

**MEMORANDUM  
PLACER COUNTY  
PLANNING DEPARTMENT**

**TO:** Board of Supervisors  
**FROM:** Michael Johnson, AICP Director of Planning  
**DATE:** October 23, 2006  
**SUBJECT:** Wilderotter General Plan Amendment and Rezoning (PREA T20060138)

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**ACTION REQUESTED:** The Board is being asked to consider a request from Kaufman Planning, on behalf of Dave Wilderotter, for the approval of a General Plan Amendment and Rezoning to change the subject property from Tahoe City Plan Area 001B, with a designation of "Commerical/Public Use", to Plan Area 002 (Special Area 1), in order to make the land use of "Multiple Family Residential" an allowed use. Under the jurisdiction of the Tahoe City Area General Plan, General Plan land use and zoning designations are identical.

**BACKGROUND:**

The subject property is located within the Tahoe City Area General Plan. The adopted Plan made use of the "Plan Area Statement" format adopted by the Tahoe Regional Planning Agency (TRPA). That format integrates the Land Use Element of the Plan with the implementing zoning, making them one and the same.

Plan Area 001B is currently assigned a classification of "Commercial/Public Service", primarily because the site had been the site of a former landfill for the Tahoe City area, a use that has now been discontinued. Because of that past use, however, the area had been contemplated as an appropriate site for light industrial uses. A Special Policy was adopted that required a Master Plan and site restoration program for the area prior to any new development. An industrial-type development is now highly unlikely for the area, given environmental and other constraints. Consequently, the "Master Plan" preparation requirement is considered by staff and the property owner to be an impediment to new development, including the multi-family housing proposed by the applicant.

The adjoining Plan Area 002, however, is primarily residential in nature, being one of the older residential neighborhoods in the Tahoe City area, and includes a mix of single-family and multi-family residential units. For the type of development contemplated by the applicant, Plan Area 002 would appear to be a more appropriate designation than Plan Area 001B.

The applicant has also applied for and received approval from the TRPA for the same changes.

**PLANNING COMMISSION ACTON:**

The proposed project was considered by the Planning Commission at its July 13, 2006 meeting. The Planning Commission were unanimous in their support of the project, citing the opportunity to provide much-needed affordable housing to the Tahoe Region.

**PROJECT DESCRIPTION:**

The applicant is requesting approval of a General Plan Amendment and Rezoning to change the land use designation of the property from Tahoe City Plan Area 001B to Plan 002 to allow for the ultimate development of six residential units. Multiple-family dwellings are an "allowed" use (that is, not a discretionary action) in Plan Area 002 (Special Area 1), so no further action would be required by the Planning Commission or the Board of Supervisors. The permits for any new units would be reviewed at a staff level through the issuance of a Building Permit.

**SITE CHARACTERISTICS:**

The 1.14-acre project site is characterized by moderately to steeply sloping land (sloping down gradient from north-to-south), with a mixed conifer forest consisting primarily of second-growth pine and fir species. There are two existing residential units on the property, whose origins are not clearly established, but which are now non-conforming uses. The property abuts Plan Area 002 to the south, which is primarily residential in nature.

**EXISTING LAND USE AND ZONING:**

	LAND USE	ZONING
<b>SITE</b>	Residential	Commercial\Public Service
<b>NORTH</b>	Open forest	Commercial\Public Service
<b>SOUTH</b>	Residential	Residential
<b>EAST</b>	Open forest	Commercial\Public Service
<b>WEST</b>	Open forest	Commercial\Public Service

**DISCUSSION OF ISSUES:**

**General Plan\Zoning Consistency**

As previously described, the proposal seeks to amend the existing General Plan land use and zoning designations to allow for residential development on the property. The change would also place the property into a Plan Area location (Plan Area 002) which better matches the land uses on and adjacent to the property than the current light industrial land use designation.

The landfill was abandoned in the 1960's, prior to the requirements for closure plans. The location of this proposal is removed by a distance of approximately one-quarter mile from the actual landfill site. Consequently, no adverse impacts from the past use were identified that might adversely impact future residential uses. Mitigation measures discussed in the Mitigated Negative Declaration are included as conditions of approval to reduce any potential impacts to less than significant levels.

Staff has concluded the proposed land use change is an improvement in the overall land use pattern for the area. In the interest of increasing the supply of rental and affordable housing in the area, which is very much needed, staff recommends that a condition of approval be added

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that would provide for future residential units to be kept as rental units. The applicant is agreeable with this requirement.

**CEQA COMPLIANCE:**

A Mitigated Negative Declaration was prepared for the project, and is recommended by the Environmental Review Committee (ERC) and the Planning Commission as the appropriate environmental document for purposes of compliance with the California Environmental Quality Act (CEQA).

**RECOMMENDATION:**

Staff recommends that the Board of Supervisors approve the General Plan Amendment and Rezoning as requested, and as recommended by the Planning Commission, based on the attached findings, and subject to one recommended condition of approval.

**FINDINGS:**

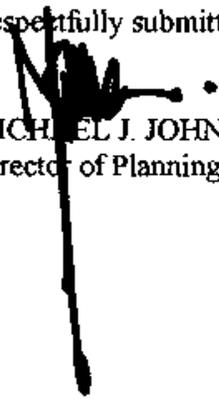
**CEQA**

1. The Mitigated Negative Declaration has been prepared as required by law. With the incorporation of all mitigation measures, the project is not expected to cause any significant adverse impacts. Mitigation measures include, but are not limited to replacement of trees removed, establishment of construction hours and design review.
2. There is no substantial evidence in the record as a whole that the Project as revised and mitigated may have a significant effect on the environment.
3. The Mitigated Negative Declaration as adopted for the Project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.
4. The Mitigated Plan/Mitigation Monitoring Program prepared for the Project is approved and adopted.
5. The custodian of records for the Project is the Placer County Planning Director, 11414 B Avenue, CA 95603.

**General Plan Amendment/Rezone**

6. The proposed General Plan Amendment/Rezoning is in the public interest, in that it will provide for a more consistent and compatible land use pattern for the area, and will provide better opportunities for the development of multiple-family residential housing units in the area. Such a housing type is needed in the community, and is generally expected to offer more affordable housing to a broader spectrum of the population than detached single-family residences.

Respectfully submitted,



MICHAEL J. JOHNSON, AICP  
Director of Planning

**EXHIBITS:**

- Exhibit 1 – Rezone Ordinance (with recommended conditions)
- Exhibit 2 – Resolution
- Exhibit 3 - Applicants Project Description and support documents
- Exhibit 4 – Negative Declaration/Initial Study
- Exhibit 5 – TRPA Staff Report on Proposal

cc: David Wilderottter – Owner  
Kaufman Planning - Applicant

REF: o:\plus\pln\bill\bas\RFA Wilderottter

COPIES SENT BY PLANNING:  
Public Works, Transportation  
Engineering & Surveying  
Dana Winegar - Environmental Health Services  
Brent Backus - Air Pollution Control Distri  
Vance Kimbrell - Facilities, Parks  
Christa Darlington - County Counsel  
Allison Carlos - CEO's Office  
John Marin - CDRA Director  
Michael Johnson - Planning Director  
Subject/chrono files

**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of:

Ordinance No: \_\_\_\_\_

An Ordinance amending Chapter 17, Placer County  
Code, relating to the Rezoning of property in the Tahoe  
City area of Placer County

First Reading: \_\_\_\_\_

The following ORDINANCE was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held \_\_\_\_\_, by the following vote on roll call:

**Ayes:**

**Noes:**

**Absent:**

Signed and approved by me after its passage.

