

TAHOE REGIONAL PLANNING AGENCY  
HEARINGS OFFICER STAFF SUMMARY

Project Name: Rollins Single Family Dwelling Addition

Application Type: Residential – Single Family Dwelling

Applicant: Nick and Lisa Rollins

Applicant's Representative: Brian Shinault, AIA

Agency Planner: Theresa Avance, AICP, Associate Planner II

Location: 371 Kingsbury Grade, Douglas County

Assessor's Parcel Number / Project Number: 1318-26-501-005/ 20050051

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

Project Description This project consists of the conversion of an existing single family dwelling into a guest house (accessory living area), and the new construction of a single family dwelling. The project will result in coverage relocation and the banking of 4,182 square feet of land coverage. All work shall be performed within the high capability portions of the project areas. No additional residential units will be created.

Site Description: The proposed building site is located south of Kingsbury Grade in Douglas County. The parcel has residential properties to the west, north, and east, with residential and vacant Government lands to the south. The Granite Springs community is located to the west, and the Palisades community is located to the east. The building site for the residence has a cross slope of 4 percent, and is adjacent to a Stream Environment Zone. The parcel is not visible from any scenic corridors or recreation areas.

Issues: According to Plan Area Statement 80, Kingsbury Drainage, single family dwellings are special uses and therefore require Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code.

Staff Analysis:

- A. Environmental Documentation: TRPA staff has completed the "Project Review Conformance Checklist and Article V(g) Findings" in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklists indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklists will be made available at the Hearings Officer hearing and at TRPA.
- B. Plan Area Statement: The project is located within Plan Area 080- Kingsbury Drainage. The Land Use Classification is Conservation and the Management Strategy is Mitigation. Agency staff has reviewed the subject Plan Area and has determined that the project is consistent with the applicable planning statement, planning considerations, and special policies. The proposed use (single family dwelling) is listed as a special use.

Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, 20, and 22 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 6 – Environmental Documentation:

- (a) The project is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Plan Area Statements and maps, the Code and other TRPA plans and programs.

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

- (b) The project will not cause the environmental threshold carrying capacities to be exceeded.

The basis for this finding is provided on the checklist entitled “Project Review Conformance Checklist and Article V(g) Findings” in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Hearings Officer hearing and at TRPA.

- (c) Wherever federal, state or local air and water quality standards applicable for the Region, whichever are strictest, must be attained and maintained pursuant to Article V(g) of the TRPA Compact, the project meets or exceeds such standards.

(Refer to paragraph 2, above.)

2. Chapter 18 - Special Uses:

- (a) The project, to which the use pertains, is of such a nature, scale, density, intensity and type to be an appropriate use for the parcel on which, and surrounding area in which, it will be located.

The proposed residence is located on a single 268,765 square foot (6.17 acre) parcel, with existing residential development on adjacent parcels. The nearest development consists of a residence approximately 140 feet to the east of the proposed project.

- (b) The project, to which the use pertains, will not be injurious or disturbing to the health, safety, enjoyment of property, or general welfare of persons or property in the neighborhood, or general welfare of the region, and the applicant has taken reasonable steps to protect against any such injury and to protect the land, water, and air resources of both the applicant's property and that of surrounding property owners.

The applicant will be required to apply temporary and permanent Best Management Practices to protect the land, water, and air resources of the subject property and that of the surrounding property owners.

- (c) The project, to which the use pertains, will not change the character of the neighborhood, detrimentally affect or alter the purpose of the applicable planning area statement, community plan and specific or master plan, as the case may be.

The proposed single family dwelling will be located within a conservation plan area, surrounded by residential property and undeveloped National Forest and State property. This does not change the number of single family dwellings within the Plan Area.

3. Chapter 20 - Land Coverage

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

The relocation is within the same land capability district and is to an area that appropriately fits the scheme of use of the property.

- (b) The area from which the land coverage was removed for relocation is restored in accordance with Subsection 20.5.

The original location for the land coverage to be relocated shall be revegetated and restored with appropriate species from the TRPA Approved Plant Species List.

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

The relocation is from land capability Class 6 to land capability Class 6.

4. Chapter 22– Height:

- (a) When viewed from major arterials, scenic turnouts, public recreation areas or the waters of Lake Tahoe, from a distance of 300 feet, the additional height will not cause a building to extend above the forest canopy, when present, or a ridgeline.

The proposed structure, with a total proposed height of 34 feet – 3 inches, is located on a moderately flat, forested parcel with existing trees of approximately 50 to 60 feet in height, and will not extend above the existing forest canopy.

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

The additional height of the residence, at 34 feet- 3 inches, is of a reasonable size for a project isolated from other developed parcels and not visible from any scenic or recreation areas.

- (c) The maximum height at any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height. The maximum height at

the corner of two exterior walls is the difference between the point of lowest natural ground elevation along an exterior wall of the building, and point at which the corner of the same exterior wall meets the roof. This standard shall not apply to an architectural feature described as a prow.

No corner of the proposed main residence, as described above, will exceed 90 percent of the total height of the structure.

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

- I. Approve the findings contained in this staff summary.
- II. Approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA Permit.



