

**MEMORANDUM**  
**County of Placer**  
**Planning Department**

**HEARING DATE:** July 10, 2008

**ITEM NO.:** 3

**TIME:** 10:30

**TO:** Placer County Planning Commission

**FROM:** Development Review Committee

**DATE:** July 10, 2008

**SUBJECT: FINAL ENVIRONMENTAL IMPACT REPORT / CONDITIONAL USE PERMIT / MINOR LAND DIVISION – Tahoe Vista Partners, LLC, Interval Ownership Development Project (PEIR T2005 0537, PCPA 2008 0276, PMLD 2007 0810).**

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**GENERAL PLAN:** North Tahoe

**COMMUNITY PLAN AREA:** Tahoe Vista

**COMMUNITY PLAN DESIGNATIONS/ZONING:** Special Area #1 Tourist Area  
Special Area #2 Commercial Core

**STAFF PLANNER:** Stacy Wydra

**LOCATION:** The project site comprises 6.25 acres and is located at 6873 North Lake Tahoe Boulevard (State Route 28), approximately 250 feet north of Lake Tahoe and about one mile west of the intersection of State Route 28 and State Route 267.

**APPLICANT:** Ogilvy Consulting c/o: Wyatt Ogilvy on behalf of the Tahoe Vista Partners, LLC

**PROPOSAL:** The applicant is requesting approval of a Tentative Parcel Map to subdivide the 6.9 acre site into three parcels, and approval of a Conditional Use Permit for the development of 39 Tourist Accommodation Units (TAUs) a clubhouse/administration building, six affordable/employee housing units, improvement to the existing main two-story commercial building and State Route 28 frontage improvements.

**CEQA COMPLIANCE:*****Conditional Use Permit***

An Environmental Impact Report has been prepared for this project consistent with the requirements of the California Environmental Quality Act. The Draft EIR was released for a 45-day public comment period and, in response to public requests for an extension, TRPA and Placer County agreed to extend the public comment period for the Draft EA/EIR to 60 days. The review period began on January 9, 2008 and ended on March 10, 2008. Copies of the Draft EIR were made available for public review at the Placer County Community Development Resource Agency Main and Tahoe offices, the Nevada and California offices of TRPA and the Kings Beach and Tahoe City Libraries. Subsequent to the close of the public review period, the project applicant hosted a community meeting on March 31, 2008 at Spindleshanks Restaurant.

During the public review period, two public hearings were noticed and held on the Tahoe Vista / Sandy Beach Draft EIR: one was held by the TRPA Advisory Planning Commission on February 13, 2008, and one was held by the Placer County Planning Commission on February 14, 2008.

A Final EIR was completed and distributed for a ten-day review period from June 26, 2008 through July 7, 2008. The Planning Commission will be required to certify the Final EIR and adopt the Statement of Findings and Statement of Overriding Considerations, as set forth in Attachment "A".

The Environmental Assessment (EA), the environmental document prepared by the Tahoe Regional Planning Agency for its Federal permitting process, is scheduled for review by the Tahoe Regional Planning Agency Governing Board on July 23, 2008.

***Minor Land Division***

A separate Negative Declaration was prepared for the subdivision of the 6.9 acre parcel into three parcels. The Negative Declaration was released for a 30-day public comment period, beginning on May 13, 2008 and ending on June 13, 2008. Copies of the Negative Declaration were made available for public review at the Placer County Community Development Resource Agency Main and Tahoe offices, and the Kings Beach and Tahoe City Libraries. The Planning Commission will be required to approve the Negative Declaration subject to the findings including with this staff report.

**PUBLIC NOTICES AND REFERRAL FOR COMMENTS:**

Public notices were mailed to property owners of record within 300 feet of the project site. A Public Hearing Notice was also published in the *Sierra Sun* newspaper. Community Development Resource Agency staff and the Departments of Public Works, Environmental Health, Air Pollution Control District and the North Tahoe Regional Advisory Council (NTRAC) were transmitted copies of the project plans and application for review and comment. Other appropriate public interest groups and citizens were sent copies of the public hearing notice.