\_\_\_\_\_  
Chairman, Board of Supervisors

**Attest:**  
Clerk of said Board

\_\_\_\_\_  
Ann Holman

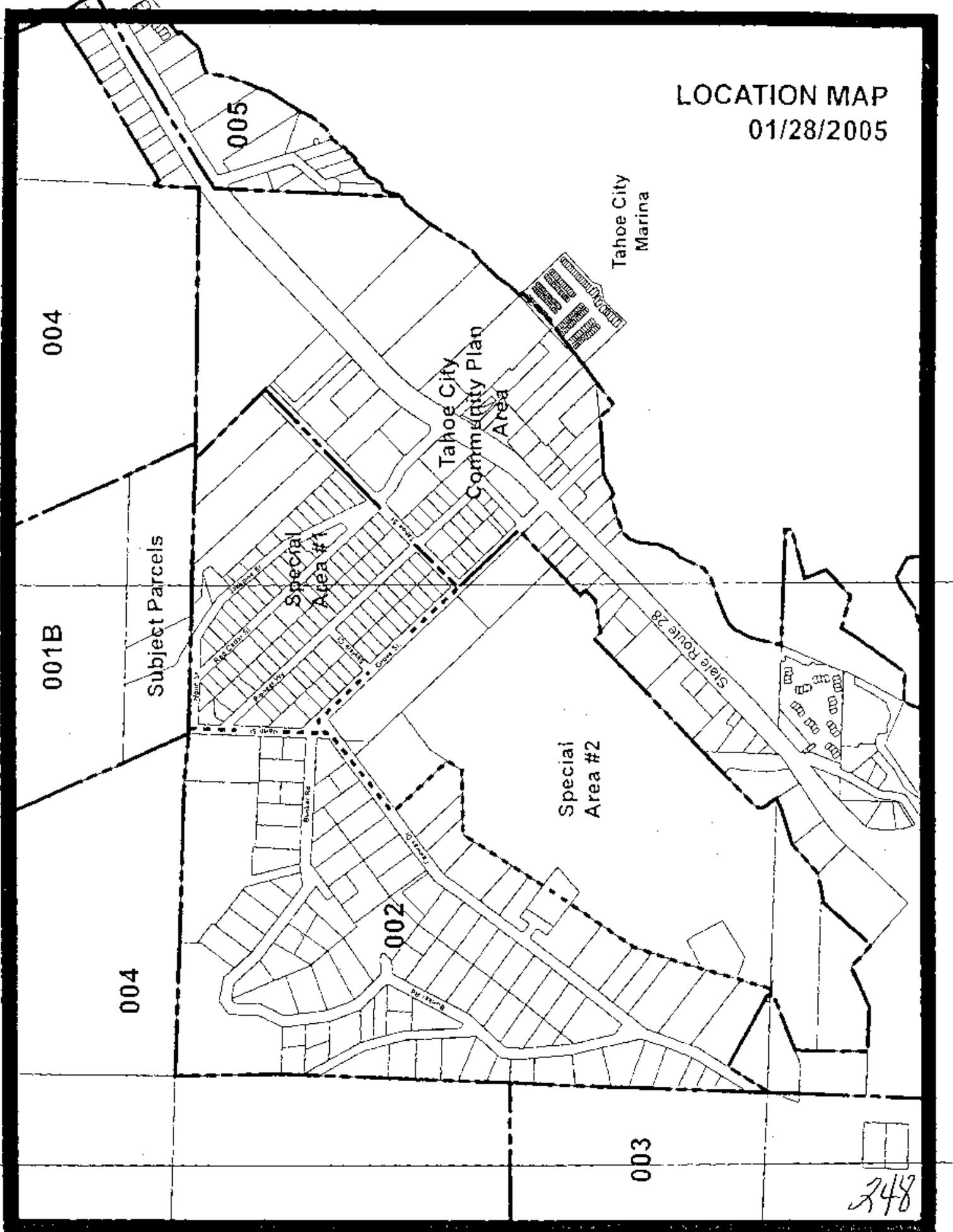
**The Board of Supervisors of the County of Placer, State of California, does hereby ordain as follows:**

That Zoning Map S-9 of the Placer County Code is hereby amended as shown on the attached, subject to the provision that the residential units existing on the property as of the effective date of this entitlement may be retained in fee simple ownership. Any new multiple-family residential units constructed after the effective date of this entitlement shall be maintained as rental units and shall not be subdivided into separate ownerships. A deed restriction, to which Placer County is a signator, shall be recorded to ensure compliance with this condition.

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**EXHIBIT 1**

LOCATION MAP  
01/28/2005



**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of:

Resol. No: \_\_\_\_\_

**A Resolution amending a portion of the Tahoe City Area  
General Plan, in the Tahoe City area of Placer County**

The following RESOLUTION was duly passed by the Board of Supervisors of the  
County of Placer at a regular meeting held October 24, 2006, by the following  
vote on roll call:

**Ayes:**

**Noes:**

**Absent:**

**Signed and approved by me after its passage.**

\_\_\_\_\_  
**Chairman, Board of Supervisors**

**Attest:  
Clerk of said Board**

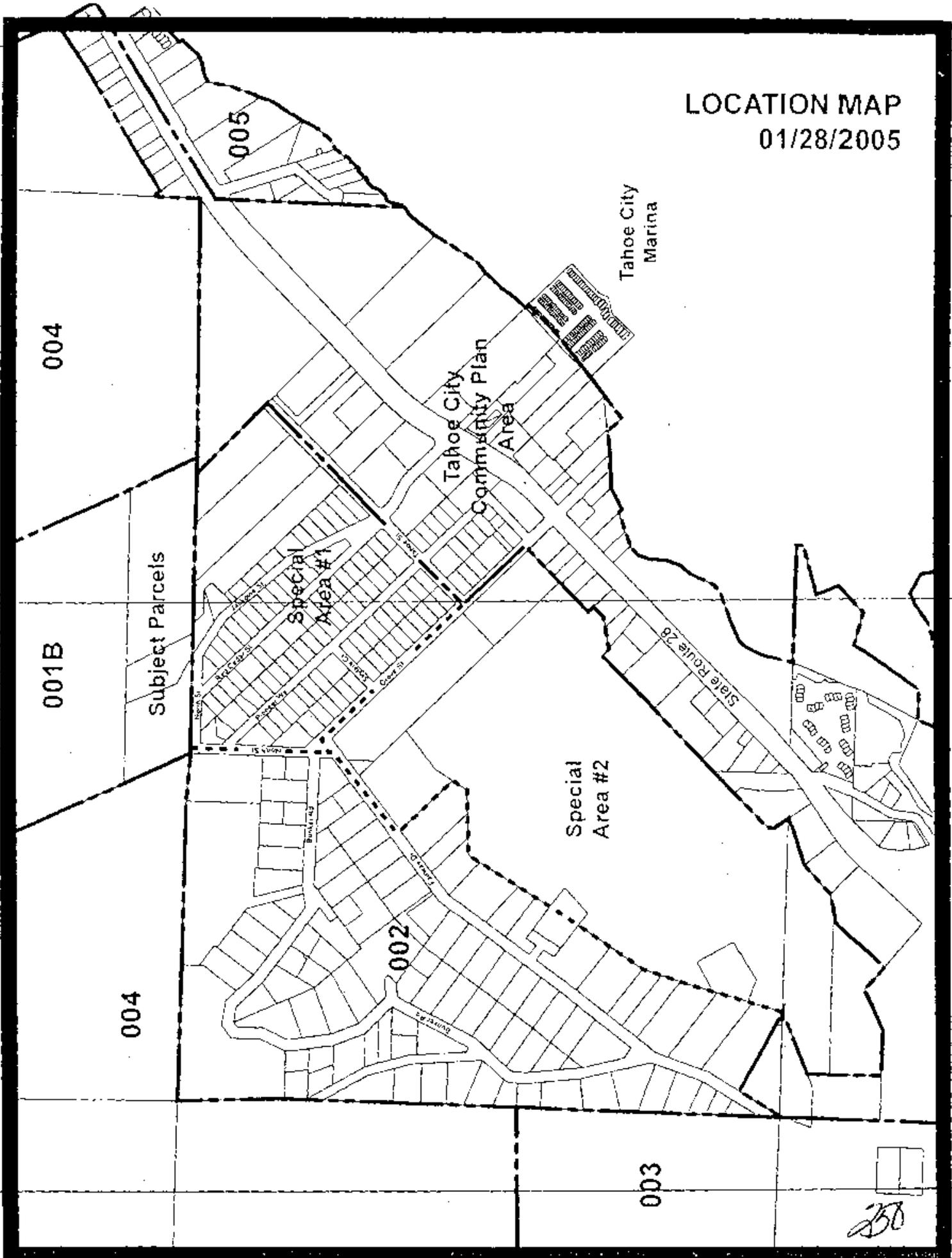
\_\_\_\_\_  
**Ann Holman**

\_\_\_\_\_  
The Board of Supervisors of the County of Placer, State of California, does hereby resolve as  
follows:

That the land use diagram of he Tahoe City Area General Plan is hereby amended as  
shown on the attached.

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**EXHIBIT 2**

LOCATION MAP  
01/28/2005



**PROJECT DESCRIPTION  
FOR  
WILDEROTTER REZONING REQUEST  
Placer Co. APN 094-010-07**

**HISTORY**

TRPA on February 25, 2005 approved a Plan Area Amendment for the above referenced property relocating the parcel from Plan Area 001B-Tahoe City Industrial into Plan Area 002 Fairway Tract Special Area #1. (The applicant originally applied to change the wording in Plan Area 001B that was restricting any new development in this plan area until a new Community Plan for the plan area was developed that addressed the existing dump. TRPA felt that it would be better planning to relocate this parcel out of Plan Area 001B rather than change the wording. They also felt that a Community Plan would not be forthcoming for Plan Area 001B. (Please refer to Attachment A-TRPA PAS Amendment approval). Three of the four parcels currently within Plan Area 001B contain single family dwellings which are considered non-conforming according to the allowable uses within Plan Area 001B. The applicant is proposing to construct five total multiple family dwellings on parcel 094-010-07 that currently contain a single family dwelling and detached garage.

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Plan Area 002 allows both single family as well as multiple family dwellings. (Please refer to Attachment B- Plan Area 002). (Please refer to Attachment C- Existing site photos). Please also refer to existing conditions site plan.

In 1990 a permit was issued by TRPA on the subject property for a detached garage adjacent to the existing residence. (Expansion of a non-conforming use). TRPA received the garage plan on January 27, 1999) which is after the adoption of the Plan Area Statements. (In other words, the single family dwellings in this plan area have been in existence since before the plan area was adopted).

The subject parcel is located within a residential neighborhood, with access via Jack Pine Street. Jackpine has direct access off of Highway 28.

**PROPOSED CONDITIONS**

The project proponent proposes to add a tri-plex, single family dwelling, and kitchen above the existing garage (five new residential units of use) onto this parcel which currently contains one single family dwelling and a detached garage with living area above. Based on the allowable density (8 units per acre) and existing acreage (1.14 acres) (9) multiple family dwelling units would be allowed. (Six total units are proposed).

Although bonus units will not be used for the multi-family dwellings the applicant intends the housing to be for his and other employees of the area. No changes are proposed for the existing single family dwelling. (Please refer to proposed conditions site plan).

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## LAND CAPABILITY

Land Capability has been verified by TRPA staff as a Class 6 which allows base land coverage of 30%. This was accomplished via a Site Assessment Application approved by TRPA. (Attachment D).

## SURROUNDING LAND USES

WEST: Single Family Residence and the old Tahoe City dump-2.8 acres  
EAST: Single Family Residence on 5.3 acres  
NORTH: Old Tahoe City dump-47.2 acres  
SOUTH: Multiple family and single family dwelling residences

There are single family and multiple family dwellings adjacent to and to the immediate south of this parcel. This property has always been used for a Single Family Dwelling (please refer to Attachment E-Surrounding Uses Map).

## LAND COVERAGE

(Please also refer to Attachment D- Land Coverage Verification.) Existing land coverage is approximately 7,768 SF broken down as follows:

Residence	1,620 SF
Deck and Stairs	192 SF
Paths	336 SF
Driveway	3,460 SF
Roadway	2,160 SF

## VEHICLE MILES TRAVELED

### *Existing Traffic Trips:*

According to the 2004 TRPA Trip Table this project currently generates a total of 10.0 trips per day based on its use as a single-family detached dwelling

*Proposed Traffic Trips:* The proposed project proposes five new apartment type residential units which generate 6.72 trips/unit for a total increase of 33.6 trips per day which is considered an insignificant increase. A traffic mitigation fee would be required for the additional units by Placer County as well as TRPA.

## AIR QUALITY

No new air emissions from stationary sources would be created from wood burning stoves. (All new stoves proposed for this project will be EPA and TRPA/Placer Co approved).

## NOISE

Noise levels of 50 CNEL as delineated in the plan area will not be exceeded by the potential addition of five new residential units. The property is located on over an acre of land (1.12 acres) and would generate typical noise resulting from residential uses. An on-site property manager is proposed to make sure that noise restrictions are enforced so as not to impact the surrounding neighbors.

## PARKING

The proposed project will ultimately result in a total of six residential units with approximately 12 bedrooms. Parking requirements per Appendix B of the Placer County Standards & Guidelines for Signage, Parking and Design Manual is 1 space / 1 bed and ½ spaces per bedroom.

Surface parking for 12 cars will be provided in addition to the garages that can accommodate 7 cars for a total of 19 parking spaces. There are more parking spaces proposed than are required to ensure that there will not be any parking impacts to the surrounding community and that some of the tenants will have the ability to park in the garage while others will have surface parking available. In other words, the required parking can easily be accommodated on this site. **(Please refer to the proposed site plan).**

## RECREATION

Commons Beach is located approximately one mile away and is available for general use by the public. Additionally, the USFS 64 acre tract is also available within a mile and bike trails access the Tahoe City area to both the west shore as well as Squaw Valley. Hiking trails are located above this property.

## BUILDING HEIGHT

The heights of the proposed new structures will conform to those allowed in Section 22.3 of the TRPA Code of Ordinances and the Placer County building / planning regulations.

The site is classified as land capability (6) therefore there is no potential increased development on sensitive land. Allowable land coverage on this parcel is 14,932 SF. Proposed coverage for the development including six residential units, parking and road access will not exceed this amount.

