

TAHOE REGIONAL PLANNING AGENCY

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MEMORANDUM

August 27, 2007

To: TRPA Hearings Officer

From: TRPA Staff

Subject: John Black Land Capability 1435 Alpine Way, Tahoe Woods, California,
Placer County APN: 083-360-026, TRPA File #: LCAP2007-0208.

Proposed Action: The applicant, Mr. John Black requests that the Hearings Officer review the proposed Land Capability Challenge and approve it.

Staff Recommendation: Staff recommends the TRPA Hearings Officer approve the land capability challenge on the parcel changing the land capability from class 3 to class 4.

Background: The subject parcel is shown as being comprised of land capability class 5 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the TdD (Tallac stony coarse sandy loam, 5 to 9 percent) which is consistent with the E-2 (Outwash till and lake deposits, low hazard lands) geomorphic unit classification. A Land Capability Verification was performed on this property and designated the parcel as TeE Class 3 (Tallac stony coarse sandy loam, 15 to 30 percent).

A land capability challenge was filed on July 25, 2007 to confirm the soil series and land capability for the parcel.

Findings: This parcel is located at 1435 Alpine Way in Placer County CA. The parcel is mapped within geomorphic unit the E-2 (Outwash till and lake deposits, low hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The soils investigation was conducted by TRPA staff, and this report was prepared. Based on one soil pit a representative soil profile was described (see Attachment A). After a visit to the parcel the soils on APN 083-360-026 were determined to be consistent with land capability class 4.

If you have questions on this agenda item, please contact Heather Gustafson, at 775 - 589-5313

Attachments

8/27/07
HG

HEARING'S OFFICER AGENDA ITEM A

SOIL INVESTIGATION FOR
PLACER COUNTY APN 083-360-026
1435 ALPINE WAY

INTRODUCTION

Soil investigations were conducted on APN 083-360-026 in Placer County on August 27, 2007. The subject parcel is located at 1435 Alpine Way.

A land capability challenge was filed with TRPA on July 25, 2007 to determine the appropriate land capability class for this parcel based on a soil investigation.

ENVIRONMENTAL SETTING

This parcel is shown as being land capability class 5 on the TRPA Land Capability Overlay Maps. A Land Capability Verification designated this parcel as TeE Class 3. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the TdD Class 5 (Tallac stony coarse sandy loam, 5 to 15 percent). The TeE map unit is consistent with the E-2 (Outwash till and lake deposits, low hazard lands) geomorphic unit classification. This majority of this parcel is on an east facing slope.

PROCEDURES

One soil pit was conducted on this parcel. After examination of the pit and samples, the soil was described in detail as representative of the soils on the parcel. A copy of this description is included in this report. Slopes were measured from a certified topographic survey.

FINDINGS

One unnamed soil series was identified on this parcel. The soils on this parcel are generally deep and well drained and of Soil Hydrologic Group B. The soil is characterized as having an approximately 14" thick dark grayish brown gravelly coarse sandy loam top soil over pale brown to dark brown gravelly coarse sandy loam to 60" in depth. This soil differs from the Tallac series as they lack a significant percentage of coarse fragments. This soil further differs from the Elmira and Gefo series which are characterized by a loamy coarse sand texture throughout the profile. The soil also lacks an argillic subhorizon that is characteristic of the Jabu series.

CONCLUSION

Based on the results of the site visit, the soil on APN 083-360-026 was determined to be of an unnamed soil series. Based on the Soils Hydrologic Group B designation and a 22% slope across the property, this parcel should be characterized as Land Class 4.

Heather Gustafson
Associate Planner II / Soil Scientist

APN 083-360-026

Representative Soil Profile:

Soil Classification: Coarse loamy, mixed frigid Humoic Dystrocherept

Soil Series: Unnamed

Hydrologic Group: B

- Oi 2 to 0 inches; duff and litter
- A1 0 to 7 inches; grayish brown (10YR 4/2) gravelly loamy coarse sand; dark grayish brown (10YR 3/2) moist; moderate fine granular structure; soft, loose, nonsticky and nonplastic ;many very fine and medium roots, few coarse roots; many very fine and fine interstitial pores; 10 percent gravel; gradual smooth boundary.
- A2 7 to 14 inches; grayish brown (10YR 5/2) gravelly coarse sandy loam; moist; weak fine granular structure; soft, loose, nonsticky and nonplastic; many fine and medium and few coarse roots; many very fine and fine interstitial pores; 10 percent gravel; gradual smooth boundary.
- Bw1 14 to 42 inches; light brownish gray (10YR 6/2) gravelly coarse sandy loam; moist; weak, medium subangular blocky structure; slightly loose, nonsticky and nonplastic; common fine, many fine medium roots; many very fine and fine interstitial pores; 10 percent gravel; gradual wavy boundary.
- Bw2 42 to 60 inches; pale brown (10YR 6/3) gravelly coarse sandy loam; moist; weak, medium subangular blocky structure; slightly loose, nonsticky and nonplastic; few fine and common medium roots; many very fine and fine interstitial pores; 10 percent gravel.

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MEMORANDUM

August 27, 2007

To: TRPA Hearings Officer

From: Heather Gustafson, Associate Planner / Soil Scientist

Subject: La Marca Land Capability Challenge; 1412 Ski Run Blvd, El Dorado County
APN: 025-911-014.

Proposed Action: The applicant, John La Marca, requests that the Hearings Officer review and approve the proposed Land Capability Challenge on the subject parcel.

Staff Recommendation: The staff recommends that the TRPA Hearings Officer approve the land capability challenge for the parcel changing the land capability from class 4 to class 6. Stream Environment Zone (SEZ) was also delineated as a part of this challenge.

Background: The parcel being challenged is shown as land capability class 4 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the CaD (Cagwin-Rock Outcrop, 5-15 percent slopes) soil map unit. The CaD soil map unit is consistent with the C-1 (Granitic foothills, moderate hazard lands) geomorphic unit classification. The Cagwin soil formed in glacial deposits derived from mostly granitic sources (granodiorite).

A land capability verification was conducted by TRPA staff on this parcel in 2004. The parcel was verified as class 4 CaD (Cagwin-Rock outcrop complex, 5 to 15 percent slopes), with portions of SEZ 1b on the property.

A land capability challenged was file with TRPA on April 3, 2007.

Findings: This parcel is located at 1412 Ski Run blvd., El Dorado County, CA. The parcel is mapped within geomorphic unit C-1 (Granitic foothills, moderate hazard lands) on the TRPA Geomorphic Analysis Map of the Lake Tahoe Basin. The soils investigation was conducted by a TRPA staff soil scientist, and this report was prepared. Based on one soil pit, a representative soil profile was described (see Attachment A). After a visit to the parcel on August 16, 2007 the soils on APN: 025-911-014 were determined to be consistent with land capability class 6, in accordance with the Land Capability Classification of the Lake Tahoe Basin (Bailey, 1974).

If you have questions on this agenda item, please contact Heather Gustafson, at 775 - 588-4547 (ext. 313).

SOIL INVESTIGATION FOR
EL DORADO COUNTY APN: 025-911-014
1412 SKI RUN BLVD.

INTRODUCTION

A soil investigation was conducted on APN: 025-911-014. This parcel is located at 1412 Ski Run Blvd. in El Dorado County.

A land capability challenge was filed with TRPA on April 3, 2006 to determine the appropriate land capability class for the parcel based on an onsite soil investigation.

ENVIRONMENTAL SETTING

The land capability of this parcel is designated class 4 on the TRPA Land Capability Overlay Maps. The Soil Conservation Service Soil Survey for the Lake Tahoe Basin places this parcel within the CaD (Cagwin-Rock Outcrop, 5-15 percent slopes) soil map unit. The CaD soil map unit is consistent with the C-1 (Granitic foothills, moderate hazard lands) geomorphic unit classification. The Cagwin-Rock outcrop soil formed from glaciofluvial deposits that are derived mostly from intrusive igneous (granodiorite) sources. This parcel is on a west-northwest facing slope. The natural grade is 7 to 10 percent. The vegetation is comprised of an overstory of Jeffery pine with a very sparse understory of manzanita and bitterbrush.

PROCEDURES

One soil pit was excavated to 5' below ground surface. After examination of the pit the soil was described in detail as representative of the soils on the parcel. A copy of this description is included in this report. Slopes were measured with a clinometer.