The proposed project was presented to the TRPA Advisory Planning Commission at its August 10, 2005 meeting as a public information item only; however, public and Commission comments

were heard. On February 9, 2006, the proposed project was presented to the North Tahoe Regional Advisory Council (NTRAC) as an informational item only; however, public and Council comments were heard. Additionally, on February 28, 2006, the project was presented to the Placer County Environmental Review Committee (ERC). That meeting constituted a formal public scoping meeting, and was conducted in accordance with Section 15082 of the State CEQA Guidelines.

The Minor Land Division was originally noticed for the Parcel Review Committee (PRC) meeting scheduled on June 25, 2008. The applicant requested that the item be removed from the agenda. So as not to bifurcate actions, the PRC Chairman removed the item from the agenda and referred the Tahoe Vista/Sandy Beach Minor Land Division to the Planning Commission to take action at this July 10, 2008 meeting.

**BACKGROUND:** Prior to 1990, both the project parcel (APN 117-071-029) and the approximately 1.72-acre Sandy Beach lakefront parcel (APN 117-072-014), located south of State Route 28 and directly across from the project parcel, were owned by a single property owner.

The original Sandy Beach Campground (known as Sandy Beach Resort) included tourist-oriented structures and related development on the two parcels. The existing commercial buildings have served as a hotel, post office, general store, gas station, and auto repair shop since the late 1920's.

In 1933, the Sandy Beach Resort 12 cabins and a small utility house became operational and offered summertime accommodations. Four cabins were added to the resort in the 1940's. These cabins were associated with the main hotel and the Sandy Beach Campground area on the project parcel north of State Route 28. The hotel included a grocery store and a restaurant that provided meals for camping, hotel, and cabin guests of the resort. One of the original 12 cabins (known as the "Manager's Cabin") was relocated from the lakefront parcel to the project parcel; this cabin is currently located just behind the existing main commercial building.

In May 1990, the California Tahoe Conservancy (Conservancy) acquired the Sandy Beach lakefront parcel from the current property owners with the intent of restoring the lakefront parcel to its natural state for public open space purposes.

The project was originally noticed for a project consisting of 45 Tourist Accommodation Units and 10 affordable housing units (identified as Alternative A in the EA/EIR). After receiving public comments, the applicant modified the project proposal to reduce the overall density of the project. The project was revised to reduce the potential environmental impacts and/or address issues raised by the public.

**PROJECT DESCRIPTION:** The proposed project (Alternative E in the EIR), includes the removal of the Sandy Beach Campground and the proposed construction of:

- Thirty-nine (39) interval ownership tourist accommodation units (TAUs),
- Clubhouse/Administration Building,

- Six (6) deed-restricted affordable/employee (for sale or lease) housing units,
- Improvements to the existing main two-story commercial building which contains an existing restaurant on the main floor and an office and residential unit on the second floor,
- Two driveway entrances on State Route 28 accessing the project site,
- A secondary fire access road at the north end of the site via a 5,363 square foot easement on the adjacent undeveloped parcel consistent with North Tahoe Fire Protection District direction, and
- State Route 28 frontage improvements.

The applicant also proposes to subdivide the existing 6.9-acre parcel into three parcels consisting of 4.74 acres for Parcel One, 0.82 acres for Parcel Two, and 0.69 acres for Parcel Three. Parcel One would include the six (6) affordable/employee housing units; Parcel Two would include the 39 fractional ownership TAUs and the clubhouse/administration building; and Parcel Three would include the improvements to the main two-story commercial building and State Route 28 frontage improvements.

An easement in the northern part of the site would be granted to the North Tahoe Public Utility District (or jointly to several agencies including the NTPUD) for a future multiple use (including bicycle) public trail consistent with the Tahoe Vista Community Plan and the North Tahoe Public Utility District's plans for a trail alignment within the vicinity of the project site. Seven ancillary buildings near the main two-story commercial building, as well as the campground restroom facility and RV dump station would be demolished and removed from the site. The "Manager's Cabin" would be advertised for sale for a two-week period to the public and agencies. If there is a lack of interest in its acquisition and removal, the "Manager's Cabin" would also be demolished.

The project would result in approximately 3.8 acres (165,644 square feet) of on-site impervious surfaces (approximately 61 percent) and 0.06 acre (2,672 square feet) of off-site coverage. All totaled, this would result in a slight reduction of the Tahoe Regional Planning Agency verified coverage for the site. This land coverage reduction would be banked by TRPA.