Section 18.1b of the TRPA Code of Ordinances requires certain findings to be made for special uses. These include:

- a. The property owner will take strict measures to ensure the health and safety of the other properties in the neighborhood. The proposed installation of BMPs will protect against injury to the land, water, and air resources of the subject property and surrounding property owners. CC&R's are proposed to control noise from tenants, require regular maintenance, and address other issues that might arise. The proposed additional landscaping will act as a noise, privacy, and aesthetic buffer to the surrounding neighborhood. The use is compatible with surrounding land uses. (Mitigation fees will be paid where applicable for traffic, air quality and water quality).
- b. The proposed use will not impact the character of the neighborhood which is predominantly residential. (Many multiple family dwelling units are also contained within Plan Area 002.) The project will be a positive enhancement for the environment as currently no improvements have been made to this parcel in over twenty years. No BMPs have been installed and only minor landscaping currently exists on-site. The demand for affordable residential housing is very high. This project is on high capability land, on a large acreage parcel, and is surrounded by other single family and multiple family dwellings.
- c. New construction and landscaping are proposed to update this site aesthetically in keeping with other properties in the neighborhood.
- d. BMPs will be installed. Mitigation fees are also proposed to lessen impacts to less than significant levels for many of the resources such as traffic, air, water, etc.
- e. All projects that are approved under TRPA Rules and Regulations must make the finding that no threshold will be exceeded. The proposed use is consistent with current County and TRPA zoning with a special use permit from Placer County. (Multiple Family Dwellings) Land coverage will be within the allowed Bailey classification and the proposed density is less than what is allowed by the zoning regulations. Landscaping and BMP's are proposed to be constructed as well.
- f. Tahoe City Public Utility district (TCPUD) and Truckee Tahoe Sanitation Agency (TTSA) presently serve this site. Additional fees will be assessed as part of the new hookups from both the TCPUD as well as TTSA.

### **Electrical Power Supply**

Sierra Pacific Power - The area is already served by Sierra Pacific Power. New service will be required for the new units.

**Domestic Water Supply:**

Tahoe City Public Utility District (TCPUD). Currently the TCPUD charges a quarterly fee for water supplied. TCPUD has the capacity to service additional units and is currently servicing this parcel. New hookup fees will be charged for the additional units.

**Natural Gas Supply:**

Southwest Gas presently serves this site. New units will also hookup.

**Schools:**

Property is located within the Tahoe Truckee Unified School District. More specifically the schools in the vicinity of this site include: North Tahoe High School, North Tahoe Middle School, and Tahoe Lake Elementary – Mitigation fees are assessed based on new construction or expansion to existing structures to pay for these school facilities based on new square footage created. This project proposes new construction and will therefore pay a school mitigation fee.

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**Fire Protection:**

Property is located within the North Tahoe Fire Protection District. A mitigation fee will be assessed as part of new construction of the residential units. The Fire Dept. can also request that the tri-plex install a sprinkler system.

**Security and Law Enforcement:**

Placer County Sheriff's Department –The Placer County Sheriff has the personnel to service this property.

**Transportation Facilities, Including Roads, Highways, Bike Trails, and Transit Systems:**

The site is accessed by paved roads and is located within walking distance to downtown Tahoe City. The Tahoe Area Regional Transit (TART) offers bus service with a bus stop less than 3 blocks from the property. Bike trails also exist just outside of Tahoe City going to the west shore, Squaw Valley and up Dollar Hill.





## COMMUNITY DEVELOPMENT / RESOURCE AGENCY Environmental Coordination Services

11414 B Avenue, Auburn, CA 95603 ☎ (530) 886-3000 📠 (530) 886-3003  
<http://www.placer.ca.gov/planning> ✉ [ljlawren@placer.ca.gov](mailto:ljlawren@placer.ca.gov)

### INITIAL STUDY

*In accordance with the policies of the Placer County Board of Supervisors regarding implementation of the California Environmental Quality Act, this document constitutes the Initial Study on the proposed project. This Initial Study provides the basis for the determination whether the project may have a significant effect on the environment. If it is determined that the project may have a significant effect on the environment, an Environmental Impact Report will be prepared which focuses on the areas of concern identified by this Initial Study.*

#### I. BACKGROUND

**Project Title:** Wilderotter Rezoning/Plan Area Amendment

**Environmental Setting:** Placer County is located in the central and eastern portion of California and extends from the Central Valley/Sierra Nevada Foothills east to the Nevada state line. Located in the northeastern portion of Placer County is Lake Tahoe where the proposed project is being considered. The project is located at the northern extent of Jackpine Street in the Tahoe City area of Lake Tahoe. The subject property is currently zoned PAS-001B - Tahoe City Industrial.

The project site is characterized by moderately sloping land with a mixed conifer forest that includes mostly pine and fir-tree species. North of the project site is the old Tahoe City dumpsite, to the south and east are residential uses, and a residence and the old Tahoe City dumpsite are to the west.

**Project Description:** The applicant is proposing to construct a new triplex on this parcel in the Tahoe City area. Included in this project will be the addition of a legal kitchen in the living area above the garage. No changes or modifications are proposed for the existing single-family dwelling on this parcel. The applicant intends to pursue a General Plan Amendment and Rezoning in order to change the zoning for this parcel to the adjacent zoning (Fairway Tract Residential) in order to allow this project to proceed.

#### II. EVALUATION OF ENVIRONMENTAL IMPACTS:

- A. A brief explanation is required for all answers except "No Impact" answers.
- B. "Less than Significant Impact" applies where the project's impacts are negligible and do not require any mitigation to reduce impacts.
- C. "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from Section IV, EARLIER ANALYSES, may be cross-referenced).
- D. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- E. All answers must take account of the entire action involved, including off-site as well as on-site, cumulative

The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this Negative Declaration has been prepared.

Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A Mitigated Negative Declaration has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

## PROJECT INFORMATION

Title: Wilderrotter Rezoning / Plan Area Amendment

Description: Proposes to add five residential units on the property that already contains one single-family dwelling and a detached garage.

Location: 774 Jackpine Street, Tahoe City

Project Proponent: David Wilderrotter, P O Box 6701, Tahoe City, CA 96145

County Contact Person: Steve Bucla Telephone No. (530) 886-3000

## PUBLIC NOTICE

The comment period for this document closes on \_\_\_\_\_. A copy of the Negative Declaration is available for public review at the Planning Department public counter and at the Tahoe City Branch Library. ~~Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Planning Commission. Additional information may be obtained by contacting the Placer County Planning Department at (530) 886-3000 between the hours of 8:00 a.m. and 5:00 p.m. at 11414 "B" Avenue, Auburn, CA 95603.~~

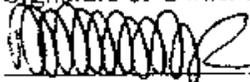
If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.

## RECORDER'S CERTIFICATION:

The owner/applicant hereby acknowledges that the above mitigation measures will be incorporated as part of the project.

Signature of Owner and/or Applicant

Please Print



DAVID WILDERROTTER

Date: 12/14/05

Date: \_\_\_\_\_

Environmental Issues (See attachments for information sources)	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA, Section 15063 (a) (1)].

- F. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [Section 15063(c)(3)(D)]. Earlier analyses are discussed in Section IV at the end of the checklist.
- G. References to information sources for potential impacts (e.g., general plans/community plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached, and other sources used, or individuals contacted, should be cited in the discussion.

**LAND USE PLANNING: Would the proposal:**

a. Conflict with general plan/community plan/specific plan designation(s) or zoning, or policies contained within such plans?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with applicable environmental plans or policies adopted by responsible agencies with jurisdiction over the project?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Be incompatible with existing land uses in the vicinity?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Affect agricultural and timber resources or operations (e.g., impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Result in a substantial alteration of the present or planned land use of an area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Planning Department**

Discussion-items 1a & 1f: The proposed project seeks to increase the number of residential units on a parcel that contains two nonconforming residential units in an area that is zoned for industrial use. The project site abuts a residentially zoned area. As a result of this and the fact that the site is currently being used as residential, staff does not see that this will be inconsistent or incompatible with the surrounding area.

Mitigation Measures-item 1a: The applicant shall be required to obtain the approval of a General Plan Amendment and Rezoning to allow for the proposed project as well as any applicable permits for the construction.

**POPULATION AND HOUSING: Would the proposal:**

a. Cumulatively exceed official regional or local population projections?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Environmental Issues (See attachments for information sources)	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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- b. Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?
- c. Displace existing housing, especially affordable housing?

