Alternative 5 results in an overall increase in urbanization and opens the direction of the Plan Area to significant change, especially when cumulatively considered with other development. Alternative 5 is cumulatively significant.

Mitigation: No mitigation is feasible.

After

Mitigation: *Significant and Unavoidable Impact; Alternative 5*

No mitigation is feasible for Alternative 5 that would reduce the cumulative impact of the change in development direction that encourages high density, high visibility development in the area.

REFERENCES

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