**APN 1318-26-501-005  
FILE NO. 20050051**

Excess Coverage Mitigation Fee (1): Amount \$\_\_\_\_\_ Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_

Security Posted (2): Amount \$ 3,300 Type \_\_\_\_\_ Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_

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

Notes:

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

Required plans determined to be in conformance with approval: Date: \_\_\_\_\_

TRPA ACKNOWLEDGEMENT: The permittee has complied with all pre-construction conditions of approval as of this date and is eligible for a county building permit:

\_\_\_\_\_  
TRPA Executive Director/Designee

\_\_\_\_\_  
Date

***SPECIAL CONDITIONS***

1. This permit specifically authorizes the conversion of an existing single family dwelling into a guest house (accessory living area), and the new construction of a single family dwelling. The project includes coverage relocation and the banking of 4,182 square feet of land coverage. All work shall be performed within the high capability portions of the project areas. No additional residential units will be created.
2. The standard conditions of approval listed in Attachment R shall apply.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.
  - A. The site plans shall be revised to include:
    - (1) The parcel size in square feet.
    - (2) The accurate location of the Stream Environment Zone and Setback boundaries, per the 2000 Land Capability Challenge, and as found on the maps of the 2001 Soils/Hydrology Determination, TRPA File 20010444.

- (3) The proposed residence and additions shall be relocated to be outside of the SEZ Setback, as corrected per Special Condition 3.A.(1) of this permit. All land coverage calculations, including Land Capability Area measurements, shall be revised to reflect these corrections.
- (4) Clear graphic indication (e.g. hatch marks, shading) of existing land coverage to be removed.
- (5) All stoops or walkways required to access the guest living area. The proposed land coverage calculations shall be revised to reflect any changes in land coverage required by this condition.
- (6) The following revised land coverage calculations\*:

Class	Area	Base Allowed	Existing	Excess
1b (1%)	13,219	132	455	323
1a (1%)	30,178	302	752	450
4 (25%)	58,890	1,778	896	-
6 (30%)	170,663	51,199	14,476	-

Class	Max Allowed per TRPA File 20020759	Existing	Proposed	Banked	Potential Coverage Previously Transferred Offsite	Potential Remaining
1b (1%)	455	455	455	-	-	-
1a (1%)	752	752	181	571	-	-
4 (25%)	10,978	896	424	472	-	10,082
6 (30%)	23,268	14,476	11,337	3,139	3,485	5,307

\*The calculations shall be revised based on changes made on the plans, and to comply with the Special Conditions found in this permit.

- (7) Vegetation protective fencing around the entire construction site. The fencing shall be no more than 12 feet from any footprint, driveway, or area of approved disturbance. Trees located within the construction area that are to be retained shall be individually protected by fencing or other means as necessary.
- (8) A note indicating: "All areas disturbed by construction shall be mulched with a 2 to 3 inch layer of pine needles or wood chips as a dust control measure. This mulch shall be maintained from completion of the initial grading through completion of the project."
- (9) The permittee shall submit calculations demonstrating that the proposed infiltration facilities are sized accordingly for the slope and soil type of the property and will capture and infiltrate a 20 year/1 hour storm event.

- B. Sheet C1.2 shall be revised to have a minimum scale of 1"=10'.
- C. Sheet A2.0 shall be revised to identify the finished floor elevation of the garage level.
- D. The proposed gas line schematic on Sheet A1.1 shall be revised to remove the gas connection to the "Range" located in the "Maid's Quarters". The installation of cooking facilities in this location would constitute an additional residential unit of use, and is not permitted as a part of this permit.
- E. The affected property has 773 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 4 or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:

Estimated project construction cost multiplied by the fee percentage of 0.25% (as identified in Table A of Subsection 20.5.A.(3), Chapter 20 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

An excess land coverage mitigation fee may be paid in lieu of permanently retiring land coverage. The excess coverage mitigation fee shall be calculated as follows:

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of \$12.00 per square foot for Nevada projects and \$6.50 for California projects. Please provide a construction cost estimate by your licensed contractor, architect or engineer. In no case shall the mitigation fee be less than \$200.00.

- F. The security required under Standard Condition A.3 of Attachment R shall be \$3300.00. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.
  - G. The permittee shall indicate on floor plans the type of TRPA approved woodstove, fireplace insert, or zero clearance fireplace to be installed.
  - H. The permittee shall submit three sets of final construction drawings and site plans to TRPA.
4. The "Maid's Quarters" and guest house each shall contain no more than a single bar-sized sink and a refrigerator no greater than 5 cubic feet in size with minimal



- cabinets and counters. The wet bar shall not include a gas or electric range, stove top or oven (not including a microwave oven), a refrigerator in excess of 5 cubic feet in size, or a standard kitchen sink.
5. Excavation equipment shall be limited to the building site within the approved location of the vegetation protection fencing, in order to minimize site disturbance. No grading or excavation shall be permitted outside of the vegetation protection fencing.
  6. The permittee shall not excavate more than five (5) feet below natural grade at any point.
  7. No trees shall be removed (other than those shown on the approved site plan) or trimmed without prior TRPA written approval.
  8. This site shall be winterized in accordance with the provisions of Attachment R by October 15<sup>th</sup> of each construction season.

END OF PERMIT