FINDINGS

A soil representative of the Gefo series was identified on this parcel. The soils on this parcel are very deep and somewhat excessively drained and, therefore, categorized as Soil Hydrologic Group A. The soils are characterized as having a very dark brown loamy coarse sand top soil approximately 20 inches thick, over dark yellowish brown loamy coarse sand subsoil to 54 inches deep. This soil is dissimilar to the Meeks series as it lacks significant amounts of coarse fragments. Based on Soil Hydrologic Group A and slopes ranging from 7-10 percent, this soil is determined to be GeC Land Capability Class 6.

CONCLUSION

Based on the results of the site visit, the soil on APN: 025-911-014 was determined to be GeC Land Capability Class 6. SEZ was also delineated as a part of this Land Capability Challenge. See the site map on file for delineations.

Heather Gustafson, Associate Planner II / Soil Scientist

APN: 025-911-014

Representative Soil Profile:

Soil Classification: Sandy, mixed, frigid, Humic Dystrocherepts

Soil Series: Gefo

Hydrologic Group: A

Drainage: Somewhat excessive

- Oi 1 to 0 inches; Litter.
- A 0 to 8 inches; loamy coarse sand, grayish brown (10YR 5/2) moist, weak fine granular structure, soft, loose, sticky and non plastic, many fine medium roots, many fine and very fine interstitial pores, 10% gravel, gradual smooth boundary.
- AC 8 to 20 inches; loamy coarse sand, dark brown (10YR 3/3) moist, weak fine granular structure, soft, loose, sticky and non plastic, many fine medium coarse roots, many fine and very fine interstitial pores, 10% gravel, gradual smooth boundary.
- C1 20 to 48 inches; loamy coarse sand, dark yellowish brown (10YR 3/4) moist, single grain, soft, loose, sticky and non plastic, many fine medium coarse roots, many fine and very fine interstitial pores, 10% gravel, gradual wavy boundary.
- C2 48 to 56 inches; loamy coarse sand, grayish brown (10YR 4/4) moist, single grain, soft, loose, sticky and non plastic, many fine medium roots, many fine and very fine interstitial pores, 10% gravel, gradual wavy boundary.

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MEMORANDUM

To: TRPA Hearings Officer

From: TRPA Staff

Date: August 30, 2007

Subject: Northwood LLC. Six Unit Multi-Family Dwelling Complex and Subdivision of Structures, 831 Northwood Boulevard, Incline Village, Washoe County, Nevada, Assessor's Parcel Number 132-011-02 TRPA File Number ERSP2007-0360 & SUBD2007-0187

Proposed Action: Hearings Officer action on the proposed project and related findings based on this Staff Summary and the attached Draft Permit. The required actions and recommended conditions are outlined in Section J of this Staff Summary.

Staff Recommendation: Staff recommends that the Hearings Officer make the required findings and approve the proposed project subject to the special conditions in the draft permit (attached).

Project Description This project consists of two separate components. The first component is the construction of a 6-unit multiple family dwelling complex. Four units will be housed within four detached buildings. Two of the units will be deed restricted affordable housing units within a duplex structure. Two affordable housing bonus units will be allocated to the project. The permittee will be required to transfer four residential development rights to the parcel. The maximum allowable coverage for the project is the base allowable land coverage of 17,191 square feet, 12,291 of which will be transferred to the project area which includes the Tahoe Forest Hospital parcel immediately to the south.

The second component involves the subdivision of the multiple family dwellings. The subdivision will create six single family units, and create a common area out of the rest of the parcel. This component will change the land use from multiple family to single family, both of which are considered special uses and require that the applicable findings be made.

Site Description: The proposed building site is located in Incline Village, Washoe County. The parcel is surrounded by residential, commercial and public service property. The cross slope for the building sites for Unit 1 is 7 percent, Unit 2 is 6 percent, Unit 3 is 10 percent, Unit 4 is 5 percent and unit 5/6 is 6 percent. The parcel has been verified as Land Capability Class 6, Land Capability Class 4 and Land Capability Class 1b/SEZ. The parcel is not visible from any designated scenic corridor.

Issues:

/GG
August 30, 2007

AGENDA ITEM V.C.