The secondary emergency access road has been proposed at the north end of the project site to address needs of the North Tahoe Fire Protection District. The emergency access would pass through approximately 139 feet of the undeveloped parcel to the north (location of the proposed Vista Village Workforce Housing Project site) and would join Toyon Road at its terminus. The emergency access road would be gated on both ends to ensure that it remains available for use by emergency vehicles.

**SITE CHARACTERISTICS:** The site is largely unpaved and contains the Sandy Beach Campground (a 27-space campground and recreational vehicle park), an approximately 7,300 square foot, two-story commercial building fronting State Route 28, and several other smaller buildings.

The private campground includes space for approximately 47 tent and RV sites; however, the northern half of the campground is closed and unavailable to campground patrons, leaving only 27 RV sites and associated sites and associated gravel pads in use. The campground and RV Park operate the 27 spaces under an Operating Permit issued by the California Department of Housing and Community Development (HCD) under its Mobile Home Park Program. Buildings and facilities associated with the campground include an existing 545-square foot restroom/shower building and an RV dump station. The campground is open between April and October, depending on weather and snow conditions. The campground is popular among seasonal workers, many of whom stay for extended periods and return year after year.

The two-story building fronting State Route 28 currently houses Spindleshanks Restaurant on the first floor and office space and a one-bedroom apartment on the second floor. Several outbuildings (service, storage buildings and coolers) are located behind the main commercial building and are included in the building totals. Eight smaller, one-story ancillary buildings ranging in size from approximately 65 to 690 square feet are clustered near the main building and near or adjacent to State Route 28. These buildings house Enviro-Rents, a kayak and bicycle rental office and storage building, the campground office, a small residential building (also known as the "Manager's Cabin"), a plumbing company building, and other uses.

**EXISTING LAND USE AND ZONING:**

	<b>LAND USE</b>	<b>ZONING</b>
<b>SITE</b>	<b>Campground, Commercial Building, Ancillary Buildings</b>	<b>Tahoe Vista Special Area #1: Tourist Area Tahoe Vista Special Area #2: Commercial Core</b>
<b>NORTH</b>	<b>Vacant (Site of the proposed Vista Village Workforce Housing Project currently on indefinite hold)</b>	<b>Tahoe Vista Special Area #6: Resident Area</b>
<b>SOUTH</b>	<b>200-foot beach currently maintained by the North Tahoe Public Utility District (NTPUD) across from SR 28</b>	<b>Tahoe Vista Special Area #2: Commercial Core</b>
<b>EAST</b>	<b>Residential, Nursery and other Commercial uses</b>	<b>Tahoe Vista Special Area #2: Commercial Core</b>
<b>WEST</b>	<b>Residential</b>	<b>Tahoe Vista Special Area #1: Tourist Area</b>

**DISCUSSION OF ISSUES:**

**Consistency with Community Plan**

The proposed project is located entirely within the Tahoe Vista Community Plan. The Tahoe Vista Community Plan identifies the front portion, of the site, adjacent to the State Highway, as Special Area #2 (Commercial Core), while the rear portion, of the site behind the existing commercial buildings, is designated Special Area #1 (Tourist Area). The land use classification for Plans Area Statement 022 is tourist, and permissible uses include Residential (including employee housing), Tourist Accommodation, Commercial, Public Service, Recreation, and Resource Management.

Staff has determined that the proposed project is consistent with the permitted land uses of the land uses identified in the Community Plan.

The Tahoe Vista Community Plan and TRPA Code of Ordinances Chapter 21 allow for a maximum of 15 units per acre for Tourist Accommodation Units (if 10% or more of the units have a kitchen) and for multi-family dwellings. The proposed project for the construction of a total of 45 units is consistent with the TRPA regulations and the Tahoe Vista Community Plan allowable density of 15 units per acre.