**Planning Department**

Discussion-item 2b: The project may result in the addition of a small number of new residents to the community, which is not expected to be significant.

**3. GEOLOGIC PROBLEMS** Would the proposal result in or expose people to potential impacts involving:

- a. Unstable earth conditions or changes in geologic substructures?
- b. Significant disruptions, displacements, compaction or overcrowding of the soil?
- c. Substantial change in topography or ground surface relief features?
- d. The destruction, covering or modification of any unique geologic or physical features?
- e. Any significant increase in wind or water erosion of soils, either on or off the site?
- f. Changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake?
- g. Exposure of people or property to geologic and geomorphological (i.e. avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?

**Engineering & Surveying Division**

Discussion-items 3b & 3c: This project proposal would result in the construction of five residential units contained within one triplex and one additional free standing building <sup>plus Apt above garage. - Total of (6) units on site.</sup> To construct the improvements proposed, less than significant disruption of soils on-site will occur, including excavation/compaction for the units as well as less than significant impacts from erosion. The project is within the scope of impacts addressed in the TRPA environmental document. No new effects will occur and no new mitigation measures are required.

Discussion-item 3c: This project proposal would result in the construction of five <sup>new</sup> residential units contained within one triplex and one additional free standing building. The grading to construct the improvements proposed will not involve in excess of five feet of cuts or fills. The project is within the scope of impacts addressed in the TRPA environmental document. ~~The project is within the scope of impacts addressed in the TRPA environmental document.~~ No new effects will occur and no new mitigation measures are required.

**4. WATER** Would the proposal result in:

*Handwritten signature/initials*

**Environmental Issues**

*(See attachments for information sources)*

	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
a. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people or property to water related hazards such as flooding?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Discharge into surface waters or other alterations of surface water quality (e.g., temperature, dissolved oxygen, or turbidity)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Changes in currents, or the course or direction of water movements?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Change in the quantity of groundwater, either through direct additions of withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Altered direction or rate of flow of groundwater?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Impacts to groundwater quality?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. Impacts to the watershed of important surface water resources, including but not limited to, Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Engineering & Surveying Division**

Discussion-items 4a & 4d: This project proposal would result in the construction of five residential units contained within one triplex and one additional free standing building. To construct the improvements proposed, less than significant increases in the rate and amount of runoff from the site will occur. The project proposes to detain the runoff from the 20-year, 1-hour storm event. The project is within the scope of impacts addressed in the TRPA environmental document. No new effects will occur and no new mitigation measures are required.

Discussion-items 4c & 4j: This project proposal would result in the construction of five residential units contained within one triplex and one additional freestanding building. The project is within the watershed draining into Lake Tahoe. To construct the improvements proposed, less than significant increases in water quality impacts from the site improvements will occur. The project proposes to install both temporary and permanent BMP's to collect and treat stormwater runoff. The project is within the scope of impacts addressed in the TRPA environmental document. No new effects will occur and no new mitigation measures are required.

**SOIL QUALITY:** Would the proposal

*361*

**Environmental Issues**

(See attachments for information sources)

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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- |  |                                     |                                     |                          |                          |
|--|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Violate any air quality standard or contribute to an existing or projected air quality violation?                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Expose sensitive receptors to pollutants?   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Have the potential to increase localized carbon monoxide levels at nearby intersections in exceedance of adopted standards? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Create objectionable odors?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

**Air Pollution Control District**

Discussion-item 5a: This project is located in the Lake Tahoe Air Basin portion of the Placer County. This air basin area is currently classified as non-attainment for the State particulate matter (PM-10) standard and maintenance for the federal carbon monoxide standard. Based on the project's proposal, the project short-term construction and long-term operational emissions are expected not to exceed the District significant thresholds. Therefore, the project related air quality impacts are less than significant.

Discussion-item 5b: The increase of air pollutants generated by the project could adversely affect sensitive receptors like ~~children and senior citizens living in the vicinity of the project.~~ However, this project is not expected to adversely impact sensitive receptors due to this project's emissions being below the District's significant thresholds. Therefore, the impacts to the sensitive groups would be less than significant.

Discussion-item 5c: Buildout of the project would generate additional traffic volumes within the surrounding area. These additional traffic volumes will add to congestion at area intersections and have the potential to increase localized carbon monoxide levels. However, the impacts would be less than significant due to the state-wide control measures requiring oxygenated gasoline and the small number of vehicle trips being generated by this project.

**6.3 TRANSPORTATION/CIRCULATION: Would the proposal result in:**

- |  |                                     |                                     |                          |                          |
|--|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Increased vehicle trips or traffic congestion?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Inadequate emergency access or access to nearby uses?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Insufficient parking capacity on-site or off-site?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Hazards or barriers for pedestrians or bicyclists?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Rail, waterborne, or air traffic impacts?   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

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Environmental Issues (See attachments for information sources)	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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**Engineering & Surveying Division**  
**Discussion-item 6a:** This project proposal would result in the construction of five residential units contained within one triplex and one additional free standing building. To construct the improvements proposed, less than significant increases in traffic congestion will occur. The project proposes to construct encroachments and parking areas to County standards. The project is within the scope of impacts addressed in the TRPA environmental document. No new effects will occur and no new mitigation measures are required.

BIOLOGICAL RESOURCES: Would the proposal result in impacts to	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. Endangered, threatened or rare species or their habitats (including, but not limited to plants, fish, insects, animals, and birds)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Locally occurring natural communities (e.g., oak woodlands, mixed conifer, annual grasslands, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Significant ecological resources including:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1) Wetland areas including vernal pools;				
2) Stream environment zones;				
3) Critical deer winter ranges (winter and summer), migratory routes and fawning habitat;				
4) Large areas of non-fragmented natural habitat, including but not limited to Blue Oak Woodlands, Valley Foothill Riparian, vernal pool habitat;				
5) Identifiable wildlife movement zones, including but not limited to, non-fragmented stream environment zones, avian and mammalian routes, and known concentration areas of waterfowl within the Pacific Flyway;				
6) Important spawning areas for anadromous fish?				

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Environmental Issues (See attachments for information sources)	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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**Planning Department**

Discussion-item 7b: The project description proposes the removal of approximately 14 trees. The application material identifies several of those trees are diseased or dying, and therefore will not require replacement. All other native trees proposed for removal will be replaced as follows:

Mitigation Measures-item 7b: Trees identified for removal, and/or trees with disturbance to their driplines, shall be replaced with comparable species on-site, in an area to be reviewed and approved by the DRC, as follows:

One, 15-gallon native tree for each native tree removed, or a functional equivalent approved by the DRC as follows: If replacement tree planting is authorized, the trees must be installed by the applicant and inspected and approved by the DRC prior to either: A) The acceptance of improvements by DPW, or: B) the issuance of a final Certificate of Occupancy by the Placer County Building Department. At its discretion, the DRC may establish an alternate deadline for installation of mitigation replacement trees if weather or other circumstances prevent the completion of this requirement.

In lieu of 20% of the mitigation for tree removal listed above, a contribution of either: A) \$100 for each native tree removed or impacted, or B) \$100 per diameter inch at breast height for each tree removed or impacted shall be paid to the Placer County Tree Preservation Fund. If tree replacement mitigation fees are to be paid in the place of tree replacement mitigation planting, these fees must be paid prior to issuance of a Building Permit, or any other discretionary permit issued by Placer County.

The unauthorized disturbance to the dripline of a tree to be saved shall be cause for the Planning Commission to consider revocation of this permit/ approval.