1. Land Coverage: The subject parcel is linked to the Tahoe Forest Hospital Parcel for land coverage purposes. Land coverage on the parcel associated with the hospital that would be maintained consists of an access road. The access road is proposed for relocation and is incorporated into the site design. The hospital has maintained an access through the subject parcel for health and safety reasons. This access would continue to be maintained so that the hospital can remain consistent with state regulations. The permit is conditioned to require the recordation of an access easement through the property for hospital purposes or confirmation from hospital officials that the access is no longer necessary. Land coverage on the hospital parcel exceeds the allowable land coverage according to a land coverage verification completed by TRPA staff in 1999. A subsequent TRPA permit to expand the hospital required the resolution of land coverage issues on the property. This permit (TRPA File Number 20041414) has not been acknowledged or implemented. An emergency Best Management Practices (BMP) retrofit permit was issued and implemented. A certificate of BMP compliance has not been issued at this time. Draft permit conditions require achievement of a BMP implementation certificate and the submittal of a land coverage restoration plan and schedule for the hospital parcel (APN 132-011-07) for TRPA review and approval. Further measures to bring the property into land coverage compliance will include the transfer of land coverage to the project area. The land coverage would need to be transferred to the hospital parcel which is allowed for public service land uses per Chapter 20 of the TRPA Code of Ordinances. This would essentially release the 12,291 square feet of land coverage previously utilized for the hospital project and allow the land coverage to be utilized on the subject parcel for the purposes of this multiple family dwelling project. The parcels would be linked as a project area.

Staff Analysis:

- A. Land Use: According to the Incline Village Commercial Community Plan, multiple family dwellings and single family dwellings are special uses, and the project consists of four or more residential units and therefore requires Hearings Officer review in accordance with Chapter 4, Appendix A, of the TRPA Code.
- B. Environmental Documentation: TRPA staff has completed the Project Review conformance checklist and Article V(g) Findings in accordance with Chapter 6, Subsection 6.3.B of the TRPA Code of Ordinances. All responses contained on said checklist indicate compliance with the environmental threshold carrying capacities. A copy of the completed checklist will be made available at the Hearings Officer hearing and at TRPA.
- C. Community Plan: The project is located within the Incline Village Commercial Community Plan. The Land Use Classification is Commercial/Public Service and the Management Strategy is Mitigation. Agency staff has reviewed the subject Community Plan and has determined that the project is consistent with the applicable planning statement, planning considerations, and special policies. The proposed uses (multiple family dwelling and single family dwelling) are listed as a special use.
- D. Land Coverage: A Site Assessment was conducted for the project area in May of 2000. This assessment identified a lot area of 267,001 square feet for the entire project area and allowable coverage for the project area of 71,446 square feet. Existing land

coverage verified for the project area is 58,600 square feet. The applicant proposes to construct land coverage within the limits of that allowed by Bailey. This would require the transfer of land coverage to the project area for the hospital built in 1978. This essentially makes available for this new project land coverage that was previously used by the hospital. Due to the use of transferred land coverage to the project area the parcels would continue to be linked as a project area for land coverage accounting purposes. A draft permit condition requires a recorded deed restriction for land coverage purposes. Additional land coverage information for the entire project area has been requested for clarification and for future reference for both parcels.

- E. 100 - Year Floodplain: The Site Assessment conducted in 2000 identified an Army Corps of Engineers 100 – year floodplain delineation on the property. This floodplain designation was later changed by the Federal Emergency Management Agency through a Letter of Map Amendment process. TRPA Land Capability staff has reviewed the documentation related to the map amendment process and concurs with the determination that the limits of the 100 – year floodplain are to be delineated as shown on the plan submitted to TRPA by Earl Hagadorn on December 12, 2006. The project plans submitted to TRPA for the proposed project are also consistent with the drawings submitted to TRPA on December 12, 2006.

- F. Tree Removal: The property is forested with several trees greater than 24-inch diameter at breast height. In total, nineteen live trees are proposed for removal. Of the trees proposed for removal eleven are 24-inch dbh or greater. For clarification purposes, TRPA staff requests that all trees shown for removal on the utility plan also be shown on the site plan. Twenty-one trees on the parcel slated for retention are 24 inches dbh or greater. No trees are proposed for removal within SEZ. One 16-inch dead fir tree is proposed for removal within the SEZ setback. TRPA staff has reviewed the proposed site plan layout and believes that to the extent feasible, desirable trees are proposed for retention. One change proposed by TRPA staff would be to shift Unit 2 to the south to ensure retention of a 24 inch and a 26 inch tree north of the proposed unit.