### **Traffic/Circulation and Parking**

Access to the project site is proposed via two driveways directly off State Highway 28. The encroachments are proposed to the west and east of the existing restaurant. The eastern encroachment will provide access into the parking area for the existing restaurant and to the affordable housing units. The western encroachment will provide access to the parking area of the restaurant, access to the affordable housing units and to the proposed TAUs. The design of parking facilities within the TVCP is regulated by Placer County (Standards & Guidelines for Signage, Parking and Design for the Lake Tahoe Region of Placer County). The Placer County standards require the following number of parking spaces for each of the land uses associated with the proposed project:

- Tourist Accommodation Units (TAUs): 1 space per full-time administrative employee, 1 space per 2 other full-time employees, 1 space per 3 part-time employees, 1 space per unit, 1 space per 250 square feet of meeting/display area, and 1 space per 400 square feet of commercial-retail area
- Affordable/Employee Housing Units: 1 space per two beds and ½ space per bedroom, which equates to 1 space per bedroom (assuming 1 bed per bedroom)
- Restaurant: 1 space per 4 customers or seats
- Office: 1 space per 250 square feet
- Apartment 1 space per two beds and ½ space per bedroom, which equates to 1 space per bedroom (assuming 1 bed per bedroom)

The total number of parking spaces required is 92 parking spaces for the overall project. The project is proposing to provide 118 parking spaces.

### **Landscaping Improvements**

The site is currently disturbed with the uses of the campground and existing structures. In early 2005, the project site contained 490 trees (pines, firs, incense cedars). However, 181 unhealthy trees have since been removed from the site under the authorization of a Tree Removal Permit issued by TRPA in December 2004. Trees authorized for removal under this permit, including the remaining 25 marked trees that have not yet been removed, are not considered to be part of the proposed project. Implementation of the project is expected to re-grade the majority of the project site, which would result in the removal of 100 trees on the project site, and 32 trees would need to be removed from the easement to accommodate construction of the secondary emergency access road. All totaled, the proposed project would result in the removal of two additional trees than what was originally proposed, primarily as a result of the construction of the emergency access road and the reduced scale of the project proposal. The recommended

conditions of approval for this project incorporate mitigation measures identified in the EIR to address impacts to trees, tree replacement, required on-site landscaping, re-vegetation and to ensure ongoing maintenance of the landscaping installed.

### **Affordable Housing Requirement**

Because the project site is in a Redevelopment Area, Article 15.65 of the Placer County Code requires that seven affordable housing units (15% of the 45 units) be provided. According to Section 15.65.160, three units would need to be provided for very low-income households and four units would need to be provided for moderate-income households. The applicant proposes to construct six affordable employee housing units on the project site. Based on Section 15.65.220, the Planning Commission may approve an equivalent proposal submitted under Section 15.65.190 (Equivalency Proposal Permitted). Such proposals need to demonstrate that the alternative proposal will further affordable housing opportunities to an equal or greater extent than compliance with the express requirements as outlined above. The alternative to be considered is allowing six low-income units rather than the required seven at the very low and moderate income levels. The applicant has requested the opportunity to choose one of the above two alternatives, to be determined during project development. Staff supports this request and has determined that either alternative will provide equivalent provisions for providing affordable housing as required by County Code. Condition 75 outlines the affordable housing requirements.

## **ENVIRONMENTAL REVIEW**

### **Adequacy of Alternatives Evaluated / Alternative E, Modified Reduced Development**

During the review of the Draft Environmental Impact Report, a number of comments were received with concerns that the alternatives analyzed in the document did not differ substantially from the originally proposed project (Alternative A), nor significantly reduce the project's environmental impacts. Requests for additional on-site open space, fewer units, small units, and suggested use of porous pavements and other low impact development (LID) techniques to achieve maximum on-site infiltration were received. Additionally, commenters indicated that there should be an alternative with a road infrastructure that meets the North Tahoe Fire Protection District's requirements for a fire apparatus access road.

The TRPA Code of Ordinances Section 5.3.A and Section 15126.6 of the State CEQA Guidelines require that the Draft EA/EIR describe a reasonable range of alternatives to the proposed project that could feasibly attain most of the project objectives while avoiding or substantially lessening any of the significant environmental effects of the project. As noted in the EIR, implementation of the proposed project, and its associated mitigation measures, would not result in any significant impacts to the environment.

In response to comments raised by the public, the applicant developed Alternative E which proposes a reduced number of Tourist Accommodation Units (from 45 to 39), increased the TAU unit size from those proposed in Alternative A but reduced the TAU unit size relative to Alternatives B and C (from 3,598 square feet to 3,277 square feet), reduced number of affordable/employee housing units (from 10 to 6), increased tree removal (from 130 to 132) as a result of the construction of the secondary fire access road consistent with Fire District direction.