**8 ENERGY AND MINERAL RESOURCES - Would the proposal:**

- |  |                                     |                          |                          |                          |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a. Conflict with adopted energy conservation plans?  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Use non-renewable resources in a wasteful and inefficient manner?   | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Result in the loss of availability of a known mineral resource that would be of future value to the region and state residents? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

**9 HAZARDS - Would the proposal involve:**

- |   |                                     |                                     |                          |                          |
|---|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| a. A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)? | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Possible interference with an emergency response plan or emergency evacuation plan?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| c. The creation of any health hazard or potential health hazard?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Exposure of people to existing sources of potential health hazards?  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Increased fire hazard in areas with flammable brush, grass, or   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |

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Environmental Issues (See attachments for information sources)	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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trees?

**Environmental Health**

Discussion-item 9d: The project is located within 1 mile of an existing closed landfill facility that was in operation during the 1960's and earlier. The location of the project at the end of Jackpine Street in Tahoe City and is also adjacent to the closed Tahoe City Landfill boundary. The closed Tahoe City Landfill disposal area is located approximately 0.75 mile from the Landfill boundary and the project location. As the project location is greater than 1000 feet away (approximately 3900 feet) from the Tahoe City LF disposal area, this project will not be subject to postclosure landuse as dictated by Title 27, Section 21990 of the California Code of Regulations. Placer County Environmental Health Services Local Enforcement Agency reviewed the closed Tahoe City Landfill site and determined that the project location being adjacent to the landfill boundary and the distance to the landfill disposal area is unlikely to pose any health hazards to the public.

**10. NOISE: Would the proposal result in:**

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Increases in existing noise levels?                               | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Exposure of people to noise levels in excess of County standards? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**Environmental Health**

Discussion-items 10a & 10b: Noise from construction activities may noticeably increase noise levels above existing ambient levels. This is a potentially significant event.

Mitigation Measures-items 10a & 10b: In order to mitigate the impacts of construction noise noted above, construction noise emanating from any construction activities for which a building permit or grading permit is required is prohibited on Sundays and Federal Holiday, and shall only occur:

- A) Monday through Friday, 6:00 am to 8:00 pm (during daylight savings)
- B) Monday through Friday, 7:00 am to 8:00 pm (during standard time)
- C) Saturdays, 8:00 am to 6:00 pm

In addition, a temporary sign shall be located throughout the project (4' x 4'), as determined by the DRC, at key intersections depicting the above construction hour limitations. Said signs shall include a toll free public information phone number where surrounding residents can report violations and the developer/builder will respond and resolve noise violations. This condition shall be included on the Improvement Plans and shown in the development notebook.

ADVISORY COMMENT: Essentially, quiet activities, which do not involve heavy equipment or machinery, may occur at other times. Work occurring within an enclosed building, such as a house under construction with the roof and siding completed, may occur at other times as well.

The Planning Director is authorized to waive the time frames based on special circumstances, such as adverse weather conditions.

**11. PUBLIC SERVICES: Would the proposal have an effect upon or result in need for new or altered government services in any of the following areas:**

- |                        |                          |                                     |                          |                          |
|------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a. Fire Protection?    | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Sheriff Protection? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Schools?            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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**Environmental Issues**  
(See attachments for information sources)

No Impact      Less Than Significant Impact      Potentially Significant Unless Mitigation Incorporated      Potentially Significant Impact

- d. Maintenance of public facilities, including roads?
- e. Other governmental services?

**Planning Department**

Discussion-items 11a-11e: The project will introduce a new building and a change to the occupancy to the project site. However, it is not expected that this new use will result in a significant impact to the Public Services in the area. The applicant shall be required to obtain "will serve" letters from the affected public service providers.

**12. UTILITIES AND SERVICE SYSTEMS:** Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

- a. Power or natural gas?
- b. Communication systems?
- c. Local or regional water treatment or distribution facilities?
- d. Sewer, septic systems, or wastewater treatment and disposal facilities?
- e. Storm water drainage?
- f. Solid waste materials recovery or disposal?
- g. Local or regional water supplies?

**Planning Department**

Discussion-items 12a-12g: The project will introduce a new building and a change to the occupancy to the project site. However, it is not expected that this new use will result in a significant impact to the utilities and service systems in the area. The applicant shall be required to obtain "will serve" letters from the affected utilities and service systems providers.

**Environmental Health**

Discussion-item 12d: This project will not result in significant impacts to sewage disposal facilities. This project will be conditioned to provide Environmental Health Services a "willingness and availability" letter for public sewer services at the Improvement Plan stage.

Discussion-item 12f: This project will not result in significant impacts to solid waste facilities. This project will be conditioned to provide Environmental Health Services a "willingness and availability" letter for refuse disposal service at the Improvement Plan Stage.

Discussion-item 12g: This project will not result in significant impacts to local water supplies. This project will be conditioned to provide Environmental Health Services a "willingness and availability" letter for public water services at the Improvement Plan Stage.

**13. AESTHETICS:** Would the proposal:

- a. Affect a scenic vista or scenic highway?
- b. Have a demonstrable negative aesthetic effect?

**Environmental Issues**

(See attachments for information sources)

No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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c. Create adverse light or glare effects?

**Planning Department**

Discussion-items 13a-13c: The project has the potential to significantly impact the scenic qualities along this scenic corridor. However, with the implementation of the following mitigation measures and the attention paid to the aesthetics through the design review process, this impact shall be reduced to a less than significant level.

Mitigation Measures-item 13a:

Applicant shall be required to obtain approval from the Placer County Design Review Committee and incorporate recommendations of the North Tahoe Design Review Committee prior to building permit issuance.

Mitigation Measures-item 13c:

These lights shall not blink, flash, or change in intensity. Lighting shall be directed downward to prevent spill over onto neighboring properties and streets.

**14. CULTURAL RESOURCES: Would the proposal**

a. Disturb paleontological resources?

b. Disturb archaeological resources?

c. Affect historical resources?

d. Have the potential to cause a physical change, which would affect unique ethnic cultural values?

e. Restrict existing religious or sacred uses within the potential impact area?

**Planning Department**

Discussion-items 14b: The project area is a previously disturbed site and it is not anticipated that the project will have any impact on the cultural resources for this area.

If any archaeological artifacts, exotic rock (non-native), or unusual amounts of shell or bone are uncovered during any on-site construction activities, all work must stop immediately in the area and a SOPA-certified (Society of Professional Archaeologists) archaeologist retained to evaluate the deposit in consultation with the Washoe Tribe. The Placer County Planning Department and Department of Museums must also be contacted for review of the archaeological find(s).

If the discovery consists of human remains, the Placer County Coroner, Native American Heritage Commission and Washoe Tribe must also be contacted. Work in the area may only proceed after authorization is granted by the Placer County Planning Department. A note to this effect shall be provided on the Improvement Plans for the project.

Following a review of the new find and consultation with appropriate experts, if necessary, the authority to proceed may be accompanied by the addition of development requirements, which provide protection of the site, and/or additional mitigation measures necessary to address the unique or sensitive nature of the site.

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Environmental Issues (See attachments for information sources)	No Impact	Less Than Significant Impact	Potentially Significant Unless Mitigation Incorporated	Potentially Significant Impact
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**15 RECREATION** Would the proposal:

- a. Increase the demand for neighborhood or regional parks or other recreational facilities?
- b. Affect existing recreational opportunities?

**Planning Department**  
 Discussion-items 15a-15b: The project proposes to increase the number of residential units on this parcel, however the net increase of units (5) is not significant.