- G. Building Height: The cross slope for the building sites for Units 1 is 7 percent, 2 is 6 percent, Unit 3 is 10 percent, Unit 4 is 5 percent and 5/6 is 6 percent. Respective cross slope for each building site results in allowable heights as follows: Unit 1 – 30 feet 5 inches, Unit 2 – 30 feet 3 inches, Unit 3 – 31 feet 3 inches, Unit 4 – 29 feet 9 inches, Units 5 and 6 – 32 feet 8 inches. All units are within the allowable height as set forth in Chapter 22 of the TRPA Code of Ordinances. The proposed height for each structure is as follows: Unit 1 – 27 feet 6 inches, Unit 2 – 27 feet, Unit 3 – 27 feet, Unit 4 – 29 feet and Units 5 and 6 – 28 feet.

Required Findings: The following is a list of the required findings as set forth in Chapters 6, 18, and 22 of the TRPA Code of Ordinances. Following each finding, Agency staff has 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 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 6-unit complex will be located on a parcel approximately 1.5 acres in size, with a maximum possible density of 23 units for this parcel size. The project has been designed to the "New Tahoe" style of architecture, as per the Community Plan standards and guidelines. Nearby uses include high-density condominiums across Northwood Boulevard, and a hospital to the south. The majority of these structures are of a similar size as the proposed buildings. The project is, therefore, consistent with surrounding uses and is an appropriate use for the parcel.

- (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 both 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. As described in 2(a) the use is consistent with surrounding uses and will, therefore, not be injurious to the general welfare or enjoyment of the property.

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

The proposed project will not create a use inconsistent within the existing neighborhood. Multiple family dwellings and single family dwellings are special uses in the affected plan area. The neighborhood includes other multifamily uses and the project will be constructed in the style approved as part of the Community Plan.

3. 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 structures, with a maximum proposed height of 32 feet – 8 inches, are located on a forested parcel with existing trees of approximately 50 feet in height, and will not extend above the existing forest canopy.

- (b) With respect to that portion of the building which is permitted the additional height, the building has been designed to minimize interference with existing views within the area to the extent practicable.

The proposed project is not within a Scenic Highway Corridor, and views from TRPA scenic resources will not be affected. The project will not extend above the forest canopy and will, therefore, not interfere with existing views in the area.

- (c) The maximum height of any corner of two exterior walls of the building is not greater than 90 percent of the maximum building height, as described in Subsection 22.7(8).

The maximum height of any corner of two exterior walls for the new buildings will be in compliance with this requirement, based on the submitted building elevations. The maximum allowable building height ranges from 30 feet to 32 feet 8 inches; the maximum height of walls ranges from 27 feet to 29 feet. The maximum height of any corner of the proposed building is 18 feet.

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

- I. Approve the findings contained in this staff summary, and a finding of no significant environmental effect.
- II. Approve the project, based on the staff summary, subject to the conditions contained in the attached Draft TRPA Permit.

-D-R-A-F-T-
PERMIT

PROJECT DESCRIPTION: New 6-Unit Multi-Family Dwelling Complex APN 132-011-02

PERMITTEE(S): Northwood LLC. FILE # ERSP2007-0360

COUNTY/LOCATION: Washoe/881 Northwood Blvd.

Having made the findings required by Agency ordinances and rules, TRPA approved the project on September 6, 2007, subject to the standard conditions of approval attached hereto (Attachment R) and the special conditions found in this permit.

This permit shall expire on September 6, 2010 without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO CONSTRUCTION, TREE REMOVAL OR GRADING SHALL COMMENCE UNTIL:

- (1) TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT;
- (2) ALL PRE-CONSTRUCTION CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT;
- (3) THE PERMITTEE OBTAINS A COUNTY BUILDING PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY BUILDING PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS; AND,
- (4) A TRPA PREGRADING INSPECTION HAS BEEN CONDUCTED WITH THE PROPERTY OWNER AND/OR THE CONTRACTOR.