The secondary emergency access would pass through approximately 139 feet of the undeveloped parcel to the north (location on the proposed Vista Village Workforce Housing Project site) and would join Toyon Road at its western terminus. The emergency access would be gated on both ends to ensure that it remains available for use only by emergency vehicles. The location of the emergency vehicle access could also allow use as part of a future bike path, indicated in Alternative A as joining the proposed project roadway at the northeast corner of the site.

### **Adequacy of the Cumulative Impact Analysis**

The adequacy of the cumulative impact analysis was questioned by commenters who believe there is a need for a stand-alone cumulative impact study of all the proposed projects on the North Shore.

In its review of the environmental document staff, in consultation with County Counsel, has determined that the cumulative impacts analysis in the Draft EA/EIR complies with the requirements of the State CEQA Guidelines with respect to methodology and level of detail. The document includes an analysis of cumulative impacts of the proposed project, taken together with other past, present, and probable future projects producing related impacts, as required by Section 15130 of the CEQA Guidelines and Placer County Code Section 18.20.030 on EIR contents.

Consistent with State requirements, the discussion of cumulative impacts in the Draft EA/EIR focuses on significant and potentially significant cumulative impacts; the discussion reflects the severity of the impacts and their likelihood of occurrence. Additionally, analysis focuses on those impacts to which the various projects would contribute, land coverage resulting in changes in runoff volume and runoff pollutant loads; increased traffic trips, related air pollutant emissions, and noise generation; massing and deterioration of scenic quality; habitat removal; and further demand for public services and utilities such as water supply, wastewater conveyance, treatment and disposal, police and fire protection, and recreation.

### **Use of the 1996 Tahoe Vista Community Plan**

A number of comments were received expressing concern that the Tahoe Vista Community Plan has not been updated since 1996. It was suggested that the project be delayed until the Regional Plan is approved or some other master plan is created. Additionally, some commenters expressed the opinion that the project and fractional use was not contemplated in the Tahoe Vista Community Plan. While a concern was raised regarding the Community Plan, the commenters were not specific as to how the current Community Plan is outdated or does not meet the needs of the community.

TRPA and Placer County require a project to be approved consistent with the rules in effect at the time of project approval. The Tahoe Vista Community Plan, adopted April 1996, is the current land use plan for the project site. Therefore, the Draft EA/EIR correctly evaluates all of the Alternatives for consistency with the applicable Goals and Policies of the Tahoe Vista Community Plan.

The Tahoe Vista Community Plan allows for a variety of residential, tourist accommodation units, and recreational uses. The project site is located in Tahoe Vista Special Area #1 (Tourist Area) and Special Area #2 (Commercial Core). In Special Area #1, tourist-oriented uses are encouraged and in Special Area #2, a mix of tourist and residential-serving commercial uses is encouraged. Permissible uses listed for these two areas include multi-residential units, timeshare tourist accommodations, commercial uses including eatery and drinking places, privately owned assembly and entertainment, outdoor amusements, secondary storage, and vehicle storage and parking, and recreation uses including day use areas and outdoor recreation concessions. The proposed project is consistent with the Tahoe Vista Community Plan and allowable land uses identified for Special Areas #1 and #2.

### **Adequacy of Payment of Mitigation Fees as Mitigation**

Several comments received stated that impacts should be mitigated in a physical rather than financial manner. Commenters also stated that a clear nexus between payment of mitigation fees and mitigation of impacts in the vicinity of the project needs to be identified. Specifically, there was concern that the fees paid for mitigation would not be utilized within the general vicinity or provide improvements within the area of which is being mitigated.

The use of fees as a means of providing mitigation for significant impacts is provided for in the State CEQA Guidelines and in CEQA case law. The State CEQA Guidelines Section 15130(a)(3) states in part: "A project's contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact." Further, CEQA case law supports the use of fees for mitigation of impacts where the agency reasonably expects that such fees will be used for mitigation (*Save Our Peninsula Committee v. Monterey County Board of Supervisors* [6<sup>th</sup> District 2001]). CEQA requires "a reasonable plan for mitigation" and the EIR should explain how the fee program will address the impact.