**III. MANDATORY FINDINGS OF SIGNIFICANCE**

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of rare or endangered plants or animals, or eliminate important examples of the major periods of California history or prehistory? NO  YES
- B. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) NO  YES
- C. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? NO  YES

**IV. EARLIER ANALYSIS**

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effect has been adequately analyzed in an earlier EIR or Negative Declaration [State CEQA guidelines Section 15063(c)(3)(D)]. In this case a discussion should identify the following on attached sheets.

- A. **Earlier analyses used.** Identify earlier analyses and state where they are available for review.
- B. **Impacts adequately addressed.** Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
- C. **Mitigation measures.** For effects that are checked as "Potentially Significant Unless Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Authority: Public Resources Code Sections 21083 and 21087.  
 Reference: Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151,  
*Sundstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1988), *Leoneff v. Monterey Board of Supervisors*, 222 Cal. App. 3d 1337 (1990)

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**V. OTHER RESPONSIBLE AND TRUSTEE AGENCIES WHOSE APPROVAL IS REQUIRED**

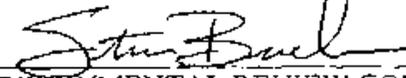
- |   |   |
|---|---|
| <input type="checkbox"/> California Department of Fish and Game                             | <input type="checkbox"/> Local Agency Formation Commission (LAFCo)    |
| <input checked="" type="checkbox"/> California Department of Transportation (e.g. Caltrans) | <input type="checkbox"/> California Department of Health Services     |
| <input checked="" type="checkbox"/> California Regional Water Quality Control Board         | <input type="checkbox"/> California Integrated Waste Management Board |
| <input type="checkbox"/> California Department of Forestry                                  | <input checked="" type="checkbox"/> Tahoe Regional Planning Agency    |
| <input type="checkbox"/> U.S. Army Corp of Engineers  | <input type="checkbox"/> California Department of Toxic Substances    |
| <input type="checkbox"/> U.S. Fish and Wildlife Service                                     | <input type="checkbox"/>  |
| <input type="checkbox"/> National Marine Fisheries Service                                  |   |

**VI. DETERMINATION (to be completed by the Lead Agency)**

The Environmental Review Committee finds that although the proposed project **COULD** have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because the mitigation measures described herein have been added to the project. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

**VII. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments Consulted)**

Planning Department, Steve Buelna, Chairperson  
Engineering and Surveying Division, Phil Frantz  
Environmental Health Services, Grant Miller  
Air Pollution Control District, Yushuo Chang

Signature:   
ENVIRONMENTAL REVIEW COMMITTEE CHAIRPERSON

12/1/05  
Date

proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of Environmental Impact Report and this Negative Declaration has been prepared.

Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A Mitigated Negative Declaration has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

**PROJECT INFORMATION**

**Title:** Wilderotter Rezoning / Plan Area Amendment

**Description:** Proposes to add five residential units on the property that already contains one single-family dwelling and a detached garage.

**Location:** 774 Jackpine Street, Tahoe City

**Project Proponent:** David Wilderotter, P O Box 6701, Tahoe City, CA 96145

**County Contact Person:** Steve Buela      **Telephone No.** (530) 886-3000

**PUBLIC NOTICE**

The comment period for this document closes on \_\_\_\_\_. A copy of the Negative Declaration is available for public review at the Planning Department public counter and at the Tahoe City Branch Library. Property owners within 300 feet of the subject site shall be notified by mail of the upcoming hearing before the Planning Commission. Additional information may be obtained by contacting the Placer County Planning Department at (530) 886-3000 between the hours of 8:00 a.m. and 5:00 p.m. at 11414 "B" Avenue, Auburn, CA 95603.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.

**RECORDER'S CERTIFICATION:**

The owner/applicant hereby acknowledges that the above mitigation measures will be incorporated as part of the project.

Signature of Owner and/or Applicant

Please Print



DAVID WILDEROTTER

Date: 12/14/05

Date: \_\_\_\_\_

## TAHOE REGIONAL PLANNING AGENCY

128 Market Street  
Stateline, Nevada  
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### MEMORANDUM

February 10, 2005

To: TRPA Governing Board

From: TRPA Staff

Subject: Amendment of the Boundary of Plan Area Statement 002, Fairway Tract, to incorporate Placer County APNs 094-010-007, 015, and 013 into Plan Area Statement 002, and Providing for Other Matters Properly Relating Thereto.

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Proposed Action: Adopt the attached Ordinance amending the boundary line between Plan Area Statement (PAS) 002, Fairway Tract, and PAS 001B, Tahoe City Industrial to incorporate Placer County Assessor Parcel Numbers 094 010-007, 013, and 015 into Special Area #1 of PAS 002. See Attachment A, Exhibit 1 for proposed boundary line amendment.

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Staff Recommendation: Staff recommends that the Governing Board conduct the public hearing as noticed and recommend adoption of the attached amendments.

Advisory Planning Commission Recommendation: The Advisory Planning Commission (APC) took public testimony on this matter at their regularly scheduled hearing on February 9, 2005, and voted unanimously to recommend approval of the proposed amendment to the Governing Board.

Consistency with the Placer County Zoning: Placer County has adopted TRPA's Plan Area Statements and Community Plans for its zoning. The Regional Plan amendment requires public hearings and adoption by both TRPA Governing Board and Placer County Board of Supervisors.

Discussion: TRPA received a request from the Mr. Dave Wilderotter and Leah Kaufmann, the applicants, to amend specific language in Special Policy # 2 in order to facilitate the development of multi-family housing within the plan area. Although the multi-family is currently permissible in the plan area the Special Policy #2 of the plan area prohibited any development within this plan area prior to the adoption of a Community/Master Plan for the dump site and SEZ. The plan area contains the former Tahoe City dump site which is located north of the subject parcel and which currently sits undeveloped. The three subject parcel are located south of the dump site adjacent to the residential plan area in PAS 002 and are currently developed with existing residential uses (See Attachment B, Location Map). The dump site was originally intended as a potential area to relocate incompatible industrial land uses in the Tahoe City area. However due to residential concerns, industrial traffic in a residential neighborhood, SEZ, and steep slopes, Special Policies were adopted for this plan area and the dump site. The following policies apply to PAS 001B:

JH/dmc

AGENDA ITEM XII.A.

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**EXHIBIT 5**

1. *Uses on the main highways should be primarily tourist-service in nature. This area is a preferred area for the location of uses not found to be compatible elsewhere in the Tahoe City area.*
2. *Before any development may take place in this Plan Area, a community plan shall be approved by the TRPA. The community plan shall address access, restoration of the dump site and SEZ, all necessary improvements, and sites for the relocation of incompatible uses found elsewhere in the area.*
3. *TRPA and Placer County will do an access study within one year of the amendment adopting this policy.*

Since the adoption of the Regional Plan, no community was ever initiated and TRPA and Placer County has not prepared an access study. However, the dump site itself has been restored. Because the applicant are interested in developing residential uses that are compatible with the existing land use pattern they proposed to only amend Special Policy #2 to permit residential uses to move forward while still requiring a community plan adoption for all other industrial commercial uses.

Staff reviewed the request and opined that it was more appropriate to move the three existing residential uses located within this plan area out of the commercial industrial zoning and relocate them in the adjacent residential plan area where the appropriate zoning exist. ~~The intent is to leave the original policy intact and have it only apply to that~~ portion of the plan area that is currently known as the dump site. Staff has discussed this with Placer County and the applicant and has come to an agreement that this would be an appropriate action to pursue.

The amendment itself would not result in any additional development than that allowed by the Regional Plan. Currently, the subject parcels are developed with residential uses and the current zoning PAS 001B permits multi-family uses. The relocation to PAS 002 does not change the zoning but provides for greater land use consistency by moving the subject residential parcels into the adjacent residential plan area and out of a commercial/public service land use classification where it is marginally consistent. The dump site would remain in the industrial plan area and would continue to be subject to the special policies.