TRPA Executive Director/Designee

Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) _____

Date _____

PERMIT CONTINUED ON NEXT PAGE

APN 132-011-02
FILE NO. ERSP2007-0360

Air Quality Mitigation Fee (1): Amount \$ 16,200 Paid _____ Receipt No. _____

Offsite Coverage Mitigation Fee (2): Amount \$ _____ Paid _____ Receipt No. _____

Security Posted (3): Amount \$ _____ Type _____ Paid _____ Receipt No. _____

Security Administrative Fee (4): Amount \$ _____ Paid _____ Receipt No. _____

Notes:

- (1) See Special Condition 3. H, below.
- (2) See Special Condition 3. A (3), below.
- (3) Amount to be determined. See Special Condition 3. J., below.
- (4) \$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 construction of a 6-unit multiple family dwelling complex. Four units will be housed within four detached buildings. Two units will be housed within a duplex. Two of the units will be deed restricted as affordable housing. Two affordable housing bonus units shall be allocated to the project. The other four units are using transferred development rights. The project will result in a maximum on-site land coverage amount of 17,191 square feet.
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.

PERMIT CONTINUED ON NEXT PAGE

- A. The site plan shall be revised to include:
- (1) Clarification of land coverage for the project area including the parcel dimensions, land capability, allowable land coverage and existing land coverage for the hospital parcel (APN 132-011-07).
 - (2) A notation that the land coverage calculations for APN 132-011-07 are included for information purposes only and that no changes to land coverage on APN 132-011-07 are authorized as part of this permit. Any land coverage changes on APN 132-011-07 that are necessary due to the access easement change shall be reviewed under separate application and shall meet the criteria for land coverage relocation in Chapter 20 of the TRPA Code of Ordinances.
 - (3) Clarification of the existing off-site land coverage associated with the access road to be removed and details on whether this land coverage will be restored to a natural state. In the event that this land coverage is restored, an off-site coverage mitigation fee would be assessed for any off-site coverage in excess of the existing. Off-site coverage mitigation will be at the rate of \$20.00 per square foot of new off-site coverage.
 - (4) Parking barriers at 4 foot intervals to ensure that vehicles remain on paved surfaces. Acceptable parking barriers include, permanent bollards, 3 to 4 foot diameter boulders or split rail fencing.
 - (5) Vegetation protective fencing around the entire construction site and individual trees where required. The fencing shall be no more than 12 feet from any footprint, driveway, or area of approved disturbance. Where a tree exists within the construction area, the vegetation protection fencing must be placed beyond the drip-line of the outermost branches or, in limited instances, at the limit of the residential foundation. No equipment, materials, personnel or disturbance is allowed within the vegetation fencing. Please note this condition on the site plan and ensure the contractors working on site are notified and aware of this permit condition
 - (6) Location of proposed trash storage. All trash storage and enclosures shall be screened from public view in accordance with Subsection 30.5.B (4) of the TRPA Code of Ordinances.
 - (7) Modification of the location of unit two to avoid impacts to trees located north of this unit.
 - (8) Clarification of all trees proposed for removal as part of the grading and utility plan. Some trees proposed for removal on this plan are not indicated on the site plan as trees to be removed. Please note that feasible options to retain trees that are 24 inches in diameter or greater must be evaluated as part of the project. Provide a

detailed analysis of those trees proposed for removal as part of the utility and grading plan and present any options to modify this plan for the purposes of tree retention.

- (9) Clarification of the new location of the access easement to be maintained for the hospital parcel.
 - (10) Details for the restoration of the access road to be removed. Details shall include but are not limited to preparation of the site, planting plan, irrigation plan and fertilizer management plan.
 - (11) 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."
- B. Submit for TRPA review and approval a revised Best Management Practices (BMP) plan and calculations using 2006 soils data (source Natural Resources Conservation Service). The plan shall include maintenance and monitoring schedules. All BMPs and cleanouts shall be located the maximum distance feasible from Stream Environment Zone (SEZ) and SEZ setbacks. Due to the proximity of the project to SEZ all subsurface infiltration shall include pre-treatment.
 - C. Clarify the depth of all proposed subsurface infiltration systems. In the event that any portion of the system is proposed to exceed five feet in depth a soils/hydrologic survey will be required.
 - D. The permittee shall complete the transfer through separate application(s) of four residential development rights to this parcel.
 - E. The permittee shall complete the transfer through separate application(s) of 12,291 square feet of land coverage.
 - F. The permittee shall complete and record a deed restriction (approved as to form by TRPA) that ensures that two of the approved residential units satisfy all TRPA affordable housing requirements. A copy of the recorded deed restriction or the original recorded deed restriction shall be provided to TRPA prior to acknowledgement of this permit.
 - G. The permittee shall complete and record a deed restriction (approved as to form by TRPA) that establishes that parcels having APN 132-011-02 and APN 132-011-07 shall be linked as a project area for the purposes of land coverage accounting.
 - H. The permittee shall provide evidence that an access easement through the subject parcel has been recorded with the Washoe County Recorders Office. The recorded document shall reflect the access easement in its new location.

- I. The permittee shall provide documentation that the property owner of APN 132-011-07 has agreed to the access easement change.
- J. The Incline Village Commercial Community Plan Community Design Special Policies (ICCP Appendix A) require that certain frontage improvements be included with any new project within the Community Plan. The permittee shall provide a frontage improvement plan that includes the following, consistent with the Community Plan:
 - (1) Five to eight foot wide sidewalks or pedestrian pathways;
 - (2) Six inch vertical concrete curbs or as specified by the Incline Village General Improvement District, or Washoe County Public Works Department;
 - (3) Street trees planted irregularly, or pockets of shrubs, or a combination, with irrigation, and;
 - (4) Pedestrian street lighting (maximum of 12 feet in height) as needed.

As an alternative to installing the frontage improvements as a part of this project, the permittee may work with Washoe County to establish a community capital improvement fund, and contribute to the fund the dollar amount equal to the cost of installing the required improvements. The contribution to the fund shall be made according to the conditions in the establishment of the fund. This alternative may not be implemented if Washoe County does not create such a fund prior to acknowledgement of this permit. If this alternative is selected, the permittee shall provide a materials and labor cost estimate for the required frontage improvements.

- K. The permittee shall submit a \$16,200 air quality mitigation fee. This fee is based on the addition of 60 daily vehicle trip ends at \$270.00/trip.
- L. The security required under Standard Condition A.3 of Attachment R shall be determined upon the permittee's submittal of required Best Management Practices plan and related cost estimate. The security shall be equal to 110 percent of the estimated BMP costs. In no case shall the security be less than \$10,000. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee.
- M. The final construction drawings shall have notes indicating conformance to the following design standards for color, roofs, and fences:
 - (1) Color: The color of this structure, including any fences on the property, shall be compatible with the surroundings. Subdued colors in the earthtone and woodtone ranges shall be used for the primary color of the structure. Hues shall be within the range of natural colors that blend, rather than contrast, with the existing

vegetation and earth hues. Earthtone colors are considered to be shades of reddish brown, brown, tan, ochre, and umber.

- (2) Roofs: Roofs shall be composed of non-glare earthtone or woodtone materials that minimize reflectivity.
 - (3) Fences: Wooden fences shall be used whenever possible. If cyclone fence must be used, it shall be coated with brown or black vinyl, including fence poles.
- N. The permittee shall provide evidence that all basic service requirements for minimum fire flow will be met or exceeded in accordance with Section 27.3.B., Table 27-1 of the TRPA Code.
- O. The permittee shall submit three sets of final construction drawings and site plans to TRPA.
4. No grading or excavation shall be permitted except as shown on the plans.
 5. No lawns shall be permitted unless shown on plans and approved by TRPA.
 6. The permittee is responsible for insuring that the project, as built, does not exceed the approved land coverage figures shown on the site plan. The approved land coverage figures shall supersede scaled drawings when discrepancies occur.
 7. This site shall be winterized in accordance with the provisions of Attachment R by October 15th of each construction season.

-D-R-A-F-T-
PERMIT

PROJECT DESCRIPTION: Subdivision of Post-1987 Residential Units APN 132-011-02

PERMITTEE(S): Northwood LLC.

FILE # SUBD2007-0187

COUNTY/LOCATION: Washoe/831 Northwood Boulevard

Having made the findings required by Agency ordinances and rules, TRPA staff approved the project on September 6, 2007, subject to the special conditions found in this permit.

This permit shall expire on September 6, 2010 without further notice unless the permit is acknowledged and recorded with the Washoe County Recorder's Office. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO RECORDING OF THE SUBDIVISION MAP SHALL COMMENCE UNTIL THE PERMITTEE OBTAINS A COUNTY PERMIT. THE COUNTY PERMIT AND THE TRPA PERMIT ARE INDEPENDENT OF EACH OTHER AND MAY HAVE DIFFERENT EXPIRATION DATES AND RULES REGARDING EXTENSIONS. NO RECORDING OF THE SUBDIVISION MAP SHALL COMMENCE UNTIL ALL PRE-RECORDING CONDITIONS OF APPROVAL ARE SATISFIED AS EVIDENCED BY TRPA'S ACKNOWLEDGEMENT OF THIS PERMIT. IN ADDITION, NO RECORDING OF THE SUBDIVISION MAP SHALL COMMENCE UNTIL TRPA RECEIVES A COPY OF THIS PERMIT UPON WHICH THE PERMITTEE(S) HAS ACKNOWLEDGED RECEIPT OF THE PERMIT AND ACCEPTANCE OF THE CONTENTS OF THE PERMIT. TRPA'S ACKNOWLEDGEMENT IS NECESSARY TO OBTAIN A COUNTY PERMIT.

TRPA Executive Director/Designee

Date

PERMITTEE'S ACCEPTANCE: I have read the permit and the conditions of approval and understand and accept them. I also understand that I am responsible for compliance with all the conditions of the permit and am responsible for my agents' and employees' compliance with the permit conditions. I also understand that if the property is sold, I remain liable for the permit conditions until or unless the new owner acknowledges the transfer of the permit and notifies TRPA in writing of such acceptance. I also understand that certain mitigation fees associated with this permit are non-refundable once paid to TRPA. I understand that it is my sole responsibility to obtain any and all required approvals from any other state, local or federal agencies that may have jurisdiction over this project whether or not they are listed in this permit.

Signature of Permittee(s) _____ Date _____

PERMIT CONTINUED ON NEXT PAGE

APN 132-011-02
FILE NO. SUBD2007-0817

Security Posted: N/A

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 is for a subdivision of six multi-family units into single family condominium units, and create a common area of the rest of the parcel located at 831 Northwood Boulevard in Washoe County (APN 132-011-02).
2. Prior to permit acknowledgement, the following special conditions of approval must be satisfied:
 - A. The permittee shall acknowledge the permit for the construction of the six residential units, TRPA File Number ERSP2007-0360.
 - B. The permittee shall provide, prior to final recordation, a final Mylar map, or a similar document, for the approved subdivision which contains a signature block for TRPA to document regional approval.
 - C. The permittee shall submit covenants, conditions, and restrictions (CC&Rs) pursuant to Subsection 43.4.M of the TRPA Code of Ordinances for review and approval prior to construction, which must include the following:
 - (1) A requirement that provisions be made for maintenance of all BMPs located within the common area.
 - (2) A requirement that all resident vehicle parking must be in the garage or on the driveway serving each unit so that the parked vehicle does not extend into the common access way for the units.
 - (3) A requirement that each residence comply with the exterior lighting standards as applicable in Subsection 30.8 of the TRPA Code of Ordinances
 - D. The permittee shall complete and record a deed restriction that will permanently treat the parcels resulting from this subdivision as one parcel for the purposes of land coverage. A copy of the recorded deed restriction or the original recorded deed restriction shall be provided to TRPA prior to acknowledgement of this permit

- E. If the approval for the construction of the six residential units expires (TRPA File Number ERSP2007-0360), in whole or in part, then the subdivision map approval is void as to the subdivision of incomplete or unbuilt units. The final subdivision map, if recorded prior to completion of all units, shall include, on its face, this condition. The incomplete or unbuilt units shall revert to common area. In no event shall this approval operate to create a subdivision of land unassociated with a complete residential unit.
- 3. The permittee shall provide to TRPA a copy of the recorded subdivision map and any new Assessor's Parcel Numbers within 30 days of recordation.
- 4. All land outside the footprints of the structures shall be established as common area.

END OF PERMIT