**Mitigation Fees for Replacement of Campsites:** The feasibility of providing off-site and in-kind campsite replacement projects were discussed with senior North Tahoe Public Utility District (NTPUD) and State Parks staff. Funding is not available at this time for the establishment of new facilities at either the NTPUD Mogilefsky Property or at Burton Creek State Park, as identified in the NTPUD Draft Recreation and Parks Master Plan and the Burton Creek State Park General Plan, respectively. Therefore, mitigation fees for the loss of 27 campsites would result in a fee of \$472,176, divided equally between the North Tahoe Public Utilities District and State Parks and earmarked for campground facility development. If after a period of five years following the banking of these fees, campground facility development has not progressed as envisioned, the fees could be used by North Tahoe Public Utilities District and California State Parks for other recreational facility development subject to review and approval by Placer County and the TRPA Recreation Program Manager. Examples of the use of these fees could include: construction of a restroom facility at the Sandy Beach Recreation Area; North Tahoe Regional Park improvements; National Avenue Recreation Area improvements; or other improvements that would provide additional lake access. Dependent on what is proposed the recreational facility development may be subject to review and approval by staff, the Planning Commission and/or Board of Supervisors.

In summary, the Draft EA/EIR explains how the fees would be used to physically mitigate the project's impact. The use of these fees to mitigate the associated project impacts is considered appropriate and adequate pursuant to TRPA regulations and CEQA.

### **Opportunities for Public Input**

Some commenters expressed concern regarding the opportunities for public comment and confusion regarding the public review process. Several comments asserted that the lead agencies were attempting to circumvent the public process and limit public input.

The public noticing and opportunities for public comment for the project were consistent with the requirements of the public review process in accordance with CEQA. As mentioned above within the section "CEQA Compliance" and "Public Notices and Referral for Comments" of this staff report, there were a number of public hearings held to comment on the proposed project. Specifically, five meetings were held, three of which were public information or scoping meetings and two were public hearings held during the public review period of the draft EA/EIR.

### **Proposed Project/Alternative E – Summary**

As mentioned above, the applicants have revised their proposed project to be consistent with Alternative E. TRPA and Placer County have the discretion to approve a project alternative similar in character to the proposed project that meets the project objectives with less coverage and fewer units than proposed in other alternatives, with no need to recirculate the EA/EIR. Such a reduced development alternative (i.e., the proposed project), would further reduce the incremental impacts of the proposed project and would not create significant impacts that could not otherwise be mitigated.

In summary, similar to other alternatives, Alternative E would further reduce the proposed project's less than significant environmental impacts. As such, Alternative E does not change the Draft EA/EIR impact conclusions (less than significant), eliminate recommended mitigation measures, or require new mitigation. Therefore, should the Planning Commission act to approve the project as proposed by the applicant, recirculation of the EA/EIR would not be necessary.

In response to public comments received, the Development Review Committee recommends that the Planning Commission approve Alternative E as proposed by the applicant.

**Recommendation:** The DRC recommends the Planning Commission take action to:

- 1) Certify the Final Environmental Impact Report, which includes adopting the Statement of Findings of Fact and Statement of Overriding Considerations prepared for this project.
- 2) Approve the Conditional Use Permit as proposed by the applicant.
- 3) Adopt the Negative Declaration for the Tentative Parcel Map.
- 4) Approve the proposed Tentative Parcel Map based on the findings set forth below.

**RECOMMENDED FINDINGS:**

EIR FINDINGS

See "Statement of Findings and Statement of Overriding Consideration" Attachment A

Conditional Use Permit Findings

Having considered the staff report, supporting documents and public testimony, the Planning Commission hereby finds that:

1. The proposed subdivision, together with the provisions for its design and Improvements are consistent with the North Tahoe General Plan, Tahoe Vista Community Plan and Placer County General Plan and with applicable County Zoning Ordinances.
2. The site of the project is physically suitable for the type and proposed density of the development.
3. The project, with the recommended conditions, is compatible with the Neighborhood and adequate provisions have been made for necessary public services and mitigation of potential environmental impacts.
4. The design and proposed improvements of the subdivision are not likely to cause substantial environmental damage or public health problems.
5. The proposed use is consistent with all applicable provisions of Chapters 17 and 18 of the Placer County Code.
6. The proposed use is consistent with the objectives, policies, general land uses and programs as specified in the North Tahoe General Plan, Tahoe Vista Community Plan and the Placer County General Plan.
7. The establishment, maintenance or operation of the proposed use would not be detrimental to the health, safety, and general welfare of people residing or working in the neighborhood of the proposed use, and would not be detrimental or injurious to property or improvements in the neighborhood or the general welfare of the County, in that the special agencies and districts have indicated that they will be able to serve the project, the project is compatible with the adjacent and surrounding uses and will not create an incompatibility between uses, and the project site is suitable in size and shape to accommodate the proposed project.
8. The proposed use is consistent with the character of the immediate neighborhood and would not be contrary to the orderly development of the Tahoe Vista Community Plan.
9. The proposed use would not generate a volume of traffic beyond the capacity of roads providing access to the use, consistent with the applicable requirements of the North Tahoe General Plan, Tahoe Vista Community Plan and Placer County General Plan.
10. The proposed affordable/employee housing units of the project meet the requirements of Placer County Code Section 15.65.180, in that the clustered location of the units is a more residentially desirable location within the project site and have the appearance of residential uses. Because of this, the proposed location will further the potential for these units to be utilized for affordable housing opportunities.

11. The proposed six affordable/employee housing units of the project meet the requirements of Placer County Code Section 15.65.190 in that the project is complying with the minimum requirement for affordability through equivalency of an alternative proposal which will further affordable housing opportunities in the County Redevelopment areas to an equal or greater extent than compliance with the express requirements of Section 15.65.130 through 15.65.260. The alternative of six units restricted at low income affordability will satisfy the intent of the Affordable Housing Ordinance requirement of seven units providing three units at very low income affordability and four moderate income units.

#### Tentative Parcel Map Findings

The Planning Commission has considered the proposed Negative Declaration, the staff report and all comments thereto, and hereby adopts the Negative Declaration for the project based upon the following findings:

#### CEQA – Negative Declaration for Parcel Map

1. The Negative Declaration has been prepared as required by law. The project is not expected to cause any significant adverse impacts.
2. There is no substantial evidence in the record as a whole that the project may have a significant effect on the environment.
3. The 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 custodian of records for the project is the Placer County Planning Director, 3091 County Center Drive, Suite 140, Auburn CA, 95603.

#### Tentative Parcel Map

5. The proposed map is consistent with the objectives, policies, general land uses and programs as specified in the Placer County General Plan and the Tahoe Vista Community Plan. The design and required improvements of the proposed subdivision are consistent with said plans and applicable County ordinances.
6. The site for the proposed subdivision is physically suitable for the type and proposed density of the development, and will provide an appropriate transition between low-density residential and commercial uses both on-and off-site.
7. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat, and in fact would result in far less impact than is allowed by the current zoning on this property.
8. The design of the subdivision and the type of the improvements are not likely to cause serious health problems.
9. The design of the subdivision and the type of the proposed improvements will not conflict with easements acquired by the public at large for access through, or use of property, within the proposed subdivision.

Respectfully submitted,

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Stacy Wydra, Chairperson  
Development Review Committee

Attachments:

Attachment A – Statement of Findings for the EIR  
Attachment B – Conditions of Approval  
Attachment C – Vicinity Map  
Attachment D – Subdivision Parcel Map  
Attachment E – Project Proposal Site Plan  
Attachment F – Alternative E Site Plan  
Attachment G – Public Comment Letters  
Attachment H – Negative Declaration  
(Final EIR separately distributed document)

cc: EIR file  
Tahoe Vista Partners, LLC  
Ogilvy Consulting c/o: Wyatt Ogilvy  
Michael Johnson, Planning Director  
Karin Schwab, County Counsel  
Allison Carlos, CEO  
Gina Langford, Environmental Coordinator  
Sarah Gilmore, Engineering and Surveying  
Stephanie Halloway, DPW  
Grant Miller, Environmental Health Division  
YuShuo Chang, Air Pollution Control District  
Vance Kimbrell, Parks  
Ed Wydra, Facilities  
Andrew Darrow, Flood Control District  
North Tahoe Advisory Council  
NOP commenter

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