Land Use Consistency: The proposed amendments do not result in any changes to the permissible use list that would result in inconsistent land uses or inconsistent land use patterns or the planning statement for the plan areas. All the plan areas targeted in these amendments currently have multi-family dwelling as a permissible use. Opportunities for multi-family development in the plan area are consistent with the land use classifications as follows:

Residential Areas are those areas having potential to provide housing for the residents of the Region. In addition, the purpose of this classification is to identify density patterns related to both the physical and manmade characteristics of the land and to allow accessory and non-residential uses that complement the residential neighborhood. These lands include areas now developed for residential purposes; areas of moderate-to-good land capability; areas serviced by utilities; or areas of centralized location in close proximity to commercial services and public facilities. The amendment is consistent with this classification ~~because current uses are residential uses. The parcels are on high capability~~

soils and the amendment would further provide a consistent land use classification for the subject parcels which are located within a commercial/public service land use classification. In addition, the relocation would make the existing residential single family uses conforming uses when located in PAS 002.

Plan Area Designations: The proposed amendment does not result in any incompatible uses since multi-family is permissible in both plan areas and the mechanisms to facilitate such development such as Preferred Affordable Housing and Transfer of Development Right designations are in place. Moreover, the amendment would actually bring the existing single family residential uses into conformity and more consistent with the adjacent residential neighborhood.

Transportation: No significant impacts to Level of Service are anticipated. It's anticipated that the close proximity to services and work centers will reduce the dependence upon the automobile. However, any subsequent project implemented, as a result of the amendment would have to provide adequate parking and mitigate a trips generated.

Effect on TRPA Work Program: No significant impact is expected on TRPA's work program as a result of this amendment since it does not result in any increased in development potential. The amendment will likely only affect the type of development being reviewed by staff.

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Findings: ~~Prior to amending the plan areas and community plan, TRPA must make the following Findings.~~

A. Chapter 6 Findings

1. Finding: 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.

Rationale: The proposed amendment to the boundary line of PAS 001B and PAS 002 will not adversely affect implementation of the Regional Plan. The proposed amendments are consistent with the intent of the plan areas to allow multi-family residential development. In light of the need to provide housing in the region, the amendments provide a mechanism to develop such project. The amendment potentially provides an opportunity to facilitate multi-family development, which are currently permissible in both plan area. As discussed in the staff summary, the amendment would result in a more consistent land use pattern; continue to provide policies to ensure any commercial/public service uses within PAS 001B are still subject to resolving the environmental concerns identified in 1982.

2. Finding: The project will not cause the environmental thresholds to be exceeded.

Rationale: The amendments will not cause the environmental thresholds to be exceeded. The amendments do not result in any additional development potential beyond that established by the Regional

Plan but rather provides opportunities and encourages higher density development within close proximity to commercial nodes to reduce the dependency on the automobile. Providing opportunities for higher density development closer to commercial nodes is consistent with the Transit Oriented Findings and will provide access to services, work centers, and transportation linkages, which reduces the vehicle miles traveled (VMTs) in the Basin.

3. Finding: Wherever federal, state, and local air and water quality standards applicable to the Region, whichever are stricter, must be attained and maintained pursuant to Article VI(d) of the Compact, the project meets or exceeds such standards.

Rationale: See findings 1 and 2 above.

4. Finding: The Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: See findings 1 and 2 above.

5. Finding: The Regional Plan and all of its elements, as implemented through the Code, Rules and other TRPA plans and programs, as amended, achieves and maintains the thresholds.

Rationale: See findings 1 and 2 above.

#### B. Chapter 13 Findings

1. Finding: The amendment is substantially consistent with the plan area designation criteria in Subsections 13.5.B and 13.5.C.

Rationale: As discussed in the staff summary above the amendment itself would not result in any additional development than that allowed by the Regional Plan. Currently, the subject parcels are developed with single family residential uses that are non-conforming with the current zoning in PAS 001B. The relocation to PAS 002 would result in conforming uses provides for greater land use consistency by moving the subject parcels into the adjacent residential plan area and out of a commercial/public service land use classification where it is marginally consistent. The dump site would remain in the industrial plan area and would continue to be subject to the special policies.

Environmental Documentation: Staff has reviewed the Initial Environmental Checklist (IEC) submitted by the City for the proposed amendment. Staff proposes a Finding of No Significant Effect (FONSE) based on the Chapter 6 and Chapter 13 findings and the IEC.

Staff will begin this item with a brief presentation. Please contact John Hitchcock at 775-588-4547, or via email at [jhitchcock@trpa.org](mailto:jhitchcock@trpa.org), if you have any comments regarding this item.

Requested Action: Staff requests the Governing Board take the following action:

1. Make a Finding of Chapter 6 and Chapter 13.
2. Make a Finding of No Significant Effect (FONSE).
3. Adopt the implementing ordinance adopting the proposed amendment.

Attachments Attachment A, Adopting Ordinance  
Exhibit 1, Proposed Boundary Line Amendment to PAS 002, Fairway  
Tract  
Attachment B, Location Map

TAHOE REGIONAL PLANNING AGENCY  
ORDINANCE 2005 -

AN ORDINANCE AMENDING ORDINANCE NO. 87-9, AS AMENDED, BY AMENDING THE BOUNDARY LINE OF PLAN AREA STATEMENT 002, FAIRWAY TRACT, TO INCORPORATE PLACER COUNTY APNS 094-010-07, 013, AND 015 INTO PLAN AREA STATEMENT 002; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

The Governing Board of the Tahoe Regional Planning Agency does ordain as follows:

<u>Section 1.00</u>	<u>Findings</u>
1.10	It is necessary and desirable to amend TRPA Ordinance 87-9, as amended, which ordinance relates to the Regional Plan of the Tahoe Regional Planning Agency (TRPA) by amending the boundary line of Plan Area Statement 002, Fairway Tract, to incorporate Placer County APNs 094-010-07, 013, and 015 into Plan Area Statement 002, in order to further implement the Regional Plan pursuant to Article VI(a) and other applicable provisions of the Tahoe Regional Planning Compact.
1.20	These amendments have been determined not to have a significant effect on the environment, and are therefore exempt from the requirements of an environmental impact statement pursuant to Article VII of the Compact.
1.30	The Advisory Planning Commission (APC) has conducted a public hearing on the amendments and recommended adoption. The Governing Board has also conducted a noticed public hearing on the amendments. At those hearings, oral testimony and documentary evidence were received and considered.
1.40	The Governing Board finds that, prior to the adoption of this ordinance, the Board made the findings required by Chapter 6 of the Code, Chapter 13 of the Code, and Article V(g) of the Compact. The Governing Board further finds that such findings are supported by substantial evidence in the record.
1.50	The Governing Board finds that the amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
1.60	Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00                      Amendment of Plan Area Statement 002, Fairway Tract

Subsection 6.10, subparagraph (26) of Ordinance No. 87-9, as amended, is hereby further amended as set forth in Exhibit 1, dated January 28, 2005, which attachments are attached hereto and incorporated herein.

Section 3.00 Interpretation and Severability

The provisions of this ordinance and the amendment to the Plan Area Statement adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendment to the Plan Area Statements shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendment to the Plan Area Statements are hereby declared respectively severable.

Section 4.00 Effective Date

The provisions of this ordinance amending Plan Area Statements 002, Fairway Tract shall be effective immediately upon adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held February 23, 2005, by the following vote:

Ayes:

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Nays:

Abstentions:

Absent

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Tim Smith, Chairman  
Tahoe Regional Planning